

Campus Security Report



Northwest State Community College

October 1, 2019

Campus Security Report

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Campus Security Report

Northwest State Community College's Campus Security Report includes crime statistics and prevention information to assist students in making decisions which affect their personal safety and that are required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This report also includes policy information for Northwest State Community College as required by the Higher Education Opportunity Act of 2008. A copy of the report can also be obtained by contacting the NSCC Police Department.

Northwest State Community College is committed to providing environments that facilitate student learning in all of its forms, as well as promoting responsible decision-making. The vitality of this commitment rests in the education and development of the whole person, including the manner in which students interact with others and the way in which they live out their rights and responsibilities as members of Northwest State Community College. As a college, we are dedicated to providing students with the resources they need to be successful members of the community. This includes the implementation of timely and appropriate intervention strategies and programs when students do not follow college policies. To this end, the Office of the Vice President for Institutional Effectiveness and Student Success and the NSCC Police Department collaboratively work together to hold students accountable for their behavior and provide education regarding decision-making and personal responsibility. Northwest State Community College is dedicated to modeling responsibility, character development and values education. Through the integration of new learning and reflection on one's behavior, students at Northwest State Community College learn what it means to be a responsible and respectful citizen in a community.

Dr. Cindy Krueger, Vice President - Institutional Effectiveness and Student Success
Joel Gibson, Chief of Police

Contact Information:

NSCC Main Campus Police

Emergencies: any campus or off-campus location:	419-267-1452 or 911
Non-emergencies: Northwest State Community College Police:	419-267-1452
Henry County Sheriff's Office:	419-592-8010

Toledo Scott Park Campus:

Emergencies: any campus or off-campus location:	419-530-2600 or 911
Non-emergencies: University of Toledo Police:	419-530-2601
Toledo Police:	419-936-2000

Northwest State at Akron Area Electrical JATC:

Emergencies: any campus or off-campus location:	911
Non-emergencies: Summit Co Sheriff's Office:	330-643-2122

Northwest State at Canton Electrical JATC:

Emergencies: any campus or off-campus location:	911
Non-emergencies: Jackson Twp. Police Dept.:	330-497-7435
Northwest State at Cincinnati Electrical JATC:	
Emergencies: any campus or off-campus location:	911
Non-emergencies: Cincinnati Police Dept.– Dist #3:	513-263-8300
Northwest State at Cleveland Electrical:	
Emergencies: any campus or off-campus location:	911
Non-emergencies: Valley View Police Dept.:	216-524-9687
Northwest State at Dayton Electrical JATC:	
Emergencies: any campus or off-campus location:	911
Non-emergencies: Vandalia Police Dept.:	937-898-5868
Northwest State at Hamilton Electrical JATC:	
Emergencies: any campus or off-campus location:	911
Non-emergencies: Butler Co. Sheriff’s Office:	513-785-1300
Northwest State at Lima Area Electrical JATC:	
Emergencies: any campus or off-campus location:	911
Non-emergencies: Jackson Twp. Police Dept.:	419-227-4444
Northwest State at Lorain County JATC:	
Emergencies: any campus or off-campus location:	911
Non-emergencies: Lorain Police Dept.:	440-204-2100
Northwest State at Marietta Electrical JATC:	
Emergencies: any campus or off-campus location:	911
Non-emergencies: Washington Co. Sheriff’s Office:	740-373-6623
Northwest State at Newark JATC:	
Emergencies: any campus or off-campus location:	911
Non-emergencies: Muskingum Co. Sheriff’s Office:	740-452-3637
Northwest State at Portsmouth Electrical JATC:	
Emergencies: any campus or off-campus location:	911
Non-emergencies: Pike Co. Sheriff’s Dept.:	330-497-7435
Northwest State at Toledo Electrical JATC:	
Emergencies: any campus or off-campus location:	911
Non-emergencies: Rossford Police Dept	330-497-7435
Northwest State at Youngstown Electrical JATC:	
Emergencies: any campus or off-campus location:	911
Non-emergencies: Boardman Police Dept.:	330-497-7435

POLICE

Mission Statement

The Northwest State Community College Police Department (NSCCPD) is a professional police agency that is committed to providing excellence in service and safety with a servant attitude while maintaining the mission of the college.

Vision Statement

The vision of NSCCPD is to continually grow in knowledge and technology while maintaining the highest standard of service to all of those we serve.

About The Northwest State Community College Campus Police - Law Enforcement Authority

The NSCCPD is located in the Atrium Room A-196, which is directly behind the south stairwell in the Atrium, entrance door A-10. The NSCCPD provides uniformed police services during open hours of the College as well as for special functions during non-standard campus hours.

The NSCCPD officers are sworn State of Ohio Peace Officers commissioned by the Ohio Peace Officers Training Commission. Police Officers are entrusted through the Board of Trustees in accordance with Ohio Revised Code Section 3345.04. College officers have misdemeanor and felony arrest authority, as well as all other enforcement powers granted to peace officers in the State of Ohio. NSCCPD officers are subject to all training and education requirements established by the Ohio Peace Officers Training Council and the Northwest State Community College Administration.

NSCCPD officers are required to maintain a professional demeanor, and utilize sound judgment with a service attitude. Officers are carefully selected by their proven prior law enforcement service, experience, ability, knowledge, and dedication to the community they serve as well to their organization. In addition, the officers continue to gain knowledge through continual training in relation to their career.

NSCCPD is a full service agency providing law enforcement service including criminal investigations, accident investigation, traffic and parking enforcement, enforcement of Court Orders such a Protection Orders both Civil and Criminal enforcement as well as enforcement of Northwest State Community College Policy and Regulations.

Mutual Aid and Public Safety Partnerships

The NSCCPD maintains partnerships with local, state and federal public agencies. By virtue of concurrent jurisdictions and in some cases shared jurisdictions a close working relationship is in place with the Henry County Sheriff's Office, Ohio State Highway Patrol, Federal Bureau of Investigation, the Multi Area Drug Task Force, and the Attorney General's Bureau of Investigation as well as the Correction Commission of Northwest Ohio and their Special Weapon and Tactics Team.

Services Provided by Northwest State Community College Campus Police

Escort Service

- The NSCCPD provides escort service to and from vehicles upon request.
- The request may be made in person, or by calling the police office at 419-267-1452 or contacting the Welcome Center 419-267-5511.

Car Unlocks

- The NSCCPD will provide auto unlocks should someone need this service.
- The individual must provide proper identification and sign a waiver of liability.
- The request can be made in person at the NSCCPD office room A-196 or at the Welcome Center.

