

2020 Annual Security/Fire Safety Review
Information for the 2019-2020 Academic Year

(Statistics from Calendar Year January- December 2019)

Table of Contents

| | |
|--|--------|
| Introduction | Pg. 5 |
| Separate Campuses | Pg. 6 |
| The District Police Department* - Safety Planning Committee | Pg. 6 |
| Working Relationship with State and Local Law Enforcement Agencies | Pg. 6 |
| Crime Reporting Policy | Pg. 6 |
| Crime Reporting Procedure | Pg. 7 |
| Response to a Report | Pg. 7 |
| Confidential Reporting Options | Pg. 8 |
| Crime Reporting Procedure for Professional and Pastoral Counselors | Pg. 8 |
| Accurate and Prompt Reporting | Pg. 8 |
| Campus Security Authority (CSA) | Pg. 8 |
| Safety and Security Awareness Programs | Pg. 9 |
| Crime Prevention Programs | Pg. 10 |
| Alcohol and Drug Policy | Pg. 10 |
| Drug and Alcohol Abuse Education | Pg. 11 |
| Drug Free Schools and Communities Act | Pg. 11 |
| Timely Warnings | Pg. 11 |
| Emergency Response and Evacuation Procedures | Pg. 12 |
| Evacuation | Pg. 12 |
| General Evacuation Procedures | Pg. 13 |
| Shelter-In-Place Procedures – What It Means to “Shelter-In-Place” | Pg. 13 |
| Basic “Shelter-In-Place” Guidance | Pg. 13 |
| How You Will Know to “Shelter-In-Place” | Pg. 14 |
| How to “Shelter-In-Place” | Pg. 14 |
| Emergency Notification | Pg. 14 |
| NWCCD Alert Me Emergency Notification System (by ReGroup) | Pg. 15 |
| Methods of Issuing Emergency Notifications | Pg. 16 |
| Testing and Evaluation | Pg. 16 |
| Maintenance of Campus Facilities | Pg. 17 |
| Security and Access to Northern Wyoming Community College District Grounds and Buildings | Pg. 17 |
| Missing Student Notification | Pg. 18 |
| Missing Person Policies | Pg. 18 |
| Missing Person Procedures | Pg. 18 |
| Sex Offender Registration | Pg. 19 |
| Preparation of Annual Disclosure and Distribution of Crime Statistics | Pg. 19 |
| Sheridan College Campus – Criminal Offenses Reporting Table | Pg. 20 |
| Gillette College Campus – Criminal Offenses Reporting Table | Pg. 21 |
| Sheridan College Campus – Arrests and Disciplinary Referrals Reporting Table | Pg. 22 |
| Gillette College Campus – Arrests and Disciplinary Referrals Reporting Table | Pg. 23 |

| | |
|---|--------|
| Sheridan College Campus – VAWA Offenses Reporting Table | Pg. 24 |
| Gillette College Campus – VAWA Offenses Reporting Table | Pg. 24 |
| Sheridan College Campus – Hate Bias Narrative Report | Pg. 25 |
| Gillette College Campus – Hate Bias Narrative Report | Pg. 25 |
| Daily Crime and Fire Logs | Pg. 26 |
| Fire Policies and Procedures | Pg. 26 |
| Fire Safety | Pg. 26 |
| Fire Safety Tips | Pg. 26 |
| Fire Hazards | Pg. 27 |
| Prohibited Items | Pg. 27 |
| Smoking | Pg. 27 |
| Fireworks | Pg. 28 |
| Smoke Detectors | Pg. 28 |
| Fire Alarm Procedure | Pg. 28 |
| Fire Evacuation Procedure | Pg. 28 |
| Fire Safety Education and Training Programs | Pg. 28 |
| Fire Reporting Process | Pg. 29 |
| Future Plans | Pg. 29 |
| Sheridan College Campus – Fire Log | Pg. 30 |
| Gillette College Campus – Fire Log | Pg. 30 |
| Sheridan College Campus Fire Safety Systems in Residence Halls | Pg. 31 |
| Gillette College Campus Fire Safety Systems in Residence Halls | Pg. 32 |
| Violence Against Women Act (VAWA) | Pg. 33 |
| Domestic Violence, Dating Violence, Sexual Assault and Stalking | Pg. 33 |
| VAWA Terms Defined | Pg. 33 |
| Wyoming Statute Definitions | Pg. 37 |
| Institutional Definition of Consent and Purposes | Pg. 39 |
| How to Be an Active Bystander | Pg. 40 |
| Risk Reduction | Pg. 40 |
| Education and Primary Prevention Programs | Pg. 42 |
| Primary Prevention and Awareness Programs | Pg. 43 |
| Ongoing Education and Awareness Programming | Pg. 44 |
| Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault or Stalking Occurs | Pg. 46 |
| Reporting Sexual Assault, Domestic Violence, Dating Violence, and Stalking | Pg. 46 |
| Procedures the District Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault or Stalking is Reported | Pg. 48 |
| Rights of Victims and the Institution’s Responsibilities for Orders of Protection, “No Contact” Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution | Pg. 49 |
| Stalking Protection Order | Pg. 50 |
| Domestic Violence Protection Order | Pg. 50 |

