

2020 Annual Campus Safety and Fire Report



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UNO Department of Public Safety

Welcome!

As the Director of the University of Nebraska Omaha Department of Public Safety, it is my pleasure to welcome you to the University of Nebraska at Omaha, and to present the 2020 Annual Campus Safety and Fire Report.

Our Department is committed to the safety of students, faculty, staff, and visitors while on our metropolitan campus. We value you, and are here to provide the best possible service to all.

Comprised of Police Officers, Security Officers and a host of support staff, the Department is committed to providing prompt and professional services to the UNO campus community, and its guests. Our officers patrol campus on foot, on bicycle and in marked vehicles, so don't be surprised if you see one of them in your area. In fact, feel free to stop and chat.

If you ever need help, or feel unsafe in any way, the Department is here to assist you. We provide many safety-related services including escorts between buildings, or to your vehicle if needed. The Department also sponsors many outreach and training programs.

Please visit us on the public safety website <https://www.unomaha.edu/public-safety/index.php> or contact us directly for more information regarding any of these services.

If there is a significant safety related incident on campus, you may receive an alert through email or text messaging. This is our best way of getting information to you as fast as possible. Students are automatically enrolled in the program. However, staff and faculty must sign up for the service.

I hope you enjoy your time on our campus. We look forward to seeing you.

Charlotte Evans, Director

The **Annual Campus Safety and Fire Report** (ASR) includes safety information for the University of Nebraska Omaha, including crime & fire statistics for the 2019 calendar year, and the information required by the Drug-Free Schools and Communities Act of 1989. All data is submitted to the U.S. Department of Education according to law.

The University of Nebraska Omaha Department of Public Safety (UNODPS) is located in the Eppley Administration Building, Room 100, and provides services to the University community 24-hours a day. Call 402.554.2648 for information regarding any service offered by the UNODPS.

The University of Nebraska shall not discriminate based upon age, race, ethnicity, color, national origin, gender-identity, sex, pregnancy, disability, sexual orientation, genetic information, veteran's status, marital status, religion, or political affiliation.



Introduction: An Overview of Campus Safety and Security Reporting

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC §1092(f)) is a federal law, which requires colleges and universities, participating in federal student aid programs, to release information regarding crime statistics on and near their campus, and enact certain policies and procedures for handling incidents of sexual violence and emergencies.

Enforced by the United States Department of Education, the Clery Act requires colleges and universities to publish an Annual Security Report (ASR) by October 1. The law also requires that schools notify students, prospective students, and employees of the reports existence and make a copy available to them upon request.

The Act also requires institutions with a security department to maintain and publish a daily crime log to record all criminal incidents and alleged criminal incidents that are reported to the UNODPS. The log also maintains a record of all reported fires that occur in on campus student housing. The annual ASR also includes statistical information regarding fires that occur in on-campus student housing.

On March 7, 2013, the Violence Against Women Reauthorization Act of 2013 (VAWA) (Public Law 113-14) was signed into law. It requires institutions to disclose additional crime statistics, policies, and programs related to dating violence, domestic violence, sexual assault and stalking. It also included disclosure of statistical information regarding new categories of hate crimes. Additionally, it required disclosure of the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred.

The ASR is made available to all new students and employees. Current students and employees are informed of the report through a mass email on or before October 1st of each year. Prospective students and employees are made aware of the report through the enrollment materials for prospective students and through the application materials for prospective employees.

The “Clery Act” is named in memory of 19 year-old Lehigh University freshman Jeanne Ann Clery, who was raped and murdered on April 5, 1986 while asleep in her dorm room.



The ASR, crime prevention and safety information can be found at

https://www.unomaha.edu/public-safety/_doc/annual-campus-safety-fire-report-2020.pdf

Crime data for UNO and other educational agencies is found at:

<http://ope.ed.gov/security/>

Link to the UNO Daily Crime & Fire Log:

<https://scsapps.unl.edu/UNO-PoliceReports/MainPage.aspx>

The Department of Education’s mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access. Campus safety is an important consideration when choosing a postsecondary school.

www.ed.gov

Elements of the Clery Act

Daily Crime Log

Institutions with a police or security department are required to maintain a public crime log documenting the "nature, date, time, and general location of each crime" and its disposition, if known. Reported incidents must be entered into the log within two business days. The log should be accessible to the public during normal business hours, remain open for sixty (60) days, and subsequently be made available within two business days upon request.

Reporting Requirements

- UNODPS is responsible for the annual review, preparation, and distribution of the ASR.
- UNODPS must document three calendar years of select crime statistics, security policies, and information on the basic rights guaranteed to victims of sexual assault, domestic violence, dating violence and stalking.
- UNODPS uses its own records and sends out formal requests for crime statistics and other necessary information to Campus Security Authorities and any applicable law enforcement agencies.
- Records including crime reports, daily incident summaries, referrals for disciplinary action, copies of timely warnings, etc., are maintained by UNODPS.
- UNODPS is also responsible for uploading statistical data regarding crime and fires to the Department of Education's website as required each year.

Fire Report

Institutions with on-campus housing must report fires that occur in campus housing, generate an annual fire report, and maintain a fire log. Both the report and the log must be accessible to the public. UNODPS combines the ASR and the annual fire safety report into one document, the "UNODPS Annual Campus Security and Fire Safety Report".

Reporting of Crime Statistics

Provide to the U.S. Department of Education crime statistics for incidents that occur on campus, in unobstructed public areas immediately adjacent to or running through the

campus, and at certain non-campus facilities, including Greek housing and remote classrooms.

The statistics must be gathered from campus police or security, local law enforcement, and other school officials who have "significant responsibility for student and campus activities." The Clery Act requires reporting of crimes in seven major categories, some with significant sub-categories and conditions.

The Clery Act requires your institution to include four general categories of crime statistics:

- Criminal Offenses
- Hate Crimes
- VAWA Offenses
- Arrests and Referrals for Disciplinary Action

Statistics must be disclosed separately for each of these four general categories. This means that when an incident meets definition in more than one of these categories, it must be reported in each category.

Hate Crimes

Crimes motivated by prejudice, including race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, and/or disability.

Violence Against Women Act (VAWA)

Statistics for violent incidents against women must also be reported.

Arrests and Referrals for disciplinary action

UNO is required to report arrests or referrals for campus disciplinary action regarding Violation of Weapons, Drug Abuse and Liquor Laws, even if an arrest was not made. This does not include violations of UNO policies if there was no violation of the law.

Enforced by the United States Department of Education, the Clery

Act requires colleges and universities to publish an Annual Security Report (ASR) by October 1. The ASR requires the inclusion of a number of mandatory reporting elements that make up the foundation of the Act.

Timely Warnings

Timely warnings are limited to those crimes and incidents an institution is required to report and include in its ASR. There are differences between what constitutes a timely warning and an emergency notification. However, both systems are in place to safeguard students and campus employees.

Emergency Notifications

Institutions are required to inform the campus community about a **“significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.”** An emergency notification expands the definition of timely warning as it includes both Clery Act crimes and other types of emergencies (i.e., a fire or infectious disease outbreak). Colleges and universities with and without on-campus residential facilities must have emergency response and evacuation procedures in place. Additionally, compliance requires one test of the emergency response procedures annually and policies for publicizing those procedures in conjunction with the annual test.

Missing Students

This policy attempts to minimize delays and confusion during the initial stages of a missing student investigation. Institutions must designate one or more positions or organizations to which reports of a student living in on-campus housing can be filed if it is believed that student has been missing for 24 hours.

Policies and Programs

The Act requires the University to publish relevant information regarding policies and programs related to Clery Act crimes and reporting, sexual misconduct, crime prevention, security awareness, drugs and alcohol policies, and campus safety.

The SaVE Act

While States have laws that address sexual misconduct, many institutions of higher learning have policies and procedures that govern sexual misconduct on their respective campuses. The SaVE Act clarified the handling of sexual misconduct cases and set minimum standards for how such institutions responded to reports of sexual misconduct. At a very minimum, the Act increased transparency to school’s processes and procedures affording more protection and accountability for both the accuser and the accused.

The Act guarantees victim/survivor rights, regardless of whether they choose to pursue a formal complaint or not.

UNODPS collects Crime Statistics from a variety of reporting sources. UNODPS may receive reports from any or all of these sources in any given reporting period.

- Reports made to UNODPS for investigation.
- Reports made to UNODPS for statistical purposes only.
- Reports from Campus Security Authorities.
- Reports from the Title IX Office.
- Reports from Student Housing and Conduct.
- Reports from other Law Enforcement Agencies.
- Anonymous tip lines.
- Confidential Sources.

The Hierarchy Rule. When more than one Criminal Offense was committed during a single incident, we only count the most serious offense. There are exceptions to using the Hierarchy Rule when counting offenses. They apply to Arson, Sexual Assaults, Hate Crimes and Violence against Women Act Offenses.

Students must be informed of any possible sanctions or protective measures that may result from an institutional disciplinary proceeding.

Certain procedures must be followed upon the report of an incident of sexual violence. Evidence must be preserved for possible criminal proceedings. The ASR must clarify to whom incidents can be reported.

Victims options regarding formal complaints, including the right not to file a complaint formally must be explained. Victims must be provided information regarding available services regarding protection orders, counseling, health services, mental health services, victim advocacy, legal assistance, and any other services available on campus or in the community.

Institutions must make changes to the academic, living, transportation, and working situations of any victim, if requested and reasonably available, regardless of whether a formal report is made.

Victims have a right to seek disciplinary action and protection directly from the institution. The institution must adopt and disclose policies that state the standard of evidence required. The institution must complete a “prompt, fair and impartial investigation and resolution”.

Requires officials who conduct proceedings to receive annual sexual violence training, including instruction on the proper conduct of an investigation, to promote the safety of victims and provide accountability.

- Requires that both the accuser and accused be entitled to the same opportunities to have an attorney or advisor present at any related meeting or proceeding.
- Require that both the accuser and accused are simultaneously informed in writing of:
 - The outcome of any institutional disciplinary proceeding and the appeals process.
 - When the results of the proceeding become final and any changes to the results of the proceeding.
- Provide campus wide educational programming regarding prevention.
- The institution has a formal statement that prohibits sexual violence, provide a definition of domestic violence, dating violence, sexual assault, stalking and consent for sexual activity.
- Promote bystander intervention and risk reduction.
- Provide information regarding disciplinary hearings and victim's rights as required by the act.

The Campus Sexual Violence Elimination (SaVE) Act is an amendment to the Clery Act requiring institutions who receive federal financial aid to implement a number of changes to its reporting procedures. It also attempts to increase transparency about the scope of sexual violence on campus through the collection and reporting of additional statistics.

Clery Defined Geography



On-Campus. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct

Clery Reportable Criminal Offenses

- Criminal Homicide
- Murder & Non-negligent manslaughter
- Negligent manslaughter
- Sex Offenses
- Rape
- Fondling
- Incest
- Statutory Rape
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson

Additional Reportable Hate Crimes

- Larceny/Theft
- Simple Assault
- Intimidation
- Destruction/Damage/Vandalism of Property

VAWA Crimes

- Domestic Violence
- Dating Violence
- Stalking

Arrests and Referral Crimes

- Liquor Law Violations
- Drug Law Violations
- Illegal Weapons Possession

Students must be notified of Clery Act Crimes which pose a serious or ongoing threat to students and employees. Institutions must provide timely warnings in a manner likely to reach all members of the campus community.

For the purposes of counting and disclosing statistics, UNO must do so based on definitions provided by the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program.

support of, or in a manner related to, the institution's educational purposes, including residence halls; and

Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

On-campus Student Housing Facility. Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

Public Property. All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Non-Campus buildings or property. Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

The Clery Act requires institutions to disclose statistics for reported crimes based on:

- Where the crimes occurred.
- To whom the crimes were reported.
- The types of crimes that were reported.
- The year in which the crimes were reported.

UNO must disclose statistics for reported Clery Act crimes that occur:

- On campus.
- On public property within or immediately adjacent to the campus.
- In or on non-campus buildings or property that your institution owns or controls.

Geographic definitions are taken directly from "The Handbook for Campus Safety and Security Reporting 2016 Edition."

If an institution has more than one campus, each campus must comply independently with all of the Clery Act and the fire and safety related HEA requirements.

Crime Reporting for Statistical Purposes and Notifications

The UNODPS strives to strike a balance between empowering victims to make a decision about whether and when to report a crime. At a minimum, it is important to report all crimes for statistical purposes and for the purpose of making timely warning reports or emergency notifications, even if the victim does not wish to pursue further action. In most cases, when a victim wishes to

remain anonymous, the inclusion of personally identifiable information is not necessary.

To provide the University community with important information and notifications, crime statistics for four general criminal categories are tracked for all required annual reports and Web-based data collection.

- Criminal Offenses
 - Murder, Sexual Assault, Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson
- Hate Crimes
 - Any of the above crimes motivated by bias.
- VAWA Offenses
 - Domestic Violence, Dating Violence and Stalking
- Arrests and Referrals for Disciplinary Action
 - Weapons, Drug Abuse and Liquor Laws

The UNO Department of Public Safety encourages accurate and prompt reporting of all crimes.

Clery Act reports and other public disclosures will never contain a victim's personally identifying information if they choose not to disclose it.

How to Report Crimes and Emergencies

The University allows victims and witnesses to provide information about a crime on a voluntary, confidential basis if so desired. However, it is important for the safety of other students, as well as for the community as a whole, that any crime is reported so that appropriate measures can be taken. The University understands that people may be concerned about their name becoming public and will protect the privacy of the parties involved and the confidentiality of the information to the extent possible under the law.

Emergencies

Emergencies requiring police, fire or medical aid should be reported by calling Public Safety at 402.554.2911 or 911.

Calling 911

UNODPS dispatch is NOT a 911 center. We can assess a situation and summon additional help. However, in certain situations, for example when callers who are non-English speakers, or those requiring TTY/TDD-capable terminals, calling 911 may be the best option.

U-Tip Text Messaging

Using U-Tip is an application of the UNO Alert system, but registration with UNO Alert is not required to use the system.

You can use the service to report suspicious activities seen on campus, such as theft, vandalism, drugs, domestic disputes, disorderly sports fans, and more.

U-Tip can be useful in reporting incidents before they escalate. U-Tip is **not** anonymous.

To use U-Tip enter **79516** in the To: field

In the text message field type **UNO911** *your message here*.
For example: UNO911 possible car break-in west of DSC

“UNO911” is UNO's campus identifier. **It is essential that you provide a space between UNO911 and the body of your text message for the message to be routed to UNO Public Safety.** Your message is sent directly to Public Safety and appropriate action will be taken.

Blue Light Emergency Phones



Blue light emergency phones are located throughout campus and may be activated by simply pushing a button.

This will connect you with a Public Safety dispatcher who will provide assistance.