Motor Vehicle Battery Jump Starts

- The NSCCPD will provide motor vehicle jump starts should someone require this service.
- The individual must provide proper identification and sign a waiver of liability.
- The request can be made in person at the NSCCPD office room A-196 or at the Welcome Center.

Web Check Finger Print Background Checks

- Fingerprinting for background checks can be done by NSCCPD. Appropriate identification, such as a state driver's license or other state or government-issued ID, must be provided as well as other pertinent information.
- Fingerprinting is done Monday – Thursday 8:00 – 5:00 p.m. and Friday 8:00 – 4:00 p.m.
- Cost for the service is \$29.00 for BCI and \$32.00 for FBI and should be paid in the Business Office prior to having it done.

Photo IDs

- College Photo IDs can be obtained at the NSCCPD office in the Atrium, Room A-196.
- Appropriate ID, such as a state driver's license or other state or government-issued ID, must be provided as well as the college ID number, also known as the N number.
- A \$10 charge is required for a replacement ID.

Key Control

- NSCCPD is assigned the key control of the College, both traditional keys and electronic access.
- Assignment of keys requires a written request via email to the campus police chief.
- Request will include the individual's name, who the key is to be issued to and the room number said key is needed for providing access.

Parking

- Visitor lot is located in the north parking lot and is identified with signage clearly marked Visitor Parking.
- Visitor parking spaces are clearly marked and only visitors are permitted to use these spaces. Students are not visitors.
- Other special parking spaces are clearly marked for their intended users and violators will be cited for parking violations.
- Fines for violating parking regulations range from \$25 to \$50 per violation.
- Payment may be made in person at the Business Office, Monday - Thursday between the hours of 8 am to 4 pm.
- Receipts will be issued only for payments made in person during these hours. Payments may also be mailed to the NSCC Business Office, 22600 State Route 34, Archbold, Ohio 43502. Appeal forms may be obtained at the NSCCPD Office and must be submitted within ten days from the date of the citation.

Lost and Found

- Lost and found items can be recovered at the Welcome Center in the Atrium. Lost and found flash drives will be collected at the circulation desk in the Library.

Emergencies on Campus

Quick Alert Emergency Communication System

Northwest State Community College utilizes the Quick Alert system as a fast and reliable means of sending urgent information to the campus community. It is important that all students log in to their Quick Alert account to update their contact information and communication preferences. This can be done by logging on to myNSCC and clicking on the Quick Alert link in the middle of the Home tab.

Announcements made through the Quick Alert system include campus emergencies, school closings and important student information and reminders.

Family Emergency

In the event of an emergency, family members are to call the main switchboard at 419-267-5511. A switchboard operator is on duty from 7:30 a.m. until 6:00 p.m. Monday – Thursday and 7:30 a.m. until 4:00 p.m. on Friday and will be able to direct your call accordingly. When the switchboard is closed, follow the message prompts to contact the NSCC Campus Police Department.

Emergency Phones

Emergency phones are located throughout the campus for use in case of emergencies. The phone connects immediately to the Campus Police Department by lifting the handset.

Reporting Crimes on Campus

Crimes, suspicious activity, safety hazards or campus emergencies (including medical and fire emergencies) should be reported promptly to NSCCPD from any emergency hallway phone by just picking up the handset, calling from any campus desk phone, dialing 3 & OK, calling 419-267-1452 or direct contact with NSCCPD at the office located in Room A-196 as well as the Welcome Center or any NSCC Faculty or Staff member.

Confidentiality

Ohio's public records law (Ohio Revised Code 149.43) does not permit the College to promise confidentiality to those who report crimes to anyone except counselors through the College Counseling Service or under certain circumstances, to a physician or nurse at a hospital. Some off-campus reports also may be legally confidential - e.g. report to clergy or health care professionals.

To protect privileged relationships, reports to persons operating in the role of a professional counselor, medical professional, or pastoral counselor remain confidential in all but legally recognized exceptions and therefore are not included in the annual crime report.

False reporting to a police department is a criminal offense and a very serious matter. False reports unnecessarily create alarm in the community and direct police resources in inefficient ways, costing untold man hours. For these reasons, the NSCCPD pursues criminal charges in any verified case of false reporting. Never falsely report a crime or incident to a police department. Contact NSCCPD if you believe an erroneous report has been provided to the police or college official, please remember, missing or lost property is not stolen property. Report honestly and responsibly.

Reporting to a Campus Security Authority (CSA)

Northwest State Community College Campus Police (NSCCPD) is the primary department accepting information about criminal activity. In some circumstances, a person may prefer to report a crime to other college officials. The college has designated employees who have significant responsibility for students and crime activities as Campus Security Authorities (CSA). The list of designated CSAs can be found here and include but are not limited to: Dr. Cindy Krueger, Vice President - Institutional Effectiveness and Student Success (Room A105E), Kathryn Soards, Chief Fiscal and Administrative Officer (Room B105C), Todd Hernandez, Executive Vice President - (Room B105D), Lori Robison, Vice President - Academics (Room B105A), Dr. Dan Burklo, Associate Vice-President - Academics (Room E1102H) and Kathryn McKelvey, Vice President - of Human Resources and Leadership Development (Room A106B).

The college recognizes that roles and responsibilities of college employees continually evolve and change. Therefore, in addition to the designated CSAs, the NSCCPD sends out an annual communication to deans, directors and department heads defining a Campus Security Authority and discussing the responsibility of those that may fit the definition in an attempt to broadly promote a culture of reporting criminal events.

Missing Student Reporting

The College takes the report of a missing person seriously. All missing persons shall be reported to the NSCCPD. If the student is determined to be missing from a location not within the jurisdiction of the Northwest State Community College, the reporting person will be directed to file a missing person police report with the agency of jurisdiction.

Daily Crime Logs

The Daily Crime Log is maintained by the NSCCPD in an effort to provide members of the campus community a record of all incidents both criminal and non-criminal as well as fires reported to NSCCPD. This log provides for both the most recent incidents as well as an archive listing of past incidents. The daily crime log is updated according to occurrence of incidents. Current crime logs as well as the logs from the last three years may be viewed on the campus web site or a copy may be obtained at the NSCCPD office located in room A-196 in the campus atrium.

Emergency Plans

In the event of various types of emergencies, the College has set forth various plans of action including fire, tornado, hazardous material spill, hostage or active shooter situations, etc. These plans are available for viewing on the campus website @ <https://northweststate.edu/>

Closed Circuit Television Cameras (CCTV)

The College deploys closed circuit television cameras in parking lots, buildings and other public areas. Cameras serve as a crime deterrent and provide an extra layer of security. Areas with cameras can be monitored quickly, providing valuable information to emergency responders. Video is also helpful during police investigations.