| | |
|---|--------|
| Sexual Assault Protection Order | Pg. 51 |
| Confidentiality | Pg. 52 |
| Victim Accommodations | Pg. 53 |
| On- and Off-Campus Services for Victims | Pg. 53 |
| Table of Services Available | Pg. 54 |
| Student Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault, and Stalking | Pg. 56 |
| Reporting Procedures | Pg. 56 |
| Statement on Confidentiality | Pg. 57 |
| Advisors | Pg. 57 |
| Notice of Alleged Violation | Pg. 59 |
| Interim Measures | Pg. 59 |
| Investigation | Pg. 59 |
| Findings | Pg. 61 |
| Notice of Hearing | Pg. 62 |
| Hearing Options and Preparation | Pg. 63 |
| Hearing Procedures | Pg. 64 |
| Conduct Sanctions | Pg. 66 |
| Failure to Complete Conduct Sanctions | Pg. 67 |
| Appeal Review Procedures | Pg. 68 |
| Grounds For Appeal Requests | Pg. 68 |
| The Appeals Panel | Pg. 69 |
| Other Guidelines for Appeals | Pg. 70 |
| Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking for Employees | Pg. 70 |
| Procedure | Pg. 71 |
| Retaliation | Pg. 71 |
| District-Initiated Protective Measures | Pg. 71 |
| (HEOA) Notification to Victims of Crimes of Violence | Pg. 72 |
| Appendix | Pg. 73 |
| Definition of Terms | Pg. 73 |
| Location Definitions From the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act | Pg. 75 |
| On-Campus | Pg. 75 |
| Non-Campus Building or Property | Pg. 75 |

Introduction

The Northern Wyoming Community College District (NWCCD) has developed important programs to help protect your safety and well-being. The following information is not a contract. It is a useful description of our campus safety policies and we encourage you to read it carefully.

Education requires a safe environment for success. The Northern Wyoming Community College District is strongly committed to crime prevention and the safety of our students, staff, and visitors. Your cooperation is essential to minimize criminal activity and create a safer community for all. If you see something, say something.

Like other institutions, we are not without occasional crimes. You are not only a citizen of the country and state in which you live; you are an important member of the NWCCD Community. That means you must obey Federal, State, and local laws as well as the rules and regulations of the NWCCD. Being aware of those rules and taking personal responsibility for your own conduct and safety improves the quality of life for everyone.

We comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or "Clery Act," a Federal statute requiring all colleges and universities that participate in Federal financial aid programs to keep and disclose information about crime on and near their campuses. We also comply with the Violence Against Women Reauthorization Act of 2013 (VAWA).

Separate Campuses

All policy statements contained in this report apply to all campuses unless otherwise indicated.

The District Police Department* - Safety Planning Committee

****It is important to note, that as of Fall 2020, there is no longer a District Police Department. Due to budget constraints, the Police Department was eliminated.*** In its place, a Safety Planning Committee was formed that meets regularly. Local Law Enforcement responds to the District's campuses and assists with maintaining safety, law and order.

The Campuses share local jurisdiction, as well as State jurisdiction, with Sheridan, Buffalo and Gillette Police Departments, Sheridan, Johnson and Campbell County Sheriff Offices, Wyoming Highway Patrol and other state Law Enforcement agencies.

The Northern Wyoming Community College maintains a close working relationship with those agencies to comply with city and state laws within the jurisdiction of the cities of Buffalo, Gillette, and Sheridan. All Local, County and State Police Officers have the authority to pursue any crime initiated on NWCCD owned or controlled property. Officers may patrol the campus on foot, by bicycle, and in vehicles. Officers are available 24 hours a day. Crime statistics are compiled by coordination with the local police agencies and by a record keeping system maintained by the office of the District Risk Manager and Clery Compliance Officer.

Safety personnel and contracted safety personnel may be utilized for special events and other unforeseen activities. These safety personnel do not have arrest authority and are used to observe and report.

Working Relationship with State and Local Law Enforcement Agencies

The Buffalo, Gillette, and Sheridan Police Departments and the Campbell, Johnson, and Sheridan County Sheriff's Departments cooperate under the State of Wyoming Mutual Aid Agreement. Each department augments the other within their jurisdictions during mutual investigations, arrest, and prosecutions. There are no written agreements or memorandums of understanding regarding any topics, including the investigation of criminal incidents, between NWCCD and the local police departments for Campbell, Sheridan and Johnson Counties.