Campus Security Authorities

Although every institution wants its campus community to report criminal incidents to law enforcement, that this doesn't always happen. A student who is the victim of a crime may report it to someone other than the campus police. For example, a victim of a sexual offense may turn to a resident advisor for assistance, or a student whose car was stolen may report the theft to the school's director. For this reason, the Clery Act requires all institutions to collect crime reports from a variety of individuals and

organizations that are considered to be “campus security authorities” under the law.

“Campus security authority” is a Clery Act-specific term that encompasses four groups of individuals and organizations associated with an institution.

- A campus police department or a campus security department of an institution.
- Any other individual who has responsibility for campus security (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- An individual or organization specified in policy to which students and employees should report criminal offenses.
- A person who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings.

Counseling Center

Counseling and Psychological Services (CAPS)

CAPS provides programs and services on campus that assist students in maximizing their potential while at UNO. Counseling services are confidential and all conducted by Licensed Mental Health Practitioners and a graduate student.

Offered by Counseling and Psychological Services Center (CAPS)

- Short-Term Counseling
- Consultation
- Emergency Services
- Group Counseling
- Prevention Services
- Outreach Education
- Wellness Education

Some of the areas of concern commonly addressed in short-term counseling include:

- Anxiety
- Depression
- Loneliness
- Grief
- Life transitions
- Accepting self
- Effects of trauma

Health Services

- Primary care for common illnesses and injuries
- Urgent care (faculty/staff eligible)
- Annual physicals and women's and men's health exams

- Psychiatry
- Blood pressure health screenings
- Sexually Transmitted Infection screenings and care
- Wellness profiles
- Pregnancy testing (prenatal care not offered)

How Do You Know What To Do?

Below is a brief summary of an emergency or urgent situation. However, you are always welcome to call 402.554.2409, for consultation and assistance.

Emergency

An emergency is defined as a life-threatening situation and requires an immediate intervention or response. Examples of an emergency include, but are not limited to:

- Suicidal/homicidal thoughts
- Intent, plans, life threatening behaviors

In the event of an emergency, please call 911, or contact UNO Public Safety by dialing 402.554.2911. You may also go to the nearest emergency room. Counselors are available at 102 H&K M-F from 8 AM to 5 PM. On weekends, please immediately contact Public Safety at 402.554.2911, call 911, or go to the nearest hospital. **You may also contact the Boys Town National Hotline at 1.800.448.3000 if that support would be helpful.**

Urgency

An urgent situation is a non-life threatening, immediate situation where a student may feel overwhelmed. Including, but are not limited to:

- Grief and loss of significant people or relationships
- Severe stress or anxiety over academic challenges
- Intense feelings of sadness and lack of motivation without thoughts of suicide

Because the UNO Health Center is an independent entity, the organization is not obligated to follow university reporting requirements for sexual misconduct. If a student wishes to report sexual misconduct through the university, please see the university policy outlined in the Sexual Misconduct Procedures document available on the Counseling and Psychological Services (CAPS) website.

Law Enforcement on Campus

UNODPS coordinates all functions of campus safety. We are responsible for the continuous patrol of campus property and respond to calls for service. UNODPS law enforcement officers and security officers patrol Dodge Campus, Scott Campus, and Center Campus locations 24/7 by foot, bicycle, and motorized patrols.

Prior to October 2015, UNODPS also contracted with Omaha Police Department to provide School Resource Officers. These officers focused on crime prevention

through a visible law enforcement presence on campus and responded to calls for service as necessary.

In June of 2015, Chief Evans was hired as the first Director of Public Safety, and UNO’s Campus Security Department began its transition to the UNO Department of Public Safety. This process started with the hiring of three full time police officers, a position dedicated to emergency preparedness, the hiring of an investigator, and a plan to increase the number of sworn officers.

- UNODPS’ sworn law enforcement officers have full police and arrest powers.
- Officers complete certification at the State Law Enforcement Training Center.
- Are commissioned by the State of Nebraska as Special Deputy Sheriffs.
- Undergo continuous training to upgrade and maintain their professional skills.
- Have the authority to enforce Omaha city ordinances and state laws within Douglas County.
- UNODPS Monitors criminal activity by students at non-campus locations of officially recognized student organizations.
- Primary jurisdiction is property owned by and associated with UNO.
- Campus Security Officers (CSOs) are unarmed and do not have arrest powers.
- CSOs are trained in first aid, CPR, AED (Automated External Defibrillator), and defensive tactics.
- May undergo other specialized training such as crisis intervention training to enhance their skills.

In August of 2018, Chief Evans was named interim chief of police/director of campus security and public safety for the University of Nebraska at Omaha (UNO) and the University of Nebraska Medical Center (UNMC).

While Chief Evans has supervision over both UNO and UNMC campuses, crime statistics are collected and separate ASR’s are created for each campus.

The Clery Act requires every Title IV institution, without exception, to:

- Disclose emergency response and evacuation procedures.
- Include a statement of policy regarding your emergency response and evacuation procedures.
- Immediately notify the campus community upon confirmation of a significant emergency or dangerous situation.
- Describe the procedures your institution will use in a significant emergency or a dangerous situation.
- Describe your procedures for both response and evacuation in emergency or dangerous situations.
- Address how the institution will disseminate emergency information to individuals and/or organizations outside of the campus community.
- Test the emergency response and evacuation procedures on at least an annual basis.
- Timely alert the campus community to certain crimes surrounding a criminal incident that represents a serious and continuing threat to its students and employees.

Emergency Notifications, Timely Warnings, Security Bulletins

The HEA has specific requirements intended to help keep students and employees informed about threats to their safety and health in a manner that allows them to protect themselves.

UNODPS will issue timely alerts in order to keep the campus community informed about safety and security issues on an on-going basis. UNODPS will alert the campus community of certain crimes in a timely manner to aid in the prevention of similar crimes.

Emergency Notifications

Under the Clery Act, every institution is required to immediately notify the campus community upon confirmation of a significant emergency or dangerous situation occurring on the campus that involves an immediate threat to the health or safety of students or employees. An “immediate” threat as used here includes an imminent or impending threat.

Timely Warnings

The Clery Act requires UNO to alert the campus community to certain crimes in a manner that is timely and will aid in the prevention of similar crimes. Although the Clery Act doesn’t define “timely,” the intent of a warning regarding a criminal incident(s) is to enable people to protect themselves.

This means that a warning should be issued as soon as pertinent information is available. This is critical; even if UNO doesn’t have all of the facts surrounding a criminal incident that represents a serious and continuing threat to its students and employees UNO must issue a warning. The warning must contain information about the type of criminal incident that has occurred.



Security Bulletins

Security Bulletins may be issued in situations in which UNO might choose to alert the campus community. However, the incident does not meet the threshold of a significant emergency or dangerous situation for the purposes of the Clery Act.

Emergency Notification and Timely Warnings: Sorting Out the Differences

The Clery Act requires every Title IV institution, without exception, to have and disclose emergency response and evacuation procedures that would be used in response to a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

Some other examples of significant emergencies or dangerous situations are:

- Outbreak of disease or other serious illness.

- Approaching tornado, blizzard, flooding or other extreme weather situations.
- Natural gas leak or other biohazard.
- Terrorist incident or active shooter.

Emergency Notification

Scope: Wide focus on any significant emergency or dangerous situation (may include Clery Act crimes).

Why: Emergency notification is triggered by an event that is currently occurring on or imminently threatening the campus. Initiate emergency notification procedures for any significant emergency or dangerous situation occurring on the campus involving an immediate threat to the health or safety of students or employees.

Where: Applies to situations that occur on your campus.

When: Initiate procedures immediately upon confirmation that a dangerous situation or emergency exists or threatens.

Timely Warning

Scope: Narrow focus on Clery Act crimes.

Why: Timely warnings are triggered by crimes that have already occurred but represent an ongoing threat. Issue a timely warning for any Clery Act crime committed on your Clery Act geography that is reported to your campus security authorities or a local law enforcement agency, and that is considered by the institution to represent a serious or continuing threat to students and employees.

Where: Applies to crimes that occur anywhere on your Clery Act geography.

When: Issue a warning as soon as the pertinent information is available.



Department of Education Clery Definitions

Under the Clery Act, for the purposes of counting and disclosing Criminal Offenses, VAWA offenses, Hate Crimes, arrest and disciplinary referral statistics, the institution

must do so based on definitions provided by the U.S. Department of Education and the Federal Bureau of Investigation’s Uniform Crime Reporting (UCR) Program.

Hate Crime. A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim.

Dating Violence. Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence. A felony or misdemeanor crime 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;

After a Clery Act crime is reported UNO must consider whether your students and employees are at risk of becoming victims of a similar crime.

The institution must consider the potential impact on various law enforcement operations as it issues these warnings.

Institutions cannot outsource the requirement to issue timely warnings to local law enforcement agencies and must not enter into agreements that prohibit the issuance of such warnings.

The warning must be reasonably likely to reach the entire campus community. UNO may, in appropriate circumstances, include personally identifiable information in a timely warning. Although personally identifiable information is generally protected from disclosure under FERPA, such information may be released in an emergency situation. The Department’s FERPA regulations, at 34 CFR 99.36, describe the rule relating to the disclosure of information in health and safety emergencies.

This requirement does not apply to emergency situations in or on noncampus buildings or property.

UNO is not required to provide a timely warning for non-Clery Act crimes or for crimes reported to a pastoral or professional counselor.

While not required by the Clery Act, UNODPS may issue security bulletins to inform the campus community of safety related situations or issues

- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- By any other person against an adult or youth victim who is protected from that person's acts under the

domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

Campus Security Authority.

- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings.

Official. Defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

UNO Alerts

When there is an emergency on campus, the university website is updated as necessary with an emergency banner containing information about the incident or alert. The university will continually review, train and exercise the emergency response plan and will collaborate with local emergency response agencies to foster relationships and coordinate responsibilities. These preparedness and response plans will help provide a smooth transition to restoring normal services and implementing recovery programs.

A number of resources are available for distributing and receiving critical information and instructions during an

emergency. In the event of a major emergency affecting the UNO campus, the administration may use one or more of the following means to communicate with the university community.

Emergency banner on the UNO homepage

www.unomaha.edu

When there is an emergency on campus, the university website is updated as necessary with an emergency banner containing information about the incident or alert, and information regarding campus resources or services available to the UNO community.

UNO Alert

UNO Alert will be the list serve used for emergency situations that:

- Affect normal business operations
- Could harm students, faculty, or staff; damage university property
- Come under close scrutiny by the media and the public, thereby damaging the university's reputation

These emails will be delivered immediately and there is no limit to how many can be sent.

The following positions are authorized to request an all campus UNO Alert email:

- Incident Command System (ICS) Communications Team

The following positions are authorized to send an all campus UNO Alert email:

- Incident Command System Communications Team
- University Communications as directed by the ICS Communications Team

Sign Up for Alerts Using Your Net ID

The UNO Net ID is your username and password for online services that are specific to UNO, like your email.

If you need assistance in this process, please email Sgt. Dave Points at dpoints@unomaha.edu

Opt-In Via Text Message

Text **unoalert** to 79516 to opt-in.

A Net ID is not required for this process.

Standard messaging and data rates apply.

All-campus email

An all campus email is a mass email that reaches the entire UNO community. The purpose of this document is to instruct users on appropriate use of all-- campus emails in order to:

- Reduce recipient complaints and confusion
- Reinforce network security best practices
- Effectively and efficiently use campus resources

Our policy is to ensure there is no abuse of the all- campus list serve options by sending only relevant, necessary, high quality information through this channel.

UNO Alert text message and email alerts

UNO uses text message capabilities to reach a broader area than other methods permit. You can also elect to receive an email of the emergency message. This service is free to the UNO community.

Posts on UNO's official Facebook and Twitter accounts

Over 33,000 people follow the UNO Facebook homepage, creating another opportunity to inform the University Community of a significant event.

Overhead pages and indicator lights on campus

In the event of a hostile or emergency situation on campus or in the surrounding community, the university may enact "Shelter in Place." In this situation, the Campus Wide Paging System would instruct all members of the campus community to stay in place. All residents and staff members should follow the directions given through the broadcast system.

Emergency information line (402.554.2255)

Callers can obtain pre-recorded information regarding emergency situations related to campus operations. This includes weather related closures, and any other situations that significantly impact campus operations. University Communications maintains this line.

All University of Nebraska at Omaha Housing facilities are equipped with notification systems that can be initiated by the presence of smoke, heat, or via a manual pull station. The initiation of the alarm notifies residents audibly and visually and notifies a response center that immediately dispatches emergency responders to the location. All Housing facilities have fire extinguishers in compliance with the applicable code.

Fire Safety & Emergency Preparedness

Fire Safety

Housing & Residence Life buildings are equipped with safety equipment including smoke detectors and sprinklers in each room. Maverick Village, Scott Court, Scott Crossing, and Scott Village suites are equipped with carbon monoxide detectors. Because University Village and Scott Hall are heated differently, there is no need for carbon monoxide detectors in those suites. As a member of the Housing & Residence Life community, you are held responsible for keeping the fire safety equipment in good working order. Therefore, you may not render any fire safety equipment in your room/suite (or anywhere on campus) inoperable, and you should report any malfunctions or inoperable smoke detectors or sprinklers to Housing & Residence Life as soon as possible. Any person who misuses fire safety equipment will be subject to severe disciplinary action, fines, and/or arrest.

The University is continually evaluating and improving all aspects of its fire and safety systems. During 2016, an upgrade of the fire panel in SAP Fieldhouse was initiated. This will allow for the fire panel to report directly through the Fireworks panel located at UNODPS Dispatch. Durham Science Center also received a new fire alarm system. This upgrade allows for more complete monitoring of the fire alarm system within the building from the Fireworks panel.

University Housing is currently in compliance with Fire Life Safety codes. Other UNO fire safety facts:

- Fire Life Safety systems (alarm panels, sprinklers, smoke detectors, etc.) are inspected annually.
- Smoke detectors in student rooms are inspected two times a year (required only once by code).
- Emergency generators/battery backup lights are used to light paths to fire exits leading outside.
- All student room doors are fire rated.
- Buildings are never without fire protection. If any alarm or sprinkler system is down, personnel walk the areas affected until the systems are back on line.
- All residence hall facilities have fire extinguishers in compliance with the applicable code.
- According to the State Fire Marshal, the residence halls at UNO meet, and in many cases exceed, the state fire and life safety codes.

Fire Hazards

You may not store any items in the furnace closet area of your suite or block air intake vents outside the furnace closet area. Failure to comply can result in a fire that endangers not only your life but the lives of others in the

building. Anyone who fails to adhere to this policy will be held responsible for any resulting damages. No storage of flammable materials in the buildings is allowed. Fire regulations state that hallways may not be used for storage of any personal property at any time. Never prop open any door for any reason. Never block your utility door in the kitchen area. We do not allow any type of space heater in the bedrooms or suites. Any fire hazards may result in a fine for a first offense and removal from housing for repeated offenses.