Education and Prevention

Northwest State Community College is committed to creating an environment free from violence. One of the concerns on every campus is violence and the response to such an event. The college offers training in being alert for such indicators, communicating to authorities and various responses that may be needed in such an event. The presentation of Shots Fired on Campus is a tool utilized in these training opportunities.

Sex Offenders

The State of Ohio has a Sexual Offender Registry that contains the names of all persons convicted of sex offenses in the State of Ohio. The college recognizes that sex offender registries reflect convicted sex offenders, which are only a small percentage of actual sex offenders, and that most sex offenders commit assaults against people they know, rather than strangers.

The sex offender registry and access to related information can be found by visiting the following link: <http://northweststate.edu/security-safety/local-sex-offenders/>

Violence Against Women's Act - Sexual Misconduct, Domestic Violence, Dating Violence and Stalking.

In 2013, President Obama signed into law the Violence Against Women Reauthorization Act imposing new obligations for colleges and universities as it relates to the reporting, education, services, and procedures in incidents of sexual assault, domestic violence, dating violence and stalking. At Northwest State Community College, sexual misconduct and relational violence of any kind is not tolerated and many resources exist for the survivor should an incident occur. The College collects any reported incidents of dating violence, domestic violence, sexual assault, and stalking occurring within the University's Clery geography and reported to a Campus Security Authority (CSA).

Education and Programs

All members of the College community play a role in preventing sexual misconduct and relational violence. The College is committed to delivering annual sexual misconduct and relational violence primary prevention and awareness training to all new students and employees to:

- Promote healthy and respectful behavior.
- Increase awareness of what constitutes sexual misconduct and relational violence.
- Prevent circumstances that may lead to sexual misconduct or relational violence and empower bystanders to intervene in potential situations when safe to do so.
- Create an environment that promotes reporting and instills confidence in the community that the College will provide a supportive, consistent and fair response to reports.
- Promote bystander intervention in sexual misconduct and relational violence situations.

Northwest State Community College will not tolerate sexual misconduct and relational violence of any kind. The College has resources for the survivor should any such incident occur.

The College collects any reported incidents of dating violence, domestic violence, sexual assault, and stalking occurring within the College's Clery geography and that are reported to a Campus Security Authority (CSA).

A resource for training concerning the aforementioned as well as counseling and support for victims is available through The Center for Child and Family Advocacy, Inc. Northwest State Community College has partnered with the Center for such services such as training, individual, family and group therapy, marriage counseling, play therapy, child sexual abuse treatment, domestic violence treatment, anger management, trauma and loss, bereavement and intensive family-based therapy (home-based).

Additional services are domestic violence shelter, community education, teacher in-service training, prevention programming, victim advocacy and Family Justice Centers.

The Center for Child and Family Advocacy, Inc. has several locations.

- 219 E. Washington St., Napoleon, Ohio 43545 (419-592-0540)
- 511 Perry St., Defiance, Ohio 43512 (419-782-1071)

Family Justice Center, 118 ½ Clinton St., Defiance, Ohio 43512 (419-782-1314)

Also available is the Domestic Violence Hotline (800-782-8555)

Definitions:

Awareness Programs: Information dissemination through the use of programs, training and professional development.

Bystander Intervention: Intervention conducted by a witness to assist another person.

Consent: Voluntary positive agreement to engage in sexual activity; past consent does not imply present or future consent; someone who is incapacitated cannot consent; according to Ohio law, consent cannot be provided by someone whose ability to consent is substantially impaired; the responsibility for obtaining consent lies with the person initiating or escalating sexual activity in an atmosphere free from coercion; consent should be obtained verbally throughout sexual interaction; silence does not constitute consent; consent may be withdrawn at any point during sexual activity.

Dating Violence: Committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

(1) The existence of such a relationship shall be determined based on the reporting party's statement and by the victim with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

(2) For the purpose of this definition:

- (a) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- (b) Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence: Ohio law that indicates “no person shall knowingly cause or attempt to cause physical harm to a family or household member. No person shall recklessly cause serious physical harm to a family or household member. No person, by threat of force, shall knowingly cause a family or household member to believe that the offender will cause imminent physical harm to the family or household member “[abbreviated]. The penalty for domestic violence is based on a several factors and can range from a 4th degree misdemeanor to a 3rd degree felony with mandatory prison sentence.

Ongoing Prevention and Awareness Campaigns: Repeated attempts to disseminate information to a group of people through the use of programs, training and professional development opportunities.

Primary Prevention Programs: Educational initiative aimed at preventing events or circumstances before they occur.

Risk Reduction: A systematic approach to identifying, assessing and reducing risks.

Proceeding: The process of adjudicating an argument or claim.

Rape: Defined by the NSCCPD as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.

In Ohio, rape is a felony of the first degree and is punishable from 5 years to life imprisonment.

Relational Violence: Umbrella term that includes domestic violence, dating violence and stalking.

Result: The outcome of a formal or informal process.

Sexual Misconduct: Umbrella term for a spectrum of unwanted or unwelcomed conduct of a sexual nature that may include sexual harassment, sexual assault or other forms of non-consensual sexual activity, or criminal forms of non-forcible sex offenses such as incest or statutory rape.

Sexual Assault: Umbrella term for actual or attempted sexual activity perpetrated upon a person without the consent of that person and against that person's will.

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.

Reporting Sexual Misconduct, Relational Violence and Stalking

The College strongly encourages any person with knowledge of a sexual misconduct or relational violence incident to immediately report the incident. In some cases, bulletins or alerts may be issued however the names of victims are not included.

Compliance Protection: Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

Disciplinary Proceedings for Dating/Domestic Violence, Sexual Assault, Stalking

In cases of alleged dating violence, domestic violence, sexual assault or stalking:

- Officials are properly trained and do not have a conflict of interest or bias for or against the accuser or the accused.
- The accuser and the accused have equal opportunities to have others present, including an advocate of their choice.
- The accuser and accused receive simultaneous notification, in writing, of the proceeding results and any available appeal procedure.
- The proceeding is completed in a prompt time frame.
- Accuser and accused are given timely notice of meetings.
- Accuser and Accused are given timely and equal access to information that will be used during informal and formal disciplinary meetings and hearings.

Procedure No.5-08(J): CODE OF STUDENT CONDUCT

Effective Date: July 01, 2012

Revised 10/26/2018

Introduction

The student conduct process is not intended to punish students. Rather, it exists to protect the interests of the college community and to challenge those whose behavior is not in accordance with our policies. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with our community expectations. When a student is unable to conform his/her behavior to community expectations, the student conduct process may determine that he/she should no longer share in the privilege of participating in the NSCC community.