Crime Reporting Policy

Every crime should be reported to law enforcement officials as soon as possible. This is the most effective way to ensure the well-being of the campus community. If this is not possible for some reason, the crime should be reported to one of the following: Vice President of Student Affairs in the Office of Campus Life

and Housing, Director of Counseling Services, or to a Campus Security Authority (CSA), listed in the CSA section below, who the student is comfortable talking to about the crime.

Crime Reporting Procedure

To Report a Crime in Progress or an Emergency, dial 9-1-1 or use the NWCCD Alert Me App, Red Emergency Button. You may contact the Campus Safety Line at 307-675-0250 (Sheridan College and Sheridan College at Johnson County) or 307-681-6050 (Gillette College) to report a non-emergent crime. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the Residential Halls should be reported to the Local Law Enforcement agencies either by calling 9-1-1 or the non-emergent dispatch depending on the circumstances:

Gillette Non-Emergency Dispatch: 307-682-5155 Gillette Campus Safety Line: 307-681-6050

Sheridan Non-Emergency Dispatch: 307-672-2413 Sheridan Campus Safety Line: 307-675-0250

Buffalo Non-Emergency Dispatch: 307-684-5581

District Risk Manager: 307-675-0812

Members of the community are helpful when they immediately report crimes or emergencies to the Local Police Department and/or the Primary Campus Security Authorities (listed in the Campus Security Authority section below) for purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notice, when deemed necessary.

Response to a Report

The Local Police will investigate every crime and request assistance from other state and local law enforcement agencies when needed.

Dispatchers are available at the 9-1-1 telephone number, 24 hours a day to answer your calls. In response to a call, the Local Police Department will take the required action, either dispatching an officer or asking the victim to report to the Local Police Department to file an incident report. All reported crimes will be investigated and may become a matter of public record. At the discretion of Local Police Departments, incident reports involving students are forwarded to the Office of Campus Life and Housing for potential action, as appropriate, and may be further investigated if it is determined there is a possible Title IX violation. Additional information obtained via any investigation will also be forwarded to local Police and/or the Office of Student Affairs. If assistance is required from the local Police Department or the local Fire Department, NWCCD authorities or anyone needing that assistance may contact the appropriate local responding agency by dialing 9-1-1. If a sexual assault or rape should occur, staff on the scene will offer the victim a wide variety of services.

Local police agencies may provide information to the NWCCD Public Safety Director, a Vice President or District Risk Manager on matters of criminal activity at non-campus recognized student activities. (This includes student organizations recognized by the District and any organization with non-campus housing facilities. At this time, there are no non-campus housing facilities recognized by any campus organization.)

In the area of sexual assault, all faculty and staff are strongly encouraged to get the victim into a support environment through the Office of Counseling Services even if there is not a report filed with the Local

Police. Confidential crime reporting is an essential, if not preferred, method of reporting. The primary point of crime reporting should be to the Local Police or Office of Campus Life and Housing.

Confidential Reporting Options

If you choose to file a confidential report through the Office of Campus Life and Housing, they can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the District can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

It is the practice of the District to encourage the reporting of crimes even if the victim does not wish to file a complaint.

Crime Reporting Procedure for Professional and Pastoral Counselors

Although professional and pastoral counselors are exempt from reporting crime due to confidentiality laws, it will be highly encouraged that when they deem it appropriate they inform the persons they are counseling of all reporting procedures to report crimes on a voluntary, confidential basis for the inclusion in the annual disclosure of crime statistics.

Accurate and Prompt Reporting

Crimes should be accurately and promptly reported to the Local Police Department or the appropriate police agency, when the victim of a crime elects to, or is unable to, make such a report.

Additionally, staff and students may utilize the “Care Report” on the MyNWCCD Portal to make an anonymous report to District Employees assigned to the Care Committee. All faculty and staff are informed of the policy at the back-to-school meetings each year and are encouraged to report any crime. Any information received will be reported to the District Risk Manager/Clery Compliance Officer for crime reporting notifications, campus crime statistics reporting, and campus education programs. The District Risk Manager/Clery Compliance Officer at the Northern Wyoming Community College District is responsible for the collection, reporting, and disseminating of the annual crime statistics from the local police agencies and campus security authorities for inclusion in the annual crime report.

The NWCCD will do everything within its legal ability to protect the identity of victims in any case in a report of criminal activity.

Campus Security Authority (CSA)

To help ensure the safety of the NWCCD community, the NWCCD has designated Campus Security Authorities. The Clery Act states that a CSA can be defined as any one of the following:

- Any individual who has responsibility for campus security but who do not constitute a campus police department or security department. This includes the Campus Public Safety Directors and the District Risk Manager.
- An 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 campus activities including but not limited to, student housing, student discipline and campus judicial proceedings.