Objects are not to be hung on or within six inches of the sprinkler heads or on the ceiling or ceiling light/fan. Any sprinkler head discharge will lead to immediate dispatch of the Omaha Fire Department, evacuation of the affected areas and a prompt and thorough investigation. Residents who violate this policy are responsible for any damage done to Housing & Residence Life property and the personal property of any other residents/guests.

Please notify the RA on duty if you set off a building fire alarm for any reason.

Candles, Appliances & Extension Cords

You may not light candles or burn/use incense anywhere in the suite. Candle warmers (with the wicks cut) and Scentsy-like products are permitted, so long as they are attended by the resident. If the power goes out, use flashlights only. You may bring small electric grills (i.e. George Foreman), popcorn poppers, toasters, blenders, coffee pots, etc. for use in the kitchen. Kitchen appliances with an open flame will not be permitted. Housing & Residence Life staff will use their discretion if they see a kitchen appliance that might be considered a fire hazard. Grills designed for outdoor use, including gas and electric, are not permitted within or outside of the suite. Grilling facilities are available in the courtyard area of some of the properties. Lighter fluid should not be stored in any suite. All extension cords must be U.L. approved. Multiple outlet "octopus" plugs are not allowed. However, surge protectors are allowed. Prohibited items may be removed by Housing & Residence Life Staff.

Tobacco/Smoking Policy

The UNO Campus is a smoke and tobacco-free university. Therefore, all UNO Housing buildings – inside and outside, including patios and balconies – are smoke and tobacco-free. This includes the use of cigarettes, cigars, hookahs, chewing tobacco, e-cigs, pipes, nicotine liquid, and similar products or instruments. Those who are found in violation of this policy will be held responsible for any costs associated with damages, cleaning, and/or removing

allergens from smoke; you will also go through the conduct process and may receive additional sanctions (i.e. fines, educational sanctions, university service, etc.).

The complete handbook of Housing and Residence Life Community Policies can be found at:

https://www.unomaha.edu/student-life/housing-and-residential-life/docs/HRL_Policy_Book_Final_6_26_18.pdf

Emergency Evacuation Procedures

The University's emergency and evacuation procedures are tailored for each type of building and situation as each one is different. Every campus building has placards that identify evacuation procedures.

University Housing has its own emergency procedure guide, which is available to each staff member. It lays out the procedures to follow in situations ranging from weather issues, to sexual assaults, to the death of a student. The guide also clearly defines who should be contacted in each incident and in what order.

Shelter in Place

In cases such as a hostile intruder or external hazardous materials release, where a shelter-in place strategy is best, the following procedures are to be followed as applicable:

- Remain calm.
- If it is possible to flee the area and avoid danger, do so.
- Notify anyone you encounter to exit the building immediately. Evacuate to a safe area away from the danger and take protective cover. Stay there until help arrives.
- Call UNODPS or 911 with your location if possible.
- If you cannot get through by phone and have text message capability, text the UNODPS at 79516.
 - Enter the letters UNO911 and then type your message. Dispatch will receive the message and relay information in UNODPS officers.
- If flight is impossible, secure yourself in your space. Barricade doors and block windows. Turn off all the lights, close blinds, close and lock all windows, lock and barricade all doors.
- Seek protective cover for yourself and any others (concrete walls, thick desks, filing cabinets may protect you from bullets).
- Keep calm and quiet and stay out of sight.
- For active shooters, silence cell phones (mute or turn off ringer). Consider turning off radios and computer monitors.

- Do not answer the door. If you do not recognize the voice that is giving instructions, do not change your status, stay put. Unknown or unfamiliar voices may be false and designed to give false assurances.
- Place signs in exterior windows to identify the location of injured persons.
- DO NOT APPROACH EMERGENCY RESPONDERS—let them come to you.
- Remain where you are until you receive further instruction by a first responder or authorized known voice.

Emergency Evacuation

In cases where evacuation is needed (fire, hazardous materials release, etc.), the following procedures are to be followed:

- Always evacuate the building if the fire alarm sounds.
- In the event of an evacuation gather your personal belongings quickly (purse, keys, cell phone, MavCARD, etc.) and proceed to the nearest exit.
- Do not use the elevator.
- Move away from the problem and use alternative exits when necessary.
- Help those who need assistance moving.
- Be ready to be guided by additional instructions.
- In cases of hazardous material releases in buildings, once outside, move away from any apparent source or at right angles to the prevailing wind. If wind direction is variable, try to move away from the source of the leak if known.
- Gather at a safe distance from the building.

Specific Evacuation Procedures for Fire

If a fire has started or is reported, either a student or employee should activate a fire alarm and a University employee should instruct everyone to evacuate the building immediately. In the case of residence halls, a Resident Assistant is generally responsible for providing instructions. If possible, a student or employee should try to shut down any equipment or process that could cause a secondary fire if left unattended.

Evacuate the building using the stairs and not the elevators. Evacuees should proceed outside and gather in a designated outdoor area a safe distance from the building. If weather conditions require, a sheltered area or building away from the building in question can be used by the evacuees. The designated gathering points should be clearly identified by University personnel.

Once outside, University employees are expected to immediately call 911 as soon as a safe location is reached (unless otherwise aware, multiple employees should call 911 and not assume someone else has made the call or that the appropriate agencies are aware of the fire). The information given to the emergency operator should include the nature of the emergency and the location (i.e., building number and cross streets or address).

Employees should try to account for people known to have been in the building. If pertinent knowledge regarding the fire is known, it is important that it be relayed to Omaha Fire and Rescue or UNODPS personnel outside the main entrance of the building, including any information on injuries, students or staff needing evacuation assistance and/or people trapped in the building.

The following is an outline of procedures that should be followed in regards to student housing evacuation relating to a fire. If you discover or suspect a fire, go to a pull station and sound the fire alarm, then leave the building through the nearest exit.

- Call 911, Give as much information as possible to the dispatcher.
- Don't attempt to put out the fire or rescue others unless you can do so safely.
- TRY TO REMAIN CALM.

When you have been alerted by the fire alarm, see flashing strobe lights, or see smoke or fire:

- Stay low to the floor if there is smoke in the room.
- Feel the metal door knob before opening any doors.
- **IF THE DOOR FEELS HOT**, do not open the door.
- **IF THE DOOR DOES NOT FEEL HOT, but you open the door and heat/smoke/fire are present**, close the door and stay in the room/unit.
- Seal the cracks around the door using towels, sheets, pieces of clothing.
- Hang an object out the window (i.e. sheet, jacket, shirt) to attract the fire department's attention.
- Use a phone to call 911 and report that you are trapped. Be sure to give your hall name and room number.
- **IF THE DOOR DOES NOT FEEL HOT**, brace yourself against the door and open it slightly. **If heat/smoke ARE NOT PRESENT**, exit the room/unit closing the door behind you.
- Go to the nearest exit or stairway. Do not attempt to use an elevator.
- If the nearest exit is blocked by fire, heat, or smoke, go to another exit.

- Go back to your room/unit if all exits are blocked. Close the door, wave something out the window, and shout for help.

If you cannot safely exit, use a phone to call 911 and report that you are trapped. Be sure to give your hall name and room number.

If you are trying to escape through a smoke-filled room or hallway:

- Stay low and move quickly to the nearest clear exit.
- Place a wet towel or a wet cloth over your head and face; breathe through the towel by taking short breaths through your nose.
- Cover your body with something that can be easily discarded if it catches on fire.

After evacuating:

- Move away from the building. Emergency response personnel and equipment will be maneuvering around the building.
- Follow directions of the fire and police personnel.

Fire Evacuation Drills

The University knows that fire safety is a major area of concern, especially in student housing facilities. As a result, fire drills are conducted in the various housing facilities in order to provide residents the opportunity to become familiar with the notification system as well as the evacuation procedures. Fire drills may also be conducted in other campus buildings at various times.

The UNO Fire Safety Officer oversees the inspection of all fire safety systems and equipment and maintains reports that include documentation of fire alarms, sprinkler and smoke detector inspections. University Housing also maintains records that include information about planned drills, alarm malfunctions, false alarms, station pulls, working fires, and corrective or disciplinary action taken as a result of the alarm.

In order to educate students in on campus housing, residential staff talk about fire safety and fire safety equipment with incoming residents. Signs and evacuation procedures are posted on all floors in residence halls. Each residence hall complex has specific procedures particular to its situation.

Every University employee is responsible for knowing the evacuation procedures of the building in which they are working, and all employees are required be familiar with the alarm locations nearest each office, laboratory, or other

work area. In case of a fire, it will be the employees' responsibility to ensure that all students are instructed on what to do. In addition, any employee who may opt to use a fire extinguisher must receive a training through Environment Health & Safety (EHS).

The fire safety information provided to students and employees will include:

- Knowing emergency exit routes and being prepared to use an alternate route if necessary.
- To not use elevators.
- If anyone is trapped in a building, they should try to reach a point of refuge, such as a stairwell, or stay by a window and wave a white flag to attract the attention of emergency responders.
- If possible, closing doors and windows on the way out in order to confine the fire.
- Keeping low if there is smoke.
- On the way out, assist any mobility impaired persons to a stairwell or other point of refuge if possible and then reporting their location to the emergency response personnel.
- If working in an area frequented by the public, announcing that an evacuation has been ordered and asking people to exit the building.
- Assembling a safe distance away from the building.
- Not to block driveways or areas that may be used by emergency response personnel.

During fire drills and any other time that the fire alarm sounds, residents or building occupants are required to calmly evacuate the building and follow the instructions of staff and emergency personnel. Failure to vacate or in any other way interfere with the emergency response process will be considered a violation of policy and handled accordingly.

Tampering with or theft of fire safety equipment, including tampering with or discharging fire extinguishers, disabling bells/horns, activating a fire alarm when no emergency exists or covering or removing the batteries from individual smoke detectors, removing the entire smoke detector apparatus, or tampering with, hanging objects from, or decorating sprinkler heads in rooms of halls that are thus equipped are prohibited. Violation of policies that involve fire safety is a very serious matter and typically results in termination of the residence hall contract, as well as any necessary law enforcement action.

Students who require any type of accommodation to ensure their safe evacuation are instructed to contact

Residence Hall staff immediately upon moving into the facility so that the appropriate arrangements can be made.

Armed Intruder Emergency

Make a decision, trusting your instincts, to take action to protect yourself to survive the situation. You generally will have three options:

- RUN: Can you safely escape?
- HIDE: Is there a good place to hide?
- FIGHT: Will you do whatever is necessary to incapacitate the armed intruder to survive?

RUN

- Have an escape route and plan in mind.
- Leave belongings behind (except your cell phone).
- Keep your hands visible.

HIDE

- Try to hide out of the armed intruder's view.
- Find protection behind furniture if possible.
- Find a room that locks if you can.
- If possible, close and lock the outside door to the room. Blockade the door with furniture or other heavy objects.
- Close the blinds, turn off the lights, remain quiet, silence cell phones, spread out away from other individuals, and move behind available cover. Stay on the floor, away from doors or windows, and do not peek out to see what may be happening.
- If possible and safe to do so, report the location of the armed intruder.

FIGHT

As a last resort and only when your life is in imminent danger:

- Make a plan with others in the room about what you will do if the armed intruder enters.
- Attempt to incapacitate the armed intruder and do whatever is necessary to survive the situation. IF OUTSIDE WHEN AN ARMED INTRUDER INCIDENT OCCURS
- Drop to the ground immediately, face down as flat as possible. If within 15-20 feet of a safe place or cover, duck and run to it.
- Move or crawl away from gunfire, trying to utilize any obstructions between you and the gunfire. Remember that many objects of cover may conceal you from sight, but may not be bulletproof.
- When you reach a place of relative safety, stay down and do not move. Do not peek or raise your head in an effort to see what may be happening.
- Wait and listen for directions from law enforcement personnel.

CALLING FOR HELP

- If safe to do so, call 911. Do not assume that someone else has reported the incident.
- If still safe to do so, next call Security Dispatch at 9-5555. During your call to 911, you will be asked questions, such as:
 - What exactly is happening and how do you know? Is it still happening?
 - Where is the suspect now? What was his/her last known direction of travel?
 - Are there any wounded and how many?
 - What is the specific location of occurrence?
 - What types of weapons were used? Describe the weapon/s or other dangerous object/s if possible, and any visible ammunition:
 - Were any shots fired? Describe the sound and the number of shots fired.
 - Do you know who the suspect/s is? If yes, identify them and provide any background knowledge you may have.

WHEN LAW ENFORCEMENT ARRIVES

- The priority of the first responders will be to identify the shooter. Law enforcement will need to ensure that you are not the shooter.
- Do not scream, yell, point, or wave your arms.
- Do not hold anything in your hands that could be mistaken for a weapon (including cell phones).
- Be quiet and compliant.
- Show the officers your empty hands and follow their instructions.
- Give the number of armed intruders.
- Give the location and physical description of the armed intruder(s).
- Give the number and types of weapons.
- When it is safe to do so, you will be given instructions as to how to safely exit your location.

Active shooter information can be found on the UNO Public Safety website at:

<https://www.unomaha.edu/public-safety/active-shooter-training.php>

Weather Emergencies

Tornado

- When sirens activate, move to the lowest, interior area of building or designated tornado shelter.
- Stay away from windows.
- Do not use elevators.
- Stay near inside wall when possible.
- Keep calm. Even though a warning is issued, the chance of a tornado striking your building or location is slight.

Winter Weather

The decision to close the university because of adverse weather conditions will be made by the UNO Chancellor or their designee. Should a bad weather situation arise during the workday, this decision will be made in consultation with a Weather Emergency Committee to be established by the Chancellor. This committee shall have representatives from University Communications, Facilities Management and Planning, the Vice Chancellor's Office for Academic and Student Affairs, Student Services/Registrar's Office, Human Resources, and others as input is required. Any announcement regarding a bad weather closure or delay will be conveyed via the following media:

- The university homepage in the form of an emergency banner.
- All-campus email.
- Emergency alert text messages.
- The university's official social media accounts on Facebook and Twitter.
- Emergency Information Line (402.554.2255)

Mass Notification Exercises

As part of its ongoing emergency preparedness program, UNO conducts tests of the UNO Alert Emergency Notification System. The University plans annual tests of tornado and fire evacuation procedures. For all tests/drills, the pertinent authorities in the applicable buildings are informed of the drill and required to explain the situation to those that will be affected by the drill (i.e. staff and students). While the University's drills will not include the entire campus all at once, the system in place will make sure that each facility goes through an annual exercise.