Students should be aware that the student conduct process is different from criminal and civil court proceedings. Procedures and rights in student conduct proceedings are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Due process, within these procedures, assures timely written notice, an objective decision maker, and an appeal process.

No student will be found in violation of NSCC policy without information showing by a preponderance of the evidence that a policy violation occurred. In NSCC's sole discretion,

sanctions will be proportionate to the severity of the violations(s).

(1) REPORTING STUDENT MISCONDUCT

- (a) **All cases related to sexual misconduct will follow the procedures outlined in Procedure 3-35 “Sexual Misconduct”.** All cases of academic misconduct will follow the procedures outlined in Academic Honesty Procedure 5-09(B-2).
- (b) Report possible student code violations to the Chief Student Affairs Officer. Reports may also be directed to the Vice President Academics, an Academic Dean or Campus Police. Reports may also be made through the online complaint form; this form is automatically sent to the Chief Student Affairs Officer.

(2) INVESTIGATORY PROCESS

Initial Evaluation

- (a) The Chief Student Affairs Officer or designee will meet with the complainant to assess his/her immediate needs and offer accommodations and interim measures as appropriate.
- (b) The Chief Student Affairs Officer or designee will perform an initial evaluation to determine 1) if there is sufficient information to suggest that the allegation(s) is appropriate for further review and 2) whether sufficient information exists to warrant interim measures on behalf of the complainant and/or College which are reasonably available and appropriate. Interim measures may include but are not limited to no contact orders, academic modifications, or support services available.
- (c) In the event that there is reasonable cause to believe that the student has violated college rules and that the student’s presence on College premises or College activities poses a significant risk of substantial harm to the health or safety of others or to property, the student may be immediately and temporarily suspended from all or any portion of college premises, college-related activities and is not permitted to participate in, or complete academic coursework until the conclusion of a full investigation.
- (d) Written notice of charges may be presented in person, email with delivery notification, or by mail to the accused student’s address on file in the registrar’s office. The notification of charges will include (1) the nature of the complaint including supporting documentation; (2) the alleged violation(s) of the Code of student conduct; and (3) the timeline of the investigation. All notices are considered delivered when sent by the college.

INVESTIGATION

- (a) If the Chief Student Affairs Officer or designee determines that the allegation(s) is appropriate for an administrative investigation, a prompt, fair and impartial investigation will be initiated.

- (b) Investigators assigned by the Chief Student Affairs Officer or designee will meet with the student to determine responsibility for alleged violations of the code of student conduct and discuss how a student's behavior impacts the community. Interviews will be conducted with all parties and any relevant witnesses. The student will have the opportunity to furnish documentation and other evidence to the investigators.
- (c) Using the preponderance of the evidence standard, the investigators will write a report summarizing the investigation and findings and present the report to the Chief Student Affairs Officer or designee for adjudication. Preponderance of evidence means information that would lead a reasonable person to conclude that it is more likely than not that, a student's behavior occurred.

(3) RESOLUTION

- (a) The Chief Student Affairs Officer or designee will determine if a violation occurred based on the investigative report and make an administrative decision. If the Chief Student Affairs Officer or designee determines there was a violation of Student Code of Conduct, she/he will determine the appropriate remedy, which will likely include discipline.
- (b) If the student does not admit responsibility nor accept the recommended sanction following an administrative decision, the student retains the right to request an appeal of the original decision, based upon the grounds established under Section 5 (Appeal Process) below.

(4) SANCTIONS

- (a) Notification of Decision

Sanctions to be imposed by the college are varied and should be commensurate with the violations(s) found to have occurred. In determining the sanctions(s) to be imposed, the consideration should be given to mitigating circumstances and any aggravating factors including, but not limited to, any past misconduct by the student, provocation the subject of the conduct the constituted the violation, failure of the student to comply fully with previous sanctions, the actual and potential harm caused by the violation, the degree of intent and motivation of the student in committing the violation, and the severity and pervasiveness for the conduct that constituted the violation. Impairment resulting from voluntary use of alcohol or drugs (i.e., other than medically necessary) will be considered an aggravating and not a mitigating factor. One or more of the following courses of action may be taken when a student has been found to have violated the student code of conduct.

 - Disciplinary warning

A disciplinary warning to a student represents a formal written admonition for a specific conduct violation. A student under warning shall continue to exercise all right and privileges for the college as a student in good standing. Upon issuance of a formal warning, a discipline file is created and housed in the

Administrative office. The file will be consulted in determining sanctions for any further proven code violation.

- **Disciplinary probation**
Disciplinary probation is a sanction imposed for a specific period of time and may include conditions restricting the student's privileges or eligibility for and participation in activities. Such privileges and eligibility are automatically restored upon completion of the probationary period if the student has complied satisfactorily with all conditions and has refrained from further code violations. Upon issuance of a formal probation, a discipline file is created and housed in the Administrative office. The file will be consulted in determining sanctions for any further proven code violations. Allied Health & Public Service and Nursing have program specific warning notice procedures; these reports are filed with the respective Dean.
- **Suspension**
Suspension is a sanction that terminates the student's enrollment, separating the student from the college for a period not to exceed two (2) full academic semesters (excluding summer) following the effective date of the imposition of the suspension. Readmission at the end of the suspension period may require satisfactory completion of specified stipulations to be met. Upon issuance of a formal suspension, a discipline file is created and housed in the Administrative office. The file will be consulted in determining sanctions for any further proven code violations.
- **Disciplinary dismissal**
Disciplinary dismissal is a sanction by which the student is involuntarily separated from the College for four (4) semesters (including summer) or more following the effective date of the imposition of the dismissal. Upon reinstatement, student may be required to meet other conditions imposed by the vice president such as ineligibility to participate in specified student activities; or periodic contact with a designated college staff member or counseling agency. Upon issuance of a formal dismissal, a discipline file is created and housed in the Administrative office. The file will be consulted in determining sanctions for any further proven code violations
- **Expulsion**
Expulsion is a sanction by which the student is involuntarily separated from the college permanently. Upon issuance of an expulsion, a discipline file is created and housed in the Administrative office.
- **Other sanctions**
Other sanctions identified through the hearing proceedings deemed appropriate to the student and the conduct violation in question may be imposed, singularly or in combination with any of the above-listed sanctions. Examples include, but are not limited to, research assignments, community service projects, and

special workshop participation, making restitution for property damage or misappropriation of college property or service, or the property of any person, restriction of access to specified campus facilities and/or property, and /or referral to medical resources or counseling personnel. These can be assigned as recommended sanctions or as conditions to another sanction. Upon issuance of formal sanctions, a discipline file is created and housed in the Administrative office. The file will be consulted in determining sanctions for any further proven code violations.