Students and employees can report crimes to any Campus Security Authority on campus, but Sheridan College and Gillette College has identified the following people (listed below) as *Primary* Campus Security Authorities (CSA), to provide additional reporting options in the event that the reporting party does not want to report a crime directly to the Local Police. One of the below listed *Primary* CSAs can be contacted and the crime can be reported directly to them. All CSAs are required to subsequently notify the District Risk Manager of any reported crimes, to allow that office to capture the crime for statistical purposes and to assess the crime for a potential timely warning notice.

Individuals who are identified as CSA'S are provided notice of their status annually and reminded twice a year that they must complete online training as a part of their role. Every January CSAs will be sent a Crime Statistics report form that must be filled out if any crimes were reported to them that were not reported to the District Police Department.

Any crime within the District's Clery Geography that is reported to a CSA shall immediately be reported to the District Risk Manager or Campus Public Safety Director for further investigation and recording of the incident. These crimes will be assessed for a potential timely warning notice and will be included in the crime statistics.

All Sheridan and Gillette College Campus Security Authorities (CSAs) are required to report crimes (violations of federal, state, and local laws) promptly to the Local Police Department for investigation or disposition.

The Primary Campus Security Authorities for NWCCD are:

- Vice President of Student Affairs 307-675-0121 Whitney Building, Suite 156
- Director, Counseling Services, Sheridan College 307-675-0122, Whitney Building, Suite 156
- Director, Counseling Services, Gillette College 307-681-6082, GCMN (Main) 206D
- Director, Human Resources 307-675-0571, Griffith Memorial Building 131B
- Director, Campus Life and Housing Sheridan College 307-675-0511, Whitney Building W156B or Gillette College 307-681-6502 Inspiration Hall 114
- Associate Vice President of Student Affairs/Director of Athletics 307-675-0821 Sheridan College GMB 143
- Director of Sheridan College in Johnson County, 307-684-2001

Safety and Security Awareness Programs

All incoming students during orientation receive an introduction to the Safety Procedures in the Campus Safety Plan, Crisis Management, ALICE, Crime Reporting Procedures and Alcohol and Drug Awareness. All student residents receive the same information as well as crime prevention practices in a yearly update via online training as part of their housing orientation. See something, say something is emphasized as well as being a good bystander.

All new employees receive orientation with the Safety Procedures found in the Employee Handbook from Human Resources, concerning Crisis Management, ALICE, and Crime Reporting Procedures. An annual refresher covering the same topics is offered to all faculty and staff.

During the 2019-2020 academic year, NWCCD offered several crime prevention and security awareness programs. Topics such as personal safety, residence hall security, drug and alcohol abuse awareness and sexual assault prevention are some examples of programs offered during the prior academic year.

All crime prevention and security awareness programs encourage students and employees to be responsible for their own security and the security of others with a core philosophy of see something, say something.

Crime Prevention Programs

Crime prevention is currently taught to students residing on campus via online training. This training is also offered to non-resident students during the NWCCD orientations. Sexual Assault and Alcohol and Drug prevention programs are offered to all resident, non-resident students and employees.

Alcohol and Drug Policy

The possession and consumption of drugs or alcohol at any District facility, program, or in any vehicle, regardless of location, is limited to circumstances and conduct expressly permitted by the laws of the State of Wyoming and District procedures.

In pursuant to the U.S Department of Education Regulations implementing the Drug-Free Schools and Communities Act Amendments of 1989, Northern Wyoming Community College District establishes the following policy and regulations

Northern Wyoming Community College District strives to establish for its students, faculty and staff an environment in which the misuse of alcohol and drugs is minimized, which encourages moderation, safety and personal accountability, and which provides an atmosphere free of coercion and peer pressure to abuse alcohol or use illegal drugs. The College strongly believes and encourages the use of treatment and educational programs as the most effective means to reduce and prevent substance abuse of any kind. All members of the NWCCD community should exercise sound judgment and be mindful of their personal health, safety and well-being, as well as that of their friends and guests, by observing all laws regulating drug and alcohol and the College rules expressed in this Policy.

Northern Wyoming Community College District strictly prohibits the possession, use, sale or distribution of marijuana, cocaine, LSD, or any hallucinogens or other controlled substances by anyone in a campus facility or on property owned or controlled by the District. NWCCD policy also prohibits the manufacture, sale, possession, or use of alcohol on District property or at official District activities by students and employees. NWCCD is a drug-free campus. Any individual known to be possessing, using, or distributing such drugs or alcohol is subject to disciplinary actions and possible arrest, imprisonment, or fine according to state and federal law. NWCCD policies