While the University does not commonly publicize its tests (outside of tornado drills) or emergency response procedures when conducting drills/tests, it does ensure that all Building Directors, Residence Directors and other necessary staff members are well aware of what must be done in an emergency situation, and trained on changes whenever it is needed. In addition, all residents in campus housing are made thoroughly aware of emergency procedures through meetings, and evacuation information is posted on doors and in buildings so that it is readily available. Furthermore, all students and staff are informed that the annual security and fire report contains pertinent information. The University will make certain that everyone is aware of how to evacuate facilities and handle emergency situations.



Clery Act Related Campus Security Policies, and Procedures

UNODPS Departmental Policies

Select UNODPS specific policies are available on its website. The policies on mobile audio video and bias based profiling are on file with the Nebraska Crime Commission as required by State Statute.

<https://www.unomaha.edu/public-safety/>

Reports, Arrests and Disciplinary Referrals

Every report that is generated by a member of the UNODPS that involves a student and a violation of law or policy is referred to student conduct.

The information is aggregated and reported to the U.S. Department of Education on an annual basis. The information is also included in the AQIP Systems Portfolio and in the Annual Fire and Safety Report.

Firearms and Weapons

Items such as, but not limited to, firearms, ammunition, martial arts weapons, knives (longer than 3"), explosives, paint ball guns, bows/arrows, Tasers, fireworks, slingshots, and other weapons are not allowed, regardless of permit status. This policy includes sporting equipment which could be used as a weapon or firearm.

Sexual Misconduct

Sexual Misconduct Prohibited Actions

The University of Nebraska at Omaha desires to provide a safe and secure learning, living, and working environment for all students and staff. The University understands the impact that sexually based offenses have on their victims and the lasting effects. The University strictly prohibits any

form of sexual misconduct. All reported incidents will be thoroughly investigated and those found responsible will be dealt with as necessary, whether criminally charged or handled through the University's judicial process. It is the goal of the University of Nebraska at Omaha to eliminate these crimes from its campus.

Complaints of Sexual Misconduct

- a. Any person—including a university official—can complain of sexual misconduct of or by a University employee. Complaints of sexual misconduct may be made using the University's internal processes at the same time that criminal complaints or charges are pursued with the appropriate law enforcement or external agencies. University internal investigation and disciplinary proceedings are independent of any criminal or external investigation. Sexual misconduct proceedings will be conducted by trained University officials to provide a prompt, fair, and impartial process from initial investigation to the final result.
- b. A complaint of sexual misconduct by or against a University employee can be made to the Human Resource Officer or Title IX Coordinator of the major administrative unit where the misconduct occurred or where the affected employee or accused employee works. The University will investigate reported allegations of sexual misconduct and may take appropriate action even if the person allegedly subject to misconduct or Complainant does not wish to pursue formal charges. Any response by the University may be hindered by person's or Complainant's desire for anonymity and/or inaction.
- c. No process implemented under this Sexual Misconduct Procedure shall be open to the public. The accuser and the accused are entitled to the same opportunities to have others present during an Informal Resolution or Formal Hearing subject to conditions established by the University-designated Investigator or Hearing Officer. Witnesses may be sequestered and attendance at Informal Resolution or Formal Hearing proceedings may be restricted to the Complainant, Respondent and advisors.
- d. Any allegations of any other violations of University conduct standards in addition to allegations of sexual misconduct that are directly related to the alleged sexual misconduct can be considered by an Investigator or Hearing Officer. Findings of sexual misconduct or other conduct violations shall be made using the greater weight of the evidence standard. The burden of proof shall rest upon the party making the claim.

- e. Evidence which possesses probative value commonly accepted by reasonably prudent persons in the conduct of their affairs may be admitted and given probative effect. Incompetent, irrelevant, immaterial, and unduly repetitious evidence should be excluded. The rules of privilege recognized by law shall be given effect. Evidence that would not be admissible in a State Court criminal proceeding by reason of the method or manner in which it was acquired shall not be admitted.

Protective Measures

- a. Regardless of whether a person subjected to sexual misconduct chooses to report an incident of sexual misconduct as a crime to university police or security or local law enforcement, the University may provide interim protective measures. If interim protective measures are requested, and they are reasonably available, the University may provide assistance in changing academic, living, transportation, and working situations. Alterations may be made to the work assignments and conditions of a University employee accused of sexual misconduct as an interim protective measure while an investigation is pending or before a hearing is concluded.
- b. Protective measures that the University may offer following an allegation of sexual misconduct include the following: "no contact" orders, changing work schedules or work stations, reporting relationships.

Investigation of Allegations

- a. An Investigator shall be assigned to conduct an investigation to determine if the allegation(s) of sexual misconduct have merit. Investigations of the allegations should be concluded within sixty (60) calendar days of receipt of a report, and may be permitted a longer completion period under extraordinary circumstances, but both parties must be informed in writing of the extension of the timeline.
- b. If the investigation determines it is more likely than not that sexual misconduct or other prohibited behavior did not occur, the complaint may be dismissed without further proceedings. If both the Complainant and the Respondent agree to the dismissal, the complaint is resolved without any further rights of appeal by either party. If the Complainant objects, he or she may appeal the dismissal decision to the person designated to review dismissals within seven (7) University business days. Findings of fact made by the Investigator shall be accepted unless clearly erroneous. The designated reviewer will either affirm the investigative

determination to dismiss, or refer the complaint for further proceedings. The designated reviewer's decision of the appeal will be final.

- c. If the investigation concludes with a finding that it is more likely than not that sexual misconduct occurred, the investigative report should include sanction recommendations. The claim may be resolved through Informal Resolution or following a Formal Hearing.
- d. After the fact-finding investigation, the accuser, the accused employee, and appropriate university officials shall be given timely access to any information that will be used during Informal Resolution and/or Formal Hearing proceedings.

Informal Resolution

Both the Complainant and the Respondent may elect to dispose of the claim by Informal Resolution. Participation in Informal Resolution may not be required of either party. An Informal Resolution conference will be scheduled not less than three (3), or more than fourteen (14) University business days after the investigation is complete. The Respondent may elect to acknowledge his or her actions and take responsibility. The Investigator could propose a resolution and an appropriate sanction. If both the Complainant and the Respondent agree to the proposed sanction, the complaint is resolved without a Formal Hearing. Informal Resolution procedures may be discontinued at the request of any participant, or terminated by the Investigator. When a claim of sexual misconduct against an employee is not concluded through Informal Resolution, a Formal Hearing by a Hearing Officer must be held.

Formal Hearings

- a. Formal Hearing will determine whether sexual misconduct occurred or not.
- b. Charges shall be presented to the Respondent and the Complainant in written form by a University official within seven (7) University business days after the investigation is complete.
- c. Both the Respondent and the Complainant have a right to confidentiality during sexual misconduct proceedings to the fullest extent possible. The duty of confidentiality shall also extend to all persons involved in a Formal Hearing.
- d. In all cases, whether the Respondent presents evidence or not, the evidence in support of the allegations shall be presented and considered. The Respondent may not be found to have committed sexual misconduct solely because Respondent failed to participate in a Formal Hearing.

- e. A Respondent and the Complainant have the right to inspect all documents used as evidence and a list of all witnesses for the Formal Hearing in advance of the hearing.
- f. Both Respondent and Complainant have a right to prepare a written statement in advance of a Formal Hearing. Both parties will have the right to view each other's statement.
- g. The Complainant and the Respondent have the right to be assisted by any advisor they choose, including legal counsel, at their own expense.
 - i. The role of the advisor is limited. The only appropriate role for the advisor is to provide advice to the party who has requested his/her presence in a manner which does not disturb Formal Hearing. If an advisor fails to act in accordance with these guidelines, he/she may be barred from participation in the proceedings.
- h. A Respondent and the Complainant have the right to hear all evidence, present evidence, testify, and to hear and submit questions for witnesses during formal hearings.
 - i. Questions shall be addressed to the Hearing Officer, who will determine if the question is appropriate, and then ask the witness.
- i. Sexual misconduct proceedings should be completed in a reasonably prompt time frame.
- j. If sexual misconduct is found by a greater weight of the evidence to have occurred, the Hearing Officer will recommend that the University official authorized to do so impose or seek to impose sanctions.
- k. A Respondent and the Complainant have the right to be notified of the decision rendered. Any initial, interim, and final decision to resolve disciplinary matters must include a statement of any University sanctions imposed together with the rationale for the decision.

Possible Employment Sanctions

- a. The types of sanctions that are possible as the result of a sexual misconduct disciplinary proceeding are:
 - i. verbal warning;
 - ii. written warning;
 - iii. transfers;
 - iv. completion of mandatory conditions;
 - v. suspension without pay;
 - vi. nonrenewal or non-reappointment;
 - vii. loss of rank or position;
 - viii. denial of salary increase;
 - ix. activity termination; x. demotion in rank or pay;
 - x. termination of employment;

- xi. ban on University re-employment.
- b. Sanctions i-vii may be imposed in combination with one another.

Definitions

Unless otherwise provided, the definitions found in section 6 of The University of Nebraska Sexual Misconduct Policy, R.P. 2.1.8, apply to this statement of policy and procedure for response to allegations of employee sexual misconduct.

Dating Violence (R.R.S. Neb. §79-2.140)

A pattern of behavior where one person uses threats of, or actually uses physical, sexual, verbal, or emotional abuse to control his or her dating partner. Dating partner means any person, regardless of gender, involved in an intimate relationship with another person, primarily characterized by the expectation of affectionate/sexual involvement, whether casual (e.g. “friends with benefits”), serious, or long-term. It is based on a consideration of length of relationship, type of relationship and the frequency of interaction between those involved in the relationship.

Domestic Violence (R.R.S. Neb. §28-323)

A person 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. Intimate partner, regardless of gender, 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 serious dating relationship. Serious dating relationship means frequent, intimate associations primarily characterized by the expectation of affectionate or sexual involvement. It does not include a casual relationship or an ordinary association between persons in a business or social context.

Sexual Assault (R.R.S. Neb. §28-318 through 320)

Sexual penetration and/or sexual contact without the consent of the victim, regardless of either person’s gender, including situations where coercion, force, or the threat of force was used; situations where the perpetrator knew or should have known that the victim was mentally or physically incapable of resisting or evaluating the nature of his or her conduct (i.e. mentally challenged, disabled, intoxicated, etc.); or where the perpetrator is 19 years of age or older and the victim is at least 12 but younger than 16. A victim must simply provide enough verbal or physical resistance to make the perpetrator aware of the lack of consent. Victims do not have to show continued resistance when they feel as though further resistance would be futile. The following definitions apply:

- **Force or threat of force:** The use of physical force which overcomes the victim's resistance or the threat of physical force, expressed or implied, against the victim or a third person, where the threat places the victim in fear of their own death or serious personal injury, or that of a third person, and the victim reasonably believes that the perpetrator has the present or future ability to follow through with the threat.
- **Intimate parts:** The genital area, groin, inner thighs, buttocks, or breasts.
- **Serious personal injury:** Great bodily injury or disfigurement, extreme mental anguish or mental trauma, pregnancy, disease, or loss or impairment of a sexual or reproductive organ.
- **Sexual contact:** 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 also means the touching, by the victim, of the perpetrator’s sexual or intimate parts or the clothing covering the immediate area of the perpetrator’s sexual or intimate parts, when this touching is intentionally caused by the perpetrator. Sexual contact includes only that conduct which can be reasonably construed as being for the purpose of sexual arousal or gratification of either party.
- **Sexual penetration:** Sexual intercourse in its ordinary meaning, cunnilingus, fellatio and anal intercourse. It also includes the intrusion, however slight, of any part of the perpetrator’s or victim's body, or any object manipulated by the perpetrator, into the genital or anal openings of the victim's body. Sexual penetration **does not** require emission of semen.

Consent to Sexual Activity (R.R.S. Neb. §28-318)

“Consent” means agreement, approval, or permission as to some act or purpose, given voluntarily by a competent person.

1. “Without consent” means:
 - a. The person was compelled to submit due to the use of force or threat of force or coercion; or
 - b. The person expressed a lack of consent through words; or
 - c. The person expressed a lack of consent through conduct; or
 - d. 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.
2. The person need only resist, either verbally or physically, so as to make the person's refusal to

consent genuine and real and so as to reasonably make known to the actor the person's refusal to consent; and

3. A person need not resist verbally or physically where it would be useless or futile to do so.

In the above text, the word "person" means the individual against whom a wrongful act was allegedly committed, and the word "actor" is the individual alleged to have committed a wrongful act. When the actor knew or should have known that a person was mentally or physically incapable of resisting or understanding the nature of his or her conduct, there is no consent. A person may be incapacitated due to intoxication, mental illness or deficiency or by physical illness or disability to the extent that personal decision-making is impossible. Surprise may also prevent resistance, as where a person is grabbed from behind.

There are some persons who the law presumes are incapable of consenting to sexual contact or penetration by an actor by reason of their age. Under Nebraska law an actor 19 years of age or older may not subject a person under the age of sixteen years of age to sexual penetration or a person under 15 years of age to sexual contact.

Sexual Harassment

Unwelcome conduct or behavior of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Conduct that is sufficiently serious to limit or deny student's ability to participate in or benefit from the University's educational program creates a hostile environment and is prohibited.

Stalking (R.R.S. Neb. § 28-311.03)

Engaging in a course of willful harassment of 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. Actions include, but are not limited to, deliberately following, detaining, contacting, or harassing the person(s), or imposing any restraints on their personal liberty.

1. **Harass.** To engage in a knowing and willful course of conduct directed at a specific person that seriously terrifies, threatens, or intimidates the person and which serves no legitimate purpose.
2. **Course of conduct.** A pattern of conduct composed of a series of acts over a period of time, however short, indicating a continuity of purpose, including a series of acts of following, detaining, restraining the personal liberty of,

or physically stalking the person or telephoning, texting, contacting, or otherwise communicating with the person.

3. **Family or household member.** Regardless of gender, 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 a blood relationship or marriage, or any person presently (or in the past) involved in a dating relationship with the victim.

Most of the definitions above are based on Nebraska State Statutes and can be viewed at: <https://nebraskalegislature.gov/laws/statutes.php?statute=28-311.02>

Disciplinary Action for Sexual Misconduct

The University of Nebraska at Omaha shall take the appropriate measures to immediately address sexual misconduct whenever it is reported. In doing so, the University shall provide equal consideration to both the victim and the accused during any disciplinary proceeding and make decisions based on what has been justly determined and is in the best interest of the victim and/or the University; proceedings shall include a prompt, fair, and impartial process from the initial investigation to the final result. Mediation shall not be used to resolve sexual assault complaints. Any student or employee that is the victim of sexual misconduct and wants administrative action can file a disciplinary complaint against another student and/or employee by contacting the Title IX Coordinator in any situation, a Student Affairs Officer (Judicial Affairs) if the victim is a student, and the Human Resources Officer (Human Resources Department) if the victim is an employee. If necessary, a Formal Hearing shall occur.