- (b) A student who has been dismissed or suspended from the college shall be denied all privileges afforded a student and shall be required to vacate campus at a time determined by the decision maker. In addition, after vacating campus property, a suspended or dismissed student may not enter upon campus and/or other college property at any time, for any purpose, in the absence of express written permission from the Chief Student Affairs Officer or designee. To seek such permission, a student must file a written petition to the Chief Student Affairs Officer or designee.

(5) APPEAL PROCESS

- (a) A student found to have violated this code has the right to appeal the original Administrative decision.
 - (i) A student may continue to attend classes and exercise other rights and privileges of a registered student during the appeal process, but the College reserves the right to impose the sanction(s) retroactively to the date of sanctions(s) cited in the original notification from the Chief Student Affairs Officer or designee.
 - (ii) A hold will be placed on a student's record pending completion of the due process appeal.
 - (iii) An appeal must be based upon one or more of the following grounds:
 1. Procedural error,
 2. Misapplication or misinterpretation of the rule alleged to have been violated,
 3. Findings of fact not supported by the greater weight of the evidence
 4. Discovery of substantial new facts that were unavailable at the time of the investigation, and
 5. That the disciplinary sanction imposed is grossly disproportionate to the violation committed.
 - (iv) An appeal of decision must be submitted in writing and postmarked or hand delivered to the Chief Student Affairs Officer or designee within ten (10)

calendar days after the date on which written notice of the decision is sent to the student.

(b) Appeals will be reviewed by two (2) appeal officers.

(c) Appeal Proceedings

(i) The appeal officers shall dismiss the appeal if it is not based upon one or more of the grounds set forth above in section 5.a.

(ii) The appeal officers may decide the appeal based upon a review of the record.

(iii) The appeal officers may request additional written information or an oral presentation from any relevant person(s) and then decide the appeal based upon the enhanced record.

(d) Possible Dispositions by the Appeal Officers

(i) The Appeal Officer, after a review of the record may pursue the following:

1. Uphold the original determination and sanction;
2. Uphold the original determination and impose a lesser sanction;
3. Modify the original determination and impose a lesser sanction.

(ii) Decisions made by the Appeal Officers are final and cannot be appealed.

(6) Maintenance and Confidentiality of Student Conduct Records

(a) A completed file, consisting of written notes, audio or video recording or other medium for each case of misconduct shall be maintained in the Administrative office for two years. In the case of a dismissal of more than two years, the file will be maintained for one year after the term that the dismissal expires.

(b) Such record will remain the property of the College.

Written Explanation of Reporter's Rights and Options

3358: 14-3-19 Equal Opportunity and Non-Discrimination/Anti-Harassment

Effective date: 12/14/2019; revised 4/26/2019

POLICY STATEMENT:

Northwest State Community College is committed to maintaining a workplace and academic environment free of discrimination and harassment. Therefore, the college shall not tolerate

discriminatory or harassing behavior by or against trustees, employees, vendors, customers, students or other persons participating in a college program or activity.

Employees and students are expected to assist in the college's efforts to prevent discrimination or harassment from occurring. Administrators, supervisors, and employees who have been designated to act on behalf of the college are specifically responsible for identifying and taking proper action to end such behavior.

While the college does not tolerate any form of discrimination or harassment, the Non-Discrimination/Anti-Harassment Policy and related procedures are intended to cover discrimination and harassment based on a protected class. Protected classes for purposes of this policy are age, ancestry, color, disability, familial status (status as a parent during pregnancy and immediately after the birth of a child, status as a parent of a young child, status as a foster parent), gender, gender identity or expression, genetic information (GINA), military or veteran status, national origin, race, religion, sex, and sexual orientation, or any other bases under the law. Through this and related policies, the College acknowledges and complies with its duties under Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Age Discrimination in Employment Act of 1967, the Age Discrimination Act of 1975, Sections 503 and 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, as amended, the Pregnancy Discrimination Act, and relevant state and local laws, by setting forth comprehensive frameworks for receiving, processing, investigating, and resolving complaints.

Anyone who is subjected to conduct that creates an intimidating or hostile environment, regardless if the conduct is based on a protected class, shall report the conduct to a person outlined in Section (E) of this policy. If Human Resources determines that the conduct alleged to be creating an intimidating or hostile environment is not based on a protected class, the report may be referred for remediation according to the relevant policy.

In furtherance of these expectations, employees must participate in required training.

(A) DEFINITIONS OF DISCRIMINATION/HARASSMENT

As used in this policy, the following terms are defined and will be adhered to as follows:

1. ***Discrimination*** – occurs when an adverse employment action is taken and is based upon a protected class. Discrimination may occur in several forms, such as:
 - a. ***Disparate Treatment*** - when a person, or a group of people are treated less favorably than another person or group of people on the basis of a protected class.
 - b. ***Disparate Impact*** - when a college policy, practice or decision is based on neutral factors that have an adverse impact on a protected class.
2. ***Harassment**** – (1) Unwelcome, protected class-based physical non-verbal or verbal conduct that (2) is sufficiently severe, persistent or pervasive that (3) it unreasonably interferes with, denies, or limits and individual's ability to participate in or benefit from the university's education and employment programs and activities; and (4) is based on

power differentials (quid pro quo) or the creation of a hostile environment. ***This definition does not include sexual harassment/misconduct, for policies related to those see Policy 3358:14-3-35.**

- a. ***Hostile Work Environment*** - occurs when the conduct at issue is sufficiently severe or pervasive that it creates an intimidating, abusive or offensive environment regarding employment or academic decisions for a person in a protected class. A single instance of discrimination may be sufficient to create a hostile work environment.

(B) DISCRIMINATION/HARASSMENT INDICATORS AND EXAMPLES

- (1) Examples of discrimination/harassment include, but are not limited to the following:
 - i. Conduct that explicitly or implicitly affects an individual's or group's employment or academic achievement; unreasonably interferes with an individual's work performance or learning ability; and/or creates an intimidating, hostile or offensive work, or academic environment when that person belongs to a protected class;
 - ii. Verbal behaviors or comments, slurs, jokes, recordings, videos, music and personal references or use of negative terms used to identify someone in a protected class;
 - iii. Non-verbal, offensive, graphic communication (i.e. obscene hand or finger gestures), bullying, demeaning, insulting, intimidating, or suggestive written material, email, posters, graffiti, cartoons, other electronically transmitted messages or use of social media which are directed at someone because of a protected class;
 - iv. Any other conduct that has the effect of creating an intimidating, hostile, offensive work environment, or unreasonably interferes with a person's work or academic environment based on a protected class.