For all cases of crimes of violence, non-forcible sex offenses, and/or stalking where the University has taken action against a student who is the alleged perpetrator of the crime, the University will provide, upon request by the victim, a report of the disciplinary proceedings conducted against the student and the result. In cases where the alleged victim is deceased as a result of the crime, the next of kin will be treated as the alleged victim in regards to the report requests.

Title IX

A federal law that prohibits sex discrimination in federally funded education programs and activities. Title IX applies to students, faculty, staff, or anyone present on campus regardless of sexual orientation, gender identity, immigration status, or disability status. The ban on sex

discrimination includes sexual harassment, sexual assault, intimate partner violence, and stalking. Report known or suspected incidents immediately to UNO's Title IX Coordinator, Sarah Weil at 402.554.2120, sweil@unomaha.edu

Investigator & Education Coordinator Scott Seeba 402.554.3985 sseeba@unomaha.edu

For more information, please visit UNO's [Office of Equity, Access & Diversity's website](#).

The University of Nebraska at Omaha (UNO) is committed to maintaining an environment for all students, faculty, staff, and visitors, that is fair and responsible – an environment which is based on one's ability and performance.

The University of Nebraska at Omaha declares and affirms a policy of equal education and employment opportunities, and non-discrimination in providing services to the public. Therefore, the University of Nebraska at Omaha shall not discriminate against anyone based upon age, race, ethnicity, color, national origin, gender-identity, sex, pregnancy, disability, sexual orientation, genetic information, veteran's status, marital status, religion or political affiliation. The University of Nebraska at Omaha prohibits sexual harassment, including sexual violence. This policy is applicable to all University administered programs including educational programs, financial aid, admission policies and employment policies.

Bias Based Crimes

The Bias Assessment and Response Team UNO is committed to creating and maintaining a welcoming and inclusive campus community. Every individual is valued and should feel welcomed and included as a member of this community. The Bias Assessment and Response Team (BART) serves to make sure ALL people at UNO feel safe to be themselves.

UNO's Bias Assessment and Response Team (BART) gathers information about non-emergency bias incidents and supports those who have become or witnessed someone become a target of an act of bias. It is also our goal to increase opportunities for communication and restorative justice for students, staff, and faculty; collect data demonstrating how student, staff, and faculty experiences affect overall campus climate. BART will address incidents and trends as they are identified through trainings or other means. We take every report of bias very seriously and want to provide the appropriate support and follow up.

Please feel free to report any information that you may think is useful. The Bias Assessment and Response Team

wants to gather information related to the experience of students, faculty, and staff. Reports may even include hearing comments that were offensive and bias related. All reports will help the BART make recommendations, or take action, to make our campus a safe environment for all.

The Bias Assessment and Response Team does not adjudicate Student Code of Conduct violations. The BART will help connect students, faculty, and staff to the appropriate resources as needed.

How to Report a Bias Incident

The Bias Assessment and Response Team receives and responds to reports of bias incidents that have been experienced or witnessed. If you, or a friend, believe you have witnessed or experienced a bias related incident please report it here: [Click here to file a report](#). Reports will be reviewed in a timely manner. For emergencies, please contact Public Safety (402.554.2911) or the appropriate police agency.

When reporting an incident you have the option of reporting it as "information only" or "request for follow up." Information only reports are intended to give the Bias Assessment and Response Team information on the student experience at UNO. These reports help BART keep a pulse on the campus climate. Things to report as information only would include hearing insensitive remarks or language not directed at an individual, noticing certain trends of bias that have not targeted a specific individual, etc. Please note that if a report is marked as information only there may be no follow up made to the reporter.

If you have experienced or witnessed a bias related incident, please mark it as a request for follow up. A member of the Bias Assessment and Response Team will follow up with you to connect you to any resources you may need. The BART member will inform you of options on campus and in the community. BART is here to assist you and provide you with the support you may need.

Reports can be filed anonymously. However, if the report is filed anonymously it may limit the response the Bias Assessment and Response Team can have. Every effort will be made to keep your report confidential. However, the members of BART, as administrative agents in an educational institution, adhere to the laws and standards governing the disclosure of information to third parties both within and external to the University. Such information is only disclosed on an administrative need to know basis and only according to the relevant laws/policies that govern such disclosure.

If you believe you have been the victim/survivor of a crime, please contact [Public Safety](#) or the appropriate police agency.

What Happens Once a Report is Submitted?

Once a report is submitted it is delivered to members of the Bias Assessment and Response Team. They make a determination on the immediacy of a response. You may be contacted by a member of BART to provide support and follow up. The report may be deemed as “information only” and used to continue to collect information on experiences on campus. The reports submitted ultimately assist the Bias Assessment and Response Team in working with the appropriate departments on campus to work towards making UNO a safer and inclusive environment.

Bias Assessment and Response Team Core Members

Jeff Knapp (He/Him/His) – Instructor, Grace Abbott School of Social Work – Co-Chair

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Jessi Hitchins (She/Her/Hers) – Director, Gender and Sexuality Resource Center

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The illegal possession, use, or distribution of drugs or alcohol by students and employees is a violation of University rules as well as State and Federal laws. Officers of the University are to cooperate with State and Federal agencies in the prevention of drug abuse. In satisfaction of this mandate and in order to fulfill its obligations under the Drug Free Workplace Act of 1988, 41 U.S.C. § 701, and the Drug Free Schools and Communities Act of 1989, 20 U.S.C. § 1145g

Drug and Alcohol Policies

The illicit use of drugs and alcohol by University students and employees will not be tolerated, and any incidents involving these substances will be handled accordingly.

The UNO Student Code of Conduct

The University of Nebraska at Omaha (UNO) is a community of scholars, which values the freedoms of inquiry and expression. The Code of Conduct presents a statement of student rights and responsibilities along with the procedures established by the University of Nebraska at Omaha to protect those rights and address the responsibilities. The Student Code of Conduct describes the types of acts that are not acceptable in an academic community as well as the general processes used to address those acts.

Procedures act as an educationally-based fact finding process, not a court of law. Its proceedings are not civil or criminal trials. The hearings are not adversarial proceedings, but rather inquiries conducted by the Conduct Officer and/or Board. Students must be aware that, as citizens, they are subject to all federal and state laws in addition to all University regulations governing student conduct and responsibilities.

The Student Code of Conduct, found at:

<https://www.unomaha.edu/student-life/student-conduct-and-community-standards/policies/code-of-conduct.php>

Standards of Conduct for Employees and Students Regarding Alcohol and Drugs RP-2.1.5

The illegal possession, use, or distribution of drugs or alcohol by students and employees is a violation of University rules as well as State and Federal laws. Officers of the University are to cooperate with State and Federal agencies in the prevention of drug abuse. In satisfaction of this mandate and in order to fulfill its obligations under the Drug Free Workplace Act of 1988, 41 U.S.C. § 701, and the Drug Free Schools and Communities Act of 1989, 20 U.S.C. § 1145g, the University has formulated standards of conduct for both its employees and its students, which prohibit the following acts:

- Use, possession, manufacture, distribution, or sale of illegal drugs or drug paraphernalia on University premises, or while on University business, or at University activities, or in University supplied vehicles either during or after working hours.
- Unauthorized use, possession, manufacture, distribution or sale of a controlled substance as defined by the Federal Controlled Substances Act, 21 U.S.C. §§ 801 et seq., or Nebraska Drug Control Laws, Neb. Rev. Stat. §§ 28-401 et seq., on University premises, or while engaged on University business, or at University activities, or in University-supplied vehicles either during or after working hours.

- Unauthorized use, manufacture, distribution, possession, or sale of alcohol on University premises or while on university business, or at University activities, or in University-supplied vehicles either during or after working hours.
- Storing in a locker, desk, vehicle, or other place on University-owned or occupied premises, any unauthorized controlled substances, drug paraphernalia, or alcohol.
- Use of alcohol off University premises that adversely affects an employee's or student's work or academic performance or an employee's or student's safety or the safety of others.
- Possession, use, manufacture, distribution, or sale of illegal drugs off University premises that adversely affects the employee's work performance or the student's academic performance or an employee's or student's safety or the safety of others.
- Violation of State or Federal laws relating to the unauthorized use, possession, manufacture, distribution, or sale of alcohol, controlled substances, or drug paraphernalia.
- In the case of employees, failure to notify an employee's supervisor of an employee's arrest or conviction under any criminal drug statute as a result of a violation of law which occurs at the University of Nebraska workplace. Reference: BRUN, Minutes, 55, p. 205 (October 12, 1990). BRUN, Minutes, 56, p. 149 (September 6, 1991).

Disciplinary Sanctions Regarding Drugs and Alcohol

Students

Violations of the Student Code of Conduct may result in the implication of sanctions up to and including expulsion (see above for specific sanctions and definitions) from the University and referral for prosecution by the proper authorities under local, State, and/or Federal law (as identified above).

Faculty and Staff

Violation of the employee standards of conduct may result in the implication of sanctions up to and including termination of employment and referral for prosecution by the proper authorities under local, State, and/or Federal law. A University of Nebraska at Omaha employee who violates drug laws and/or abuses substances prior to or during University work hours and/or activities will be subject to disciplinary action as outlined in *Human Resources Policies and Procedures*.

In the event a faculty or staff member violates this policy or is convicted of unlawful manufacture, distribution, dispensation, possession or use of controlled substances or alcohol on University property or as part of any University activity, the University will take appropriate action.

For Administrators, staff, and faculty not included in the UNK or UNO collective bargaining units, one or more of the following actions may be taken:

- Referral to the Faculty/Employee Assistance Program for evaluation and assessment to determine the appropriate treatment for rehabilitation;
- Participation in a drug rehabilitation program;
- Disciplinary action, up to and including termination of employment and referral for prosecution.

For faculty included in the UNK or UNO collective bargaining units, conviction of drug law offenses may be considered adequate cause for imposition of the disciplinary process provided in the Collective Bargaining Agreement. Violation of this policy may also be considered adequate for imposition of the disciplinary process and referral for prosecution.

As required by 41 U.S.C. § 8102(1), part of the Drug Free Workplace Act of 1988, faculty and staff involved in the performance of federal contracts or grants must notify their supervisor within five days if they are convicted of any criminal drug statute as a result of violation of the law that occurs at the workplace. The term "conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violation of the Federal or State criminal drug statutes. The supervisor will immediately notify the Academic Affairs Office when faculty members are affected or the Human Resources Office when staff members are affected. The University, in turn, will notify the applicable granting or contracting agency or agencies of the conviction within ten days after receiving notice of an employee's criminal drug statute conviction.

Description of applicable legal sanctions under Federal, State or Local law

The information on the following pages summarizes selected provisions of Federal, State, and local laws that provide criminal and civil penalties for unlawful possession or distribution of drugs and alcohol. While UNODPS believes this information is accurate, the reader is cautioned to investigate the matter more fully or consult their personal attorney.

Federal Penalties and Sanctions for Illegal Possession of Controlled Substances

First Conviction: Up to 1-year imprisonment and fine of at least \$1,000 or both. After one prior drug conviction: At least 15 days in prison, not to exceed 2 years, and a fine of at least \$2,500. After 2 or more prior drug convictions: at least 90 days in prison, not to exceed 3 years, and a fine of at least \$5,000. 21 U.S.C. 844(a)

Forfeiture of tangible and intangible personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1-year imprisonment. Forfeiture of vehicles, boats, aircraft, or any other conveyance used, or intended for use, to transport or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of controlled substances. 21 U.S.C. §§ 853(a) and 881(a)

Denial of Federal benefits, such as financial aid grants, contracts, student loans, and professional and commercial licenses, for individuals convicted of distributing controlled substances (drug trafficking). The denial can last up to 5 years for the first conviction and up to 10 years for the second conviction. Those who have three or more convictions will be permanently ineligible for all Federal benefits. 21 U.S.C. § 862

Ineligible to receive or possess a firearm or ammunition. 18 U.S.C. § 922(g)

Authority to revoke certain Federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc., is vested with the officials of individual Federal agencies.

State Penalties and Sanctions for Illegal Possession of Controlled Substances

The framework for the regulation of most drugs, also called controlled substances, is set out in the Uniform Controlled Substances Act. In addition, there are other Nebraska State laws which establish penalties for various drug related offenses which are summarized below.

Crimes Involving Minors

Any person 18 years of age or older who knowingly or intentionally manufactures, distributes, delivers, dispenses, or possesses with intent to manufacture, distribute, deliver or dispense a controlled substance or a counterfeit controlled substance (i) to a person (under the age of 18 years); (ii) in, on, or within 1,000 feet of a school, college, university, or playground; or (iii) within 100 feet of a youth center, public swimming pool, or video arcade shall be punished more severely. The law also provides for an enhanced penalty for anyone 18 years of age or older to

knowingly and intentionally employ, hire, use, cause, persuade, coax, induce, entice, seduce, or coerce any person under the age of 18 years to manufacture, transport, distribute, carry, deliver, dispense, prepare for delivery, offer for delivery, or possess with intent to do the same a controlled substance or a counterfeit controlled substance. See Neb. Rev. Stat. § 28-416(4)(a) and (5)(a) (Reissue 2016).

Persons under the age of eighteen who violate the drug laws may be subject to additional sentencing provisions found in Neb. Rev. Stat. § 28-416(18) and (19) (Reissue 2016), these include impounding licenses or permits issued under the Motor Vehicle Operator's License Act, completion of community service, and attending drug education classes.

Probation Conditions

Any person convicted of a drug law violation, if placed on probation, shall, as a condition of probation, satisfactorily attend and complete appropriate treatment and counseling on drug abuse. Neb. Rev. Stat. § 28-416 (14) (Reissue 2016).

Tax Provisions

Anyone who possesses or sells the following amounts of controlled substances or imitation controlled substances must pay the appropriate taxes to the Nebraska Department of Revenue and have the stamps attached to the controlled substances. Marijuana is not included in the definition of "controlled substances" here but is also taxed, as follows:

- Illegal marijuana is taxed at \$100 for each ounce or portion of an ounce. Neb. Rev. Stat. § 77-4303 (Reissue 2009).
- Any controlled substance that is sold by weight or volume (i.e., cocaine, crack, methamphetamine, etc.) is taxed at \$150 for each gram or portion of a gram. Neb. Rev. Stat. § 77-4303 (Reissue 2009).
- Any controlled substance that is not sold by weight (i.e., LSD, Quaaludes, methamphetamine in tablets, PCP, etc.) is taxed at \$500 for each 50 dosage units or portion thereof. Neb. Rev. Stat. § 77-4303 Reissue 2009).

Failure to have the proper tax stamps attached to the controlled substance is a Class IV felony, with a criminal penalty of up to a 2-year imprisonment and 12-month post-release supervision or a \$10,000 fine or both. If imprisonment is imposed, there will be a minimum of a 9-month post-release supervision. Neb. Rev. Stat. § 28-105(1) (Reissue 2016) available at <https://nebraskalegislature.gov/laws/laws.php>; Neb. Rev. Stat. §§ 77-4301 to 77-4316 (Reissue 2009).

Property Forfeiture

Property used to manufacture, sell, or deliver controlled substances can be seized and forfeited to the State.

Property subject to forfeiture may include cash, cars, boats, and airplanes, as well as drug paraphernalia, books, records, and research, including formulas, microfilm, tapes, and data. Neb. Rev. Stat. § 28-431 (Reissue 2016).

Being Under the Influence of Any Controlled Substance for Unauthorized Purpose

It is a violation of Nebraska law to be under the influence of any controlled substance for a purpose other than the treatment of a sickness or injury as prescribed or administered by a practitioner. In a prosecution, the State need not prove that the accused was under the influence of a specific controlled substance, only that the accused manifested symptoms or reactions caused by the use of any controlled substance. Neb. Rev. Stat. § 28-417(1)(g) (Reissue 2016).

Drug Paraphernalia Offenses

It is a violation of Nebraska law to use, or to possess with intent to use, drug paraphernalia to manufacture, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance. Neb. Rev. Stat. § 28-441(1) (Reissue 2016). Individuals who make a good faith request for emergency medical assistance in response to their drug overdose or when assisting another person may experience limited immunity from drug possession and paraphernalia charges if they meet certain requirements, such as requesting medical assistance as soon as the drug overdose is apparent and remaining on the scene and cooperating with medical assistance or law enforcement personnel. Neb. Rev. Stat. § 28-441(1) (Reissue 2016 and Supp. 2017).

"Drug paraphernalia" is defined to include such things as hypodermic syringes, needles, pipes, bong, roach clips, and other items used, intended for use, or designed for use with controlled substances. Neb. Rev. Stat. § 28-439 (Reissue 2016).

It is unlawful to deliver, possess with intent to deliver, or manufacture with intent to deliver drug paraphernalia knowing, or under circumstances in which one should reasonably know, that it will be used to manufacture, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance. This section does not apply to pharmacists, pharmacist interns, pharmacy technicians, and pharmacy clerks who sell hypodermic syringes or needles for the prevention of the spread of infectious diseases. Neb. Rev. Stat. § 28-442 (Reissue 2016 and Supp. 2017).

It is a violation of Nebraska law for a person 18 years of age or older to deliver drug paraphernalia to a person under the age of 18 who is at least three years his or her junior. Neb. Rev. Stat. § 28-443 (Reissue 2016).

A violation of Neb. Rev. Stat. § 28-441 (use or possession of drug paraphernalia) is an infraction and is punishable on the first offense by a fine of up to a maximum of \$100; a second offense within two years of the first is punishable by a fine between \$100 and \$300; a third offense within two years of the second is punishable by a fine between \$200 and \$500. Neb. Rev. Stat. §§ 28-441 and 29-436 (Reissue 2016). The penalty for violation of Neb. Rev. Stat. § 28-442 (delivery or manufacture of drug paraphernalia), which is a Class II misdemeanor, is up to a 6-month imprisonment or a \$1,000 fine or both. Neb. Rev. Stat. § 28-442 (Reissue 2016) and § 28-106(1) (Reissue 2016). The penalty for violation of Neb. Rev. Stat. § 28-443 (delivery of drug paraphernalia to a minor), a Class I misdemeanor, is imprisonment for up to one year or a \$1,000 fine or both. Neb. Rev. Stat. § 28-443 (Reissue 2016) and § 28-106(1) (Reissue 2016).

Imitation Controlled Substances

It is a violation of Nebraska law to knowingly or intentionally manufacture, distribute, deliver, or possess with intent to distribute or deliver an imitation controlled substance. Neb. Rev. Stat. § 28-445 (Reissue 2016). "Imitation controlled substance" is a substance that is not a controlled substance or controlled substance analogue but which is represented to be an illicit controlled substance or controlled substance analogue. Neb. Rev. Stat. § 28-401 (29) (Reissue 2016). The first violation of this law is a Class III misdemeanor and the penalty may be a 3-month imprisonment or a \$500 fine or both. A second offense violation of this law is a Class II misdemeanor and the penalty may be imprisonment for up to six months or a \$1,000 fine or both. Neb. Rev. Stat. § 28-445 (Reissue 2016) and § 28-106(1) (Reissue 2016).

Controlled Substance Analogues

For purposes of Nebraska's Uniform Controlled Substance Act, controlled substance analogues (often called "designer drugs") are treated as controlled substances. Such an analogue is defined as (i) substantially similar in chemical structure to the central nervous system that is substantially similar to or greater than the effect of a controlled substance. Neb. Rev. Stat. § 28-401 (30) (a) (Reissue 2016; Supp. 2017).

Minor in Possession

It is against the law for a person under the age of 21 years to sell, dispense, consume, or possess alcohol. Neb. Rev. Stat. § 53-180.02 (Reissue 2010). Penalties for violation of

this law may include one or more of the following: the impoundment of the offender's license for thirty days or more; the requirement to attend an alcohol education class; the requirement to complete twenty hours or more of community service; submission to an alcohol assessment by a licensed counselor; imprisonment of up to three months; and/or a \$500 fine; Neb. Rev. Stat. § 53-180.05(4) and § 53-181 (Cum. Supp. 2016; Supp. 2017); § 28-106(1) (Reissue 2016).

The law provides immunity from minor in possession alcohol charges when someone underage is in need of medical assistance. A penalty may not be imposed on a person who otherwise violated the law if the person (i) made a good faith request for emergency medical assistance in response to the possible alcohol overdose of himself or herself or another person as soon as the emergency situation is apparent; (ii) Made the request for medical assistance; and (iii) when emergency medical assistance was requested for the possible alcohol overdose of another person: (A) remained on the scene until the medical assistance arrived; and (B) cooperated with medical assistance and law enforcement personnel. Neb. Rev. Stat. § 53-180.05(4) and § 53-181(3) (Supp. 2017).

Procuring Alcohol

It is a violation of Nebraska law to sell, furnish, give away, exchange, deliver, or permit the sale, gift, or procuring of any alcoholic liquors to or for any minor or to any person who is mentally incompetent. Neb. Rev. Stat. § 53-180 (Cum. Supp. 2016). Violation of this law is generally punishable by not more than a one-year imprisonment or a \$1,000 fine or both. Neb. Rev. Stat. § 53-180.05(1) (Cum. Supp. 2016) and § 28-106(1) (Reissue 2016). However, if alcohol is knowingly and intentionally provided to a minor and the minor's consumption of the alcohol or impaired condition attributed to the alcohol leads to the serious bodily injury or death of any person, the person who provided the alcohol shall be guilty of a Class IIIA felony and serve a mandatory minimum of at least 30 days' imprisonment. The penalty for a Class IIIA felony is a 3-year imprisonment and 18-month post release supervision or a \$10,000 fine or both and a minimum of a 9-month post-release supervision if imprisonment is imposed. See Neb. Rev. Stat. § 53-180.05(2) (Cum. Supp. 2016) and Neb. Rev. Stat. § 28-105(1) (Reissue 2016) available at <http://nebraskalegislature.gov/laws>.

Consumption on Public Property

It is a violation of Nebraska law for any person to consume alcoholic liquors upon property owned or controlled by the State or any governmental subdivision thereof, unless authorized by the governing bodies having jurisdiction over

such properties. Neb. Rev. Stat. § 53-186 (Cum. Supp. 2016). A violation of this statute is punishable on the first offense by a fine of up to \$100; a second offense within two years of the first is punishable by a fine between \$100 and \$300; a third offense within two years of the second is punishable by a fine between \$200 and \$500. Neb. Rev. Stat. § 53-186 (Cum. Supp. 2016) and § 29-436 (Reissue 2016).

Driving While Intoxicated

Operating or being in physical control of a vehicle while under the influence of alcoholic liquors or drugs is a violation of Nebraska law when such person has a concentration of eight-hundredths (.08) of 1 gram or more by weight of alcohol per 100 milliliters of blood or per 210 liters of breath. Neb. Rev. Stat. § 60-6,196 (Reissue 2010).

Violation of this law is punishable on first offense by seven to 60 days of imprisonment and a \$500 fine. Neb. Rev. Stat. § 60-6,197.03 (Cum. Supp. 2016) and § 28-106(1) (Reissue 2016). In addition, an offender's driver's license is revoked for 6 months and the offender is ordered not to drive any motor vehicle for any purpose for a like period. Neb. Rev. Stat. § 60-6,197.03(1) (Cum. Supp. 2016). Suspended sentence or probation includes a mandatory requirement that probation or suspension be conditioned on an order that the offender will not drive any motor vehicle for any purpose for 60 days and pay a \$500 fine. Neb. Rev. Stat. § 60-6,197.03(1) (Cum. Supp. 2016).

Penalties for a second conviction include a \$500 fine and a maximum of a 6-month imprisonment, with no less than a mandatory 30-day imprisonment. Neb. Rev. Stat. § 60-6,197.03 (Cum. Supp. 2016) and § 28-106(1) (Reissue 2016). As part of the judgment of conviction, the offender's operator's license is revoked for 18 months. Neb. Rev. Stat. § 60-6,197.03(3) (Cum. Supp. 2016). If an offender is placed on probation or the sentence is suspended, a mandatory condition is that the offender must not drive any motor vehicle for any purpose for a period of 18 months. Neb. Rev. Stat. § 60-6,197.03(3) (Cum. Supp. 2016). In addition, the probation order shall include as one of its conditions the payment of a \$500 fine and confinement in the city or county jail for 10 days or the imposition of not less than 240 hours of community service. Neb. Rev. Stat. § 60-6,197.03(3) (Cum. Supp. 2016).

Penalties for a third conviction include a \$1,000 fine and a maximum of a one-year imprisonment, with a minimum 90-day imprisonment, and an order of license revocation for 15 years. Neb. Rev. Stat. § 28-106(1) (Reissue 2016) and Neb. Rev. Stat. § 60-6,197.03(4) (Cum. Supp. 2016). If an offender is placed on probation, or the sentence is suspended, a

mandatory condition is that the offender's operator's license shall be revoked for a period of at least 2 years but not more than 15 years. Neb. Rev. Stat. § 60-6,197.03(4) (Cum. Supp.2016). In addition, the probation order shall include the payment of a \$1,000 fine and as one of its conditions confinement in the city or county jail for 30 days. Neb. Rev. Stat. § 60-6,197.03(4) (Cum. Supp. 2016).

Fourth convictions are a Class IIIA felony. Neb. Rev. Stat. § 60-6,197.03(7) (Cum. Supp. 2016). Offenders in this class will have their licenses revoked for a period of 15 years and the offender must spend at least 180 days imprisoned in a city or county jail or an adult correctional facility. Neb. Rev. Stat. § 60 6,197.03(7) (Cum. Supp. 2016). Probation or suspension of sentence must be conditioned so that the offender's license is revoked for a period of 15 years. The revocation order shall require that the offender not drive for 45 days after which he or she may apply for an ignition interlock permit and installation of such device. Neb. Rev. Stat. § 60 6,197.03(7) (Cum. Supp. 2016). In addition, the probation order shall include as one of its conditions a \$2,000 fine and confinement in the city or county jail for no less than 90 days with required use of a continuous alcohol monitoring device and abstention from alcohol use for no less than 90 days after release. Neb. Rev. Stat. § 60-6,197.03(7) (Cum. Supp. 2016).

Fifth and subsequent convictions are a Class IIA felony. Neb. Rev. Stat. § 60-6,197.03(9) (Cum. Supp. 2016). Offenders in this class will have their licenses revoked for a period of 15 years and the offender must spend at least two years' in prison. Neb. Rev. Stat. § 60-6,197.03(9) (Cum. Supp. 2016). Probation or suspension of sentence must be conditioned so that the offender's license is revoked for a period of 15 years. The revocation order shall require that the offender not drive for 45 days after which he or she may apply for an ignition interlock permit and installation of such device. Neb. Rev. Stat. § 60 6,197.03(9) (Cum. Supp. 2016). In addition, the probation order shall include as one of its conditions a \$2,000 fine and confinement in the city or county jail for 180 days with required use of a continuous alcohol monitoring device and abstention from alcohol use for no less than 180 days after release. Neb. Rev. Stat. § 60-6,197.03(9) (Cum. Supp. 2016).

Persons with a higher concentration of alcohol, fifteen-hundredths (.15) of 1 gram or more by weight of alcohol per 100 milliliters of blood or per 210 liters of breath on a first conviction and subsequent conviction, are subject to even stiffer penalties. Neb. Rev. Stat. § 60-6,197.03(2), (5), (6), (8) and (10) (Cum. Supp. 2016). Where a person has three prior convictions and then has another conviction involving this higher alcohol concentration, he or she shall be guilty

of a Class IIA felony with a minimum sentence of one year of imprisonment, and has his or her license revoked for a period of 15 years. Neb. Rev. Stat. § 60-6,197.03(8) (Cum. Supp. 2016). In addition, any probation order shall be applied as previously indicated under Neb. Rev. Stat. § 60-6,197.03(7) (Cum. Supp. 2016).

Persons convicted of a DWI violation may be ordered to have an ignition interlock device installed at their expense on each motor vehicle operated by the convicted person during the period of revocation. Neb. Rev. Stat. §§ 60-6,197.03 and 60-6,211.05 (Cum. Supp. 2016). DWI convictions also have an impact on the ability of a person to obtain both automobile and life insurance coverage.

Local laws may also make it a crime to operate a motor vehicle under the influence of alcohol or to commit certain acts involving the consumption or possession of alcohol, e.g. "open container" laws.

Missing Students Policy

When completing their Housing Contract, the student will have the opportunity to specify an individual, other than their emergency contact, to be informed in the event the student is confirmed as missing. The name will be kept confidential by the University and only disclosed to personnel in order to aid in a missing persons' investigation. If a student does not specify such a contact, then the student's emergency contact will be utilized. The University will also contact custodial parent(s) or guardian(s) if students are younger than 18 years old and not emancipated.

The University is dedicated to looking out for the welfare of each one of its students. The following information pertains to students that live in on campus housing and details how a report regarding any missing student is to be processed. Anyone who suspects or confirms another adult has been missing for 24 hours should immediately contact UNODPS. Incidents of missing juveniles should be reported immediately. However, concerned parties can always notify UNODPS at any point, even if an individual has not yet been missing for a full 24 hours. The reporting person may also notify the Residence Director or other residence hall staff, as these positions are instructed to notify UNODPS of a suspected missing student immediately.