(C) CONSEQUENCES OF DISCRIMINATION/HARASSMENT

- a. **Employees** - any employee found to be in violation of this policy will be subject to disciplinary action, up to and including termination of employment.
- b. **Students** - any student found to be in violation of this policy will be subject to review and resolution in accordance with the Student Code of Conduct Policy 3358:14-5-08 and may be subject to disciplinary action in accordance therewith.

(D) REPORTING RESPONSIBILITIES AND FILING A COMPLAINT

- a. Anyone who believes that an administrator, any employee, supervisor, student, or non-employee's behavior constitutes discrimination or harassment has a responsibility to report the behavior/action as soon as it is known so that the college may administer this policy.
 - i. Allegations can be made by individuals who are directly involved in, who observe, or who receive reliable information that discrimination/harassment may have occurred.
- b. **Complaints Involving Employees:** In cases of alleged discrimination/harassment in employment or if the victim or alleged perpetrator is an employee, the complaint may be made to any of the following:
 - i. the Title IX Coordinator or Deputy Title IX Coordinator;
 - ii. an employee of Human Resources; or
 - iii. an employee of the NSCC Police Department.
- c. **Complaints Involving Students:** In cases of alleged discrimination/harassment when the victim and/or alleged perpetrator is a student, a potential student, or someone participating in a college-sponsored event or activity, the complaint may be made to any of the following:
 - i. the Title IX Coordinator or the Deputy Title IX Coordinator;
 - ii. the Vice President of Academics;
 - iii. an Academic Dean; or
 - iv. an employee of the NSCC Police Department.
- d. Any person designated to receive complaints under this policy who has direct or constructive knowledge of alleged discriminatory or harassing behavior must immediately report the behavior to the Office of Human Resources, Title IX Coordinator, Chief Student Affairs Officer or Deputy Title IX Coordinator. Failure to do so may result in disciplinary action, up to and including termination of employment.
- e. **Emergency:** Any person seeking immediate assistance or relief from bodily danger or a threat of bodily danger should immediately contact the Northwest State Community College Police Department at 419-267-1452 or by dialing 9-1-1.
- f. **Reporting:** Complaints made in good faith will not be held against an employee or student in any way.

- i. Any employee who knowingly or maliciously makes a false or frivolous allegation of discrimination or harassment will be subject to disciplinary action, up to and including termination of employment.
- ii. Any student who knowingly or maliciously makes a false or frivolous allegation of discrimination or harassment will be subject to the process outlined by the Student Code of Conduct Policy 3358:14-5-08.

(E) ACADEMIC FREEDOM/FIRST AMENDMENT GUIDELINES

- a. The college is committed to providing a safe, anti-harassing, and nondiscriminatory environment that protects the civil rights of individuals, per College policies and in compliance with state and federal law, and the college recognizes the value of academic freedom in the classroom.
- b. College policies are not intended to restrict serious discussion of controversial issues in the academic classrooms or trainings. In light of this, to minimize the potential for multiple claims that course content is discriminatory, harassing or offensive, it is recommended that in courses where such discussions occur, faculty provide a disclosure that the content covered may be controversial. However, employees and students are encouraged to file complaints in accordance with Sec. D in this policy for reasons specified therein.

(F) CONFIDENTIALITY

To the extent possible, all information received in connection with the reporting, investigation, and resolution of allegations will be treated as confidential, except to the extent it is necessary to disclose information in order to investigate, prevent or address the effects of the discrimination/harassment, resolve the complaint or when compelled to do so by law. All individuals involved in the process should observe the same standard of discretion and respect for the reputation of everyone involved in the process.

(G) RETALIATION

The college, in compliance with federal, state and local law that strictly prohibits it, will not tolerate retaliation in any form against any individual who files a complaint or report, makes an allegation, or who participates in an investigation of discrimination or harassment. Retaliation is a serious violation that can subject the offender to discipline, up to and including termination of employment and/or student status, independent of the merits of the underlying allegation. Allegations of retaliation should promptly be directed to the Title IX Coordinator or Deputy Title IX Coordinator.

(H) College administration will develop procedures related to this policy.

Effective: 03/16/2015

Revised: 12/14/2018

CERTIFIED ELECTRONICALLY

Certification

03/04/2015

Date

Promulgated Under: 111.15

Statutory Authority: 3358

3358: 14-3-35 SEXUAL MISCONDUCT Revised: 11/26/18

(A) PURPOSE OF THE POLICY

Northwest State Community College is committed to maintaining an academic, work, and study environment where everyone is treated with dignity and respect and is free of sexual misconduct in any form. Sexual misconduct is a broad term that includes but is not limited to sexual harassment, sexual violence, inappropriate behavior that is of a sexual nature, or inappropriate behavior that is based on sex, and directed towards, by or against employees, students, vendors, customers or persons participating in a college program or activity.

Students and employees are expected to conduct themselves in a manner that maintains an environment free from sexual misconduct. All students and employees have a responsibility to be aware of this policy's contents, to abide by its terms, and to assist in its enforcement. This policy defines expectations for the college, its student, and its employees and establishes mechanisms for determining when those expectations have been violated.

(B) TITLE IX NOTICE OF NON-DISCRIMINATION

Title IX of the Education Amendments of 1972, and its implementing regulation at 43 C.F.R. Part 106 (Title IX) provides, "No individual in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

(C) DEFINITIONS

- (i) Sexual Misconduct – any unwelcome behavior of a sexual nature that is committed without consent or has the purpose or effect of threatening, intimidating, or coercing a person. Sexual misconduct can occur between persons of the same or different sex.
- (ii) Non-Consensual Sexual Contact- any intentional sexual touching and any other intentional bodily contact in a sexual manner, however slight, with any object, by a man or a woman upon another person that is without consent. Non-Consensual Sexual Contact is a felony in the State of Ohio, defined in Title 29 of the Ohio

Revised Code.

- (iii) Consent- a freely and affirmatively communicated willingness to participate in sexual activity, expressed by clear, unambiguous words or actions. It is the responsibility of the initiator of the sexual activity to ensure that he or she has the other person's consent to engage in sexual activity, throughout the entire sexual activity by all parties involved. At any time, a participant can communicate that he or she no longer consents to continuing the activity. Consent may never be obtained through the use of force, coercion, or intimidation; or if the victim is mentally or physically incapacitated, including through the use of drugs or alcohol. Consent cannot be assumed based on the existence of a previous dating or sexual relationship. The initiator's use of alcohol or drugs does not diminish his/her responsibility to obtain consent.
- (iv) Force- the use of physical violence, threat of physical violence and/or imposing on someone physically to gain sexual access.
- (v) Coercion- unreasonable, intimidating or forcible pressure for sexual activity.
- (vi) Incapacitation- A mental state in which an individual cannot make rational decisions because they lack the capacity to give knowing consent. Such incapacitation may be caused by alcohol or drug use, sleep or unconsciousness, or physical or mental impairment.
- (vii) Retaliation- Adverse action taken against an individual because the individual has engaged in a protected activity (such as filing a discrimination complaint or participating in an investigation of a violation of law or policy). The adverse action can be tangible (such as the giving of a lower grade or unjustified discipline) or intangible (such as the making of verbal threats or derogatory comments).
- (viii) Sexual Assault- includes non-consensual vaginal penetration by a penis, object, tongue or finger; anal penetration by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact), no matter how slight the penetration or contact.
- (ix) Sexual Exploitation - occurs when someone takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to the benefit or advantage of anyone other than the person being exploited.
- (x) Stalking- engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.
- (xi) Domestic Violence/Intimate Partner Violence/Dating Violence- violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship and/or the frequency of interaction between the persons involved in the relationship.
- (xii) Sexual Harassment - conduct of a sexual nature based on a person's sexual orientation, gender or gender identity and expression that prevents or impairs the full realization of occupational or educational opportunities or benefits. Sexual harassment occurs when this conduct explicitly or implicitly affects or interferes with a person's ability to pursue the terms and conditions of employment or

academic attainment.

- a. Forms of Sexual Harassment Include: Quid Pro Quo (a.k.a – “this for that”) – is the abuse of power and/or authority. Such behavior is especially harmful in situations where the imposition of unwanted sexual attention is accompanied by an explicit or implicit promise of employment, academic success, preferential treatment, the threat of reprisal or a negative consequence for refusal to engage in behavior of a sexual nature. Sexual harassment may occur without employment, academic, or economic injury to the victim.
- b. Hostile Work Environment - includes any unwelcome physical, verbal or nonverbal conduct of a sexual nature that is so severe and pervasive that it unreasonably interferes with job performance or learning ability and creates an intimidating, or offensive work or academic environment, even if it leads to no tangible or economic consequences. A single instance of harassment may be sufficient to create a hostile work environment.

(D) SCOPE

- (1) This policy applies to alleged sexual misconduct that takes place on College property or at college-sponsored activities, regardless of the location of the activity.
- (2) This policy may also apply to alleged sexual harassment or sexual misconduct that occurs off-campus, including virtual places, when the Title IX Coordinator or Deputy Coordinator determines that the alleged off-campus conduct could reasonably create a hostile environment or a continuing adverse effect on campus.

(E) JURISDICTION

- (1) The college has a compelling obligation to address allegations and suspected instances of sexual misconduct when it knows or should have known information that would lead a reasonable person to believe that this policy has been violated. The college may take appropriate action, including pursuing an investigation even in cases when the complainant is reluctant to proceed.
- (2) The college’s disciplinary response may be limited if the accused is a visitor or other college’s jurisdiction.

(F) REPORTING RESPONSIBILITIES AND FILING A FORMAL REPORT

- (1) Anyone – especially all faculty, staff and administrators – who believes that employees, students, or non-employee’s behavior constitutes sexual misconduct has a responsibility to report the behavior/action as soon as it is known so that the college may administer this policy.
- (2) In cases of alleged sexual misconduct where the victim or alleged perpetrator is an employee, the complaint may be made to any of the following:
 - (a) The Title IX Coordinator or the Deputy Title IX Coordinator
 - (b) an employee of Human Resources; or
 - (c) an employee of the college’s Police Department.
- (3) In cases of alleged sexual misconduct where the victim and/or alleged perpetrator is a student, a potential student, or someone participating in a college event, the complaint may be made to any of the following:
 - (a) the Title IX Coordinator or the Deputy Title IX Coordinator;

- (b) the Vice President for Academics;
- (4) Any person designated to receive complaints under this policy who has direct or constructive knowledge of alleged discriminatory or harassing behavior must take immediate appropriate action to report the behavior to the Title IX Coordinator or Deputy Title IX Coordinator. Failure to do so may result in disciplinary action, up to and including termination of employment.
- (5) The college will promptly investigate all allegations of sexual misconduct, sexual harassment and sexual violence in accordance with the procedures set forth in 14-3-35 Sexual Misconduct procedures. The Title IX Coordinator is responsible for overseeing the investigation of complaints under this policy and monitoring/coordinating the response of other campus offices that may respond to complaints of sex-based offenses under this policy, including complaints of retaliation for filing a complaint on the basis of this policy. The College's Title IX Coordinator's contact information can be found in the Human Resource Office.
- (6) Any employee who knowingly or maliciously makes a false or frivolous allegation of sexual misconduct will be subject to college's applicable disciplinary policy and procedures.
- (7) Any student who knowingly or maliciously makes a false or frivolous allegation of sexual misconduct will be subject to the process outlined by the Student Code of Conduct Policy 14-5-08.

(G) CONSEQUENCES OF SEXUAL MISCONDUCT

- (1) For Employees - Violations of this policy will result in disciplinary action, up to and including termination of employment. Further, employees may be subjected to interim measures in accordance with Sexual Misconduct Procedure 14-3-35 while complaints of violations are being investigated and until the matter is resolved.
- (2) For Students - Sanctions for violating this policy may range from a warning to expulsion. Further, students may be subjected to interim measures in accordance with Sexual Misconduct Procedure 14-3-35 while complaints of violations are being investigated and until the matter is resolved.

(H) INDICATORS AND EXAMPLES OF SEXUAL MISCONDUCT

- (1) The conduct must be unwelcome, non-consensual and severe or pervasive.
- (2) Sexual misconduct can occur in a variety of circumstances, including but not limited to the following:
 - (a) The victim and the person engaging in misconduct do not have to be of the opposite sex.
 - (b) The person engaging in the misconduct can be any full or part-time faculty, staff, administrator, employee, student, or non-employee conducting business at the college.
 - (c) The victim does not have to be the person directly experiencing the misconduct, but could be a third party or anyone aware of, or affected by, the misconduct.
- (3) Examples of sexual misconduct include, but are not limited to, the following:
 - (a) unwanted physical contact of any kind including touching, hugging or kissing;
 - (b) verbal harassment, such as slurs, propositions, lewd comments, recordings, music, jokes and offensive personal references of a sexual nature;

- (c) non-verbal harassment, such as obscene hand or finger gestures, explicit drawings, pictures, posters, and cartoons or sexually suggestive written or electronically transmitted messages, and postings on social media;
- (d) conduct of a sexual nature that is demeaning, bullying, insulting, or intimidating;
- (e) sexual assault, including unwanted penetration of an orifice (anal, vaginal, oral) with the penis, mouth, finger or objects;
- (f) prostituting another person;
- (g) using electronic devices or technology (e.g., cell phone, camera, email, internet sites or social networks) to record or transmit nudity or sexual acts without a person's knowledge and/or permission;
- (h) intentionally observing nudity or sexual acts of another person without the person's knowledge or permission (voyeurism);
- (i) threatening to sexually harm someone;
- (j) initiating sexual activity with a person who is incapacitated and unable to provide consent; or
- (k) inducing incapacitation for the purpose of sexual exploitation.