It is preferred that the reporting party talk directly to a UNODPS officer.

Missing students can be reported to any CSA who must then immediately report that information to UNODPS. UNODPS will immediately initiate an investigation which

may include contacting campus acquaintances, friends or relatives, and, if appropriate, a preliminary inspection of their residence hall room. UNODPS or Residence Hall staff will gather as much information as possible from the reporting person(s) in order to determine an appropriate course of action. In addition, Residence Directors will check the Lenel Control System to determine the last time the student used their MavCARD to access the residence hall or other University building. This will assist in determining the student's activity and/or to see who they may have entered the building with. Information that will be gathered by UNODPS includes:

- Details of why the person suspects or knows the individual is missing (may include changes to behavior, state of mind, known plans).
- The last place and time the individual was seen and by whom.
- Contact information for the individual suspected to be missing (cell and other phone numbers, e-mail addresses, social networking names).
- Contact information for friends who may know of their location.
- Contact information for the concerned individual(s) so they can be reached with additional questions or follow-up information.
- Other personal information including photograph, vehicle, employer, and other activities the person may be engaged in.

Once a student has been determined to be missing, UNODPS will inform local law enforcement, and make appropriate notifications to the missing student's emergency contacts within the first 24 hours.

Student Life and University Housing

The University of Nebraska at Omaha and campus housing fully support and value an inclusive community. We strive to maintain a climate of equity and respect, where we protect the rights of all in order to ensure that every member feels empowered, valued, and respected for their contributions to the mission of the university and our department. The University of Nebraska at Omaha is committed to providing all residents equitable access to services, benefits, and opportunities. Housing & Residence Life is committed to working to meet the housing needs of all residents by providing a nurturing community that values diversity and promotes the dignity of all community members.



Please review the [Link to Housing and Residence Life Community Policies](#).

Students, parents, and guardians are strongly encouraged to read about housing policies and procedures in detail. Not only does this include the rules, standards, and expectations that come with living in a community, but it also includes emergency procedures and helpful information intended to ensure students have a safe and successful experience while living on campus.

As with any community, there are expectations and policies that must be followed to maintain a positive living learning environment and enable all residents to live together cooperatively. Housing & Residence Life allows residents a great deal of freedom and responsibility. This living space requires that residents possess the life skills that are needed to live in an independent setting. Residents are expected to exhibit mature and responsible behavior.

State law and university regulations state that the possession or consumption of alcohol in any Housing & Residence Life property/parking facility is prohibited regardless of the resident's age. In addition, it is a violation of university policy to be in a room where alcohol is present, whether you are drinking or not.

Sex Offender Information

Whenever a convicted sex offender enrolls at or is employed at a postsecondary institution, they are required to notify the state, and the state is then required to notify the University. As a matter of policy, UNODPS will review the information of each reported sexual offender who becomes a student, volunteer, or employee and determine the seriousness of the threat to campus safety. In cases where it has been determined that the sex offender's crimes were of a serious nature and the offender's presence may threaten the security of those on campus, the University will provide notification to all students and staff of the sex offender's status.

Nebraska State Statute 29-4002 declares that sex offenders present a high risk to commit repeat offenses and that efforts of law enforcement agencies to protect their communities, conduct investigations, and quickly apprehend sex offenders are impaired by the lack of available information about individuals who have pleaded guilty to or have been found guilty of sex offenses and who live in their jurisdiction. Because of that, the legislature determined that state policy should assist efforts of local law enforcement agencies to protect their communities by requiring sex offenders to register with local law enforcement agencies as provided by the Sex Offender Registration Act.

This information is to be used to provide public notice and information about a registrant so a community can develop constructive plans to prepare themselves and their family. Sex Offenders have "always" been in our communities. The notification process will remove their ability to act secretly.

Sex offenders who are required to register for 15 years may request a reduction in the registration period to ten years, upon completion of ten years of the registration period after the date of discharge from probation, parole, supervised release, or incarceration, whichever date is most recent. To obtain the necessary forms to complete, click on the link below.

Sex offender registry information shall not be used to retaliate against the registrants, their families, or their employers in any way. Vandalism, verbal or written threats of harm are illegal and will result in arrest and prosecution.

Registry Information

The Campus Sex Crimes Prevention Act includes several acts of federal legislation that require the following:

- Each state must create a very narrowly drawn specific program to register sex offenders.
- Each state must provide for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education or working or volunteering on campus.
- Each state requires sex offenders already required to register in another State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student.

The University is committed to protecting its students and staff from sexual predators. The University will provide any

applicable information regarding sexual predators to its students and staff when necessary.

Listings of registered sex offenders in Nebraska can be found at:

<https://sor.nebraska.gov/>

Listings of registered sex offenders in the United States can be found at:

<https://www.nsopw.gov/>

Programs

Sometimes it's difficult to know what to do when your friend needs help. We're here to help navigate this situation. If you have a friend who is in need of help, get this friend the help they need. Remember, you will not get in trouble for helping a friend who you're concerned about. When helping a friend with alcohol or drug issues, it is important to focus on how their behaviors have affected you. These discussions can occur in a very caring and non-judgmental fashion and still be direct without the need to blame. For many who are not willing to seek help, having these conversations occur more than once and with more than one person over a period of time, can further the likelihood they will eventually seek help. It is always best to avoid these conversations when the other person is or is suspected to be intoxicated. **In an event where someone has taken drugs or alcohol and is not responsive or you cannot wake them up, call 911 immediately.**

Knowing when your friend needs help and knowing what to do for them isn't always easy. It's hard to watch our friends struggle with things like addiction, break ups, and health issues. Knowing what to do and say is important, and this collection of resources should give you a start on getting the background you need to help your friend recover. UNO wants to make sure that we support you as you support your friends. **Remember, you are not alone.**

Illicit Substances

The illicit use of drugs and alcohol and the dependency on these substances is a major issue facing college campuses across the United States. To combat the problems caused by the use of drugs and alcohol, the University of Nebraska at Omaha wants to ensure that resources are available to not only promote the awareness of drug and alcohol abuse and the large number of related issues, but also to help students and staff determine if they have a problem and deal with dependency issues. To this end, there are a number of programs and resources available for use to students, faculty, and staff.

Health Risks Associated with Substance Abuse
Serious health risks are associated with the use of illicit drugs and alcohol. The National Institute on Drug Abuse states that most drugs of abuse can alter a person's thinking and judgment, leading to health risks, including addiction, drugged driving and infectious disease. Most drugs could potentially harm an unborn baby; pregnancy-related issues are listed for drugs where there is enough scientific evidence to connect the drug use to specific negative effects. These drugs and their effects are more thoroughly described by the National Institute on Drug Abuse through charts and information available at:

<https://www.drugabuse.gov/> and <https://www.drugabuse.gov/drug-topics/commonly-used-drugs-charts>

Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Drugs

With drugs, it has been shown that while initial use may have been voluntary, drug abuse alters gene expression and brain circuitry, which affects human behavior and becomes an addiction. Once addiction develops, the brain changes interfere with one's ability to make voluntary decisions, leading to compulsive drug craving, seeking, and use. The long term use of drugs can be far reaching in harm to the body, including, but not limited to cardiovascular disease, stroke, cancer, hepatitis, and lung disease. Drug use has respiratory effects, gastrointestinal effects, musculoskeletal effects, can damage kidneys, the liver, and the brain, and lead to premature death. In addition, changes that occur in the brain through long-term drug use can lead to paranoia,

depression, aggression, and hallucinations. These issues affect not only the individual, but also loved ones, fellow students, and the public in general.

Drugs and Alcohol Programs

For someone who is willing to seek help, they can be referred to UNO's alcohol and drug counseling services (102 H&K). They should also be encouraged to attend the AA meeting that occurs on campus Monday, Wednesday, and Fridays at noon in 101 H&K.

Appointments to help students put together a more specific plan to help a loved one and/or friend are always welcome. To set up an appointment with Nate Bock or Mark Frillman, call 402.554.2409.

Employees and students needing help in dealing with drug or alcohol problems are encouraged to make voluntary use of their campus Employee Assistance Programs and Student Counseling Centers. The Employee Assistance Programs and Student Counseling Centers can help by offering the following services:

- Objectively assessing the situation and referring employees or students to the proper resources.
- Supplying short-term personal counseling and problem solving.
- Providing education and training to supervisors on how to intervene with troubled employees.

Alcohol is the number one drug used on the UNO campus. While the majority of college students do not have substance use disorders, it is estimated that between 3 and 10 percent of all college students who choose to drink will eventually meet the criteria for a substance use disorder. The Counseling Center in the H&K building utilizes the Addiction Survey Index (ASI) for substance use evaluations that are generally accepted for criminal justice purposes. There is a \$75.00 fee for the evaluation.

The counseling center can also assist individuals with co-occurring disorders. These are individuals who have a mental health diagnosis and a substance use disorder. Individuals can receive simultaneous treatment from licensed mental health counselors and licensed substance abuse counselors. Some counselors are dually licensed.

UNO counselors can also assist with unhealthy patterns to assist individuals in developing new healthy relationships.

An open Alcoholics Anonymous meeting is held on Monday, Wednesday, and Fridays at 12 p.m. in 101 H&K Building. The meeting is open to the public, including students, staff, and faculty.

More information regarding alcohol and drug support can be found online at:

<https://www.unomaha.edu/student-life/student-safety/help-myself/alcohol-and-drug-support.php>

Counseling and Referral Services

Counseling and Psychological Services (CAPS) provides programs and services on campus that assist students in maximizing their potential while at UNO. Counseling services are confidential and all conducted by Licensed Mental Health Practitioners and a graduate student. In addition to the services provided in the office, CAPS provides Gatekeeper Training, an interactive workshop that teaches participants to recognize the warning signs of suicide and make the appropriate referrals.

Counseling and Psychological Services Center (CAPS)

CAPS is dedicated to working with students to provide services that can assist with challenges that have impacted their overall wellbeing. These could include adjusting to life events, relationship issues and mental health changes. Some of the ways this can be accomplished are through individual or couples counseling as well as psycho-educational groups.

The goal of CAPS is to provide services to best meet the needs of the students within our current scope of practice. Short-term counseling may not be the best method to meet the needs of all students. Some areas of concern might be better addressed by a professional with more specialized expertise or by someone who can provide a long term treatment model. The staff will work with each individual to determine the best course of action, such as referral to a UNO counselor, referral to a group, or referral to a community provider.

Counseling staff work closely with Nebraska Medicine Health Services to provide on-campus referrals and collaboration with their services. In the case that an outside referral is recommended, counselors will assist in providing a community referral that will best meet the needs of the individual. The decision for a community referral will typically occur within the initial intake assessment but may also occur during the course of counseling services as appropriate. If you, or a friend, are not a student at UNO, and therefore not eligible for our services, counseling is available through the College of Education Community Counseling Clinic. More information can be found at the [https://www.unomaha.edu/college-of-](https://www.unomaha.edu/college-of-education/counseling/college-counseling-clinic/index.php)

[education/counseling/community-counseling-clinic/index.php](https://www.unomaha.edu/college-of-education/counseling/community-counseling-clinic/index.php)

Best Care Employee Assistance for Faculty and Staff

UNO has contracted with Best Care Employee Assistance Program to provide confidential counseling and referral services to benefit-eligible faculty and staff and their eligible dependents. The Faculty/Staff Employee Assistance Program (FEAP) at the University of Nebraska at Omaha is available to all benefit-eligible UNO faculty and staff and their immediate family members in need of information and/or assistance with any personal concern, including alcohol or drug-related problems. You do not need a referral from a manager or supervisor to use these services. The FEAP provides confidential, free, professional, short-term counseling, assessment, and referral for employees and/or family members who need assistance regarding substance abuse or dependency. Tenure or any other employment status will **NOT** be jeopardized for employees seeking help from FEAP.

When you contact FEAP, a qualified Best Care staff member will speak with you to assess the nature of the problem and to identify the best course of action to be taken. In most instances, problems can be resolved within a number of confidential and private sessions with a Best Care Professional provided at their location. If a referral to a community resource is necessary, the FEAP staff will refer you to the most appropriate resource available.

Best Care services are provided by UNO and available to you at no cost. The program offered to you provides five (5) counseling sessions for you and your eligible dependent family members. Some situations may require the use of ongoing or specialized support. In this case, your Best Care counselor will work with you to find the most appropriate and cost effective resource. Any fees related to using that resource then become your responsibility.

The FEAP office is located in the Eppley Admin Building, Room 205, on Dodge Campus. Office telephone numbers are 402.554.3120 or 1.800.801.4182, and the website is: <https://www.unomaha.edu/human-resources/employee-relations/feap.php>

Health and Wellness Services



Health Services offers on-campus appointments with Board Certified Professionals. There is NO CHARGE for students to consult with the office staff, medical doctors, or nurse practitioners. Additional fees are required for X-ray services, lab tests, and immunizations. Appointments with a physician or practitioner may be made in person or by phone. No appointment necessary for nurse visits and walk-ins are seen as schedules permit.

Health Services offers a variety of services to make sure you get the care you need. Services offered include:

- Flu shots
- Family Medicine
- Reproductive Health
- Medical Screenings
- Pregnancy
- Health Insurance Assistance
- Laboratory Services
- Wellness Profiles
- Radiology Services
- Medical Exams

Helping students in need. Counseling center resources can be found at: <https://www.unomaha.edu/student-life/wellness/counseling-and-psychological-services/index.php>

Suicide Prevention

If you are experiencing suicidal feelings or thoughts, there is help available. Suicidal thoughts or feelings are a medical emergency. Individuals can summon emergency assistance by dialing 911, or contacting UNO Public Safety by calling 402.554.2911, or by visiting a local hospital emergency room. The Boys Town National Hotline can be reached at 1.800.448.3000.

Counseling and Psychological Services (CAPS) counselors are prepared to offer assistance in 102 H&K Monday through Friday from 8a.m. to 5 p.m.

Assistance is also available for urgent but non-emergency situations. Grief, loss, severe stress, sadness, lack of motivation, or anxiety can affect anyone, at any time. Students can schedule an appointment with CAPS if they have an urgent situation. Appointments are scheduled as soon as possible based on staff availability.

More information on available services and assistance can be found at:

CAPS

<https://www.unomaha.edu/student-life/wellness/counseling-and-psychological-services/index.php>

Boystown Suicide Hotline

<https://www.yourlifeyourvoice.org/Pages/home.aspx>
1.800.448.3000

The JED Foundation

<https://www.jedfoundation.org/>
Text START to 741-741

American Foundation for Suicide Prevention

<https://afsp.org/>

National Suicide Prevention Lifeline

<https://suicidepreventionlifeline.org/>
1.800.273.TALK (8255). Contact the Crisis Text Line by texting TALK to 741-741

Advocacy, Victims & Survivor Services

Advocates serve the needs of victims and survivors of sexual assault, dating/domestic violence, and stalking. This includes those who are directly experiencing violence or friends or family members trying to offer the survivor support. Advocates provide affirming, empowering, and confidential support for survivors and bring a non-judgmental, caring approach to exploring all options and resources. UNO provides free, confidential advocacy services and resources for students who have experienced relationship violence and sexual assault. Advocacy response will:

- Meet with you privately on campus or at a place of your choice to make a report
- Assist you in receiving hospital, medical, counseling, and other support services even if you choose not to pursue criminal charges

- NOT prejudice you, and you will not be blamed for what occurred
- Treat you and your particular situation with courtesy, sensitivity, dignity, understanding, and professionalism
- Consider your situation, regardless of your gender identity and sexual orientation, and regardless of the gender identity and sexual orientation of the suspect(s)

Regardless of whether or not a victim chooses to report the crime, protective measures will be provided if the victim requests them and if they are reasonably available. If you are a victim of a crime, you should do the following immediately:

- Call UNODPS or 911 to report the crime.
 - Victims should preserve as much evidence as possible to provide to the police. This may include texts, and phone messages.
- You may also contact any local law enforcement agency:
 - **Omaha Police Department:** 505 S. 15th St., Omaha, NE 68102, 402.444.5666
 - **Douglas County Sheriff:** 3601 N. 156th St., Omaha, NE 68116, 402.444.6641
 - **Nebraska State Patrol:** 4411 S. 108th St, Omaha, NE 68137, 402.331.3333
- As appropriate, seek medical attention in an emergency room or from another medical provider. For sexual offenses, it is important to seek medical attention from a facility that performs legal sexual assault exams. In addition, for sexual assaults and incidents of dating or domestic violence, it is especially important that the victim not bathe, shower, douche, change clothes, or apply medication in order to preserve evidence that can be used as proof of a criminal offense and aid in the acquiring of protection orders.
 - **Local Hospital Emergency Rooms:**
 - **Bergan Mercy:** 7500 Mercy Road. 402.398.6060
 - **Immanuel Medical Center:** 6901 N. 72nd St. 402.572.2121
 - **Methodist Hospital:** 8303 Dodge St. 402.354.4000
 - **Nebraska Medicine (UNMC):** 42nd and Dewey St. 402.559.6637
 - **Non-emergency care:**
 - **Campus Health Services:** H & K 102. 402.554.2374 Medical professionals are

available by appointment or walk-in on Monday - Friday 8 am - 5 pm.

- Seek support and assistance:
 - Victim/Survivor Advocacy Services On-campus: 402.554.2918
 - UNO Counseling and Psychological Services 102 H&K 402.554.2409 M-F 8am to 5pm
 - University Housing (24/7) Contact Residence Hall Director
 - Vice Chancellor for Student Success: Welcome Center 402.554.2779
 - Employee Assistance Program: Eppley Admin Building 800.801.4182, 402.554.3120
 - International Student and Admissions Office: ASH 241, 402.554.2293
 - Women's Center for Advancement (WCA): 402.345.6555
 - Planned Parenthood: 3105 N. 93rd St. 877.811.7526
 - Heartland Family Service: 6805 Pine St. 402.451.6244
 - Nebraska Domestic Violence Sexual Assault Coalition website: ndvsac.org/get-help
 - Scholarships & Financial Aid: Eppley Admin Building 103, 402.554.2327, unofinaid@unomaha.edu
 - Private Physician
 - Friend/Relative

The University also has an online non-emergency reporting system. It is not the University's intent to replace direct contact with University officials, but instead to provide an additional avenue for reporting campus incidents, concerns, or comments. It is important to note that reports submitted on line may not receive an immediate response. While anonymous reporting is an option, individuals should be aware that, if they wish to remain anonymous, a follow-up cannot be provided. This reporting system is meant to provide an additional option for the campus community to work together to ensure our university maintains a welcoming and safe environment. To report information about:

- A Student: https://cm.maxient.com/reportingform.php?UnivofNebraskaOmaha&layout_id=10
- A Staff, Faculty, or Other Person: https://cm.maxient.com/reportingform.php?UnivofNebraskaOmaha&layout_id=40

With the assistance of The University of Nebraska Omaha, School of Criminology and Criminal Justice, Juvenile Justice Institute, the Nebraska Crime Commission solicited a

review of victim services in Nebraska. The goal of Nebraska's 2015 – 2020 Strategic Plan for Victims and Survivors of Crime (NSPVSC) is to provide recommendations to permanently improve and enhance services available to all victims of crime in Nebraska. (Source: Nebraska Crime Commission)

<https://www.unomaha.edu/college-of-public-affairs-and-community-service/juvenile-justice-institute/index.php>

Victim's Rights

- Be informed of all reporting options.
- Be free from pressure to make a criminal report.
- Have any allegations investigated and adjudicated by the appropriate campus, civil, and criminal authorities. This includes:
 - Sexual assault
 - Domestic violence
 - Dating violence
 - Stalking
- Be notified of exiting campus community services whether or not the crime is reported to campus or civil authorities. This includes:
 - Medical
 - Victim advocacy
 - Legal assistance
 - Visa and immigration assistance
 - Student financial aid assistance
 - Counseling and mental health services
- Be informed of options for, available assistance in, and how to request changes to academic, living, and working situations, as well as protective measures offered by UNO.



Gender & Sexuality Resource Center (GSRC)

All staff members of GSRC are free and confidential victim and survivor advocates certified by the state of Nebraska. Advocates serve the needs of victims and survivors of sexual assault, dating/domestic violence, and stalking. This includes those who are directly experiencing violence or

friends or family members trying to offer the survivor support. Advocates provide affirming, empowering, and confidential support for survivors and bring a non-judgmental, caring approach to exploring all options and resources.

After experiencing trauma associated with sexual assault, intimate partner violence, or stalking, a survivor might not know what their options are. Our state-certified advocates are here to help you navigate your options, provide you with support, connect you with resources on-campus or within the community, and serve as a trusted point of contact throughout the whole process. GSRC Advocates believe that it is always the survivor's choice in whether or not they choose to report and which resources they choose to use. Individual advocacy may include:

- Providing emotional support and information on healthy relationships.
- Educating navigating on-campus & community resources & reporting options, including, UNO or Omaha Police Department.
- Accompanying to hospital, Title IX or Law Enforcement/Legal Meetings.
- Helping with filing of a protection order and developing a safety plan.

Public Safety is responsible for keys and card access additions/revocations for personnel, adjusting electronic door schedules, monitoring alarmed areas, and assisting the university in its access control needs. The UNODPS Access Control Specialist maintains a system of keys and locks to all academic and administrative building doors.

Facility Access Management

Individual UNO departments are responsible for the security of their interior spaces and designate the individuals who have access to its interior spaces.

No keys may be duplicated by departments or individuals. All access devices remain the property of UNO and will not be sold or in any other way transferred to an individual outside the limits of this policy.

During non-business hours, the entrance doors of all buildings will be locked to maintain a safe campus. The Chancellor, Vice Chancellors, Deans, Directors, or designees may authorize UNODPS to grant access to areas under their control to persons conducting University business outside of normal operating hours or may submit requests to extend or reduce normal building hours when necessary to fulfill the University's mission. Requests will be submitted in writing to the UNODPS.

Residence Halls Access

Residential living for UNO has had a history of being very safe, due in part to the security precautions in place. All housing with interior living space doors are linked to the MavCARD, which is activated upon move in. Regardless of door locking system, there are safety precautions to consider in order to maintain the safest living space possible.

- Violations of the housing security policies and procedures, including tampering with fire safety equipment or failure to comply with fire alarm evacuation protocol, may result in severe disciplinary sanctions (possibly including termination of your housing contract and/or referral to the judicial officer).
- Guests are only allowed with the consent of the other roommates.
- All guests should be escorted to and from the suite.
- Visitation and overnight guests of one resident may not infringe on the rights of others.
- All windows and patio doors have locking devices and securely attached screens.
- Unescorted persons should not be given access to residence halls after hours.
- Doors should never be propped open
- Keeping every room door locked at all times will deter crime. Almost every theft in a residence hall is a result of an unsecured room or unattended belongings.
- Every security measure taken by the residence hall staff depends on the responsible actions of each resident for its effectiveness.
- Do not allow strangers to tag along into a residence hall while residents are entering.
- Lock room doors and windows when anyone leaves, even if only for a minute, and take keys with you.
- Politely offer assistance to persons in a building or residence if they are not recognized. If they have legitimate business, they will appreciate the help. If they do not have legitimate business, they should be asked to leave.
- Keep residence hall rooms locked when going out during move-in, and do not leave your car unlocked when loading or unloading.
- Do not leave coats, books, or other valuable items in common areas. Keep them in your room.

The names, phone numbers, and locations of on-call housing staff is provided to students upon move-in. If anyone hears or sees something suspicious, they should call the police immediately, by dialing 911 or 402.554.2648.

All UNO building access requests are completed through the helpful links listed below.

Questions can be emailed to

unoaccesscontrol@unomaha.edu

[How to Navigate the Online Key Request](#)

[How to Navigate Online Card Access Request](#)

[Online Key/Card Request](#)

[Room Transfer Form](#)

Non-Residential Building Access

The University of Nebraska at Omaha takes all available measures to ensure the security of campus buildings, including limiting access to authorized personnel only. It is the policy of UNO that after normal working hours, all buildings should be locked to maintain the security of the buildings and their contents. Faculty, students, and staff members may be issued access to University buildings upon recommendation of the department Dean or Director in accordance with established procedures. Keys or access cards are issued for entry to University buildings for conducting University business only.

Most non-residential campus buildings and facilities are accessible to members of the campus community and guests and visitors during normal business hours and for limited designated hours on weekends. Access times will vary depending upon the nature of the building and activity. Except for those students, faculty and staff with keys or authorized access cards, access is generally restricted to University affiliated personnel during recognized holidays.

High Security Access

Access is determined by UNODPS, Environmental Health and Safety (EHS), or a UNO department to require additional access restrictions because of the contents or activities conducted within. Because safety and security concerns are heightened during nonbusiness hours, exterior entrance doors to buildings are considered High Security Access.

When possible, access is programmed to an individual's campus identification card (MavCARD). A traditional key will only be issued when electronic access is not available. For access, the key authorizer:

- Submits a request through the on-line request system to the UNODPS Access Control Specialist, with authorization from the Dean or a Director. The request must include the name of the person who will be assigned access, the person's NUID number and any access limitations.

- Access will be granted via activation of the individual's MavCARD. A physical key will be issued only when electronic access is not available.

Key Authorizer

A designated person in each department to authorize access to that department. By authorizing access, the Department agrees to:

- Verify that the individual is authorized to conduct University business within a secure space.
- Immediately notify UNODPS when an individual's MavCARD or key is lost or stolen.
- Immediately notify UNODPS when an individual is no longer authorized access or is separating from the University.
- Actively attempt to recover any exterior keys from individuals who are no longer authorized to use the keys or is separating from the University.
 - Recovered keys should be returned to UNODPS.

Interior Key

A key that provides access to an interior space that does not require increased restrictions to access. Keys are authorized by the Department that occupies the particular space. When UNODPS issues an Interior Key to an individual, the Department agrees to:

- Verify that the individual is authorized to conduct University business within a secure space.
- Immediately notify UNODPS when any Interior Key is lost or stolen.
- Actively attempt recovery of Interior Keys from individuals who are no longer authorized to use the keys, or the individual is separating from the University.
- Maintain accurate and current records for all Interior Keys issued and recovered by the Department.

Personal Responsibilities

Individuals issued access rights to a building or interior spaces are responsible to safeguard their MavCARD and key and to maintain security of the campus building or area that the key opens. By accepting access rights or a key, an individual agrees to:

- Protect the MavCARD and Interior Key from theft or loss.
- Not duplicate, loan, or allow any other individual to use the key or MavCARD for entry.
- Assure that doors are relocked after entering or leaving.
- Assume responsibility for the conduct of any person the key holder allows to enter a locked facility.

- Immediately notify UNODPS when the individual's MavCARD or key is lost or stolen.
- Return Interior Keys to UNODPS on demand and upon separation from the University.

Lost Keys

Departments that are assigned interior space shall make the determination of whether interior door security needs to be restored due to a key(s) that has been lost, stolen, improperly duplicated, or not returned. For shared spaces, department(s) that originally authorized issuance of a key may be required to pay the cost to restore interior building security. (The cost to restore building security includes labor and materials required to change the locking mechanism on each door that the missing key operates and the cost to re-issue keys to all individuals with authorized access to the affected doors). UNODPS, after consultation with the affected departments, shall make the determination of whether security needs to be restored for High Security doors.



2019 Fire Statistics

Fire Statistics							
Residential Facility	Number of Fires	Cause	Injuries requiring treatment at a medical facility	Deaths	Value of Property Damage		
Maverick Village	1	Electrical	None	None	\$100.00		
University Village	1	Cooking	None	None	None		
Scott Court	0						
Scott Hall	0						
Scott Village	0						
Scott Crossing	0						
Fire Safety Systems in Residential Facilities							
Residential Facility	Fire alarm monitoring by UNODPS	Fire alarm monitoring by Outside Company	Warning System	Duct Smoke Detection	Fire extinguishers	Number of evacuation drills annually	
Maverick Village	X	SEI	Voice Paging	N/A	X	2	
University Village	X	SEI	Strobe/Siren	N/A	X	2	
Scott Court	N/A	MPS	Voice Paging	N/A	X	2	
Scott Hall	N/A	MPS	Voice Paging	N/A	X	2	
Scott Village	N/A	MPS	Strobe/Siren	N/A	X	2	
Scott Crossing	N/A	MPS	Voice Paging	X	X	2	
All student housing is 100% covered by an automated sprinkler system.							
In student housing all rooms have smoke detectors. However they are NOT connected to main annunciator panel.							
Students must call UNODPS, call 911, or activate a pull station for assistance.							
There are pull stations and fire extinguishers in all hallways							
All student housing has smoke detectors in common areas that are directly connected to the annunciator panel.							

The University of Nebraska does not discriminate based on race, color, ethnicity, national origin, sex, pregnancy, sexual orientation, gender identity, religion, disability, age, genetic information, veteran status, marital status and/or political affiliation in its programs, activities, or employment.

The University of Nebraska Omaha Department of Public Safety (UNODPS) is responsible for the creation and distribution of the “Annual Campus Safety and Fire Report” (ASR). The ASR includes safety and security information for the University of Nebraska Omaha, including crime & fire statistics for the 2018 calendar year, and the information required by the Drug-Free Schools and Communities Act of 1989. All data is submitted to the U.S. Department of Education according to law.

DEPARTMENT OF PUBLIC SAFETY

University of Nebraska Omaha