(I) PROHIBITIONS AGAINST CONSENSUAL SEXUAL RELATIONSHIP MISCONDUCT

Consensual sexual relationships include romantic, intimate or sexual relationships in which both parties agree to participate in the relationship. The college recognizes that consensual sexual relationships are generally not problematic, except when the relationship may compromise the integrity of the college, create the potential for the abuse of authority, or create the inability to remain impartial. Consensual sexual relationships may also create a third-party perception that a subordinate is receiving preferential treatment.

- (1) Consensual sexual relationship misconduct among employees:
 - The college strictly prohibits consensual sexual relationships between administrators, supervisors, deans or chairpersons and the employees they supervise professionally advise, counsel, or employees over whom they have direct impact on the employee's terms and conditions of employment.
- (2) Consensual sexual relationship misconduct with students:
 - (a) The college strictly prohibits consensual sexual relationships between faculty members and the students or student employees enrolled in a class or class sequence(s) taught, advised, counseled, or supervised by the faculty member, or over whom the faculty member has direct impact on the student or student employee's academic enrollment or success.
 - (b) The college strictly prohibits consensual sexual relationships between administrators, supervisors, deans, chairpersons or employees and the student or student employees whom they advise, counsel, or supervise, or over whom they have a direct impact on the student or student employee's academic enrollment or success.
 - (c) The college strongly discourages all employees or faculty members from engaging in consensual sexual relationships with students as long as the student is considered to be in an active status as a student, even if the student is not currently enrolled in a class.

(J) CONSEQUENCES OF CONSENSUAL SEXUAL RELATIONSHIP MISCONDUCT

- (1) Any employee or faculty member who is engaged in a consensual sexual relationship that may be in violation of this policy has the responsibility to notify his/her administrator, dean or chairperson, the Human Resources Department and/or the Title IX Coordinator or Deputy Title IX Coordinator about the relationship as soon as it is known that it may violate this policy.
 - (a) The employment of the parties involved in the consensual sexual relationship in which one person has authority over or influence upon the status of the other will be modified so that the authority or influence no longer exists. This shall occur by moving one of the persons to another position, department or supervisor, if possible. If acceptable alternative arrangements are not feasible, the relationship may not continue or employees will be subject to further disciplinary action, up to and including termination.
 - (b) An employee who does not notify his/her administrator, supervisor, dean or chairperson that he/she is involved in a consensual sexual relationship is in violation of this policy and shall be subject to disciplinary action, up to and including termination of employment.
 - (c) If an employee and/or faculty member is found to be engaged in a consensual sexual relationship with a student that violates this policy, disciplinary action may be expedited.
 - (d) When one person in a consensual sexual relationship of any kind clearly informs the other person that the relationship is no longer welcome, the other person should not pursue the relationship. To continue the pursuit of the relationship may become a violation of this policy, and the pursuing person will be subject to disciplinary action, up to and including termination of employment.

(K) ACADEMIC FREEDOM/FIRST AMENDMENT GUIDELINES

- (1) The college is committed to providing a safe, anti-harassing, and nondiscriminatory environment that protects the civil rights of individuals, and the college recognizes the protections of academic freedom in the classroom.
- (2) This policy is not intended to restrict serious discussion of controversial issues in a training or academic situation. In order to prevent claims that course content is discriminatory, harassing or offensive, it is recommended that participants in such discussions are provided with a disclosure that the content may be controversial.

(L) CONFIDENTIALITY

To the extent possible, all information received in connection with the reporting, investigation, and resolution of allegations of sexual misconduct will be treated as confidential except to the extent it is necessary to disclose information in order to investigate the allegation, take steps to stop, prevent or address the misconduct, resolve the complaint or when compelled to do so by law. All individuals involved in the process should observe the same standard of discretion and respect for the reputation of everyone involved in the process.

(M) RETALIATION

College policy and federal, state and local law strictly prohibit retaliation in any form against any employee, faculty member, student, vendor, customer, or other person participating in a college program or activity who complains or reports an allegation, or who participates in an investigation of sexual misconduct. Retaliation is a serious violation that can subject the offender to sanctions independent of the merits of the allegation. Allegations of retaliation should be directed to the Title IX Coordinator or Deputy Coordinator.

(N) The Administration shall establish procedures to administer this policy. Those procedures can be found in the college's Procedure No. 14-3-35 Sexual Misconduct.

Northwest State Community College: Main Campus Statistics

OFFENSE	On-Campus			Residence Hall			On-Campus Total			Non-Campus			Public Property		
Classification	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016
Murder/ Non-Negligent	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses (Forcible)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses (Non-forcible)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS	On-Campus			Residence Hall			On-Campus Total			Non-Campus			Public Property		
Classification	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
JUDICIAL	On-Campus			Residence Hall			On-Campus Total			Non-Campus			Public Property		
Classification	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
HATE CRIMES	On-Campus			Residence Hall			On-Campus Total			Non-Campus			Public Property		
Classification	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016
No Hate Crimes Reported	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
UNFOUNDED CRIMES															
Classification	2018					2017					2016				
N/A	0					0					0				
NOTATIONS: None															

Northwest State Community College: Satellite/Non Main Campus Locations

OFFENSE	On-Campus			Residence Hall			On-Campus Total			Non-Campus			Public Property		
Classification	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016
Murder/ Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses (Forcible)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses (Non-forcible)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS	On-Campus			Residence Hall			On-Campus Total			Non-Campus			Public Property		
Classification	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
JUDICIAL	On-Campus			Residence Hall			On-Campus Total			Non-Campus			Public Property		
Classification	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
HATECRIMES	On-Campus			Residence Hall			On-Campus Total			Non-Campus			Public Property		
Classification	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016
No Hate Crimes Reported	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
UNFOUNDED CRIMES															
Classification	2018					2017					2016				
N/A	0					0					0				
NOTATIONS: None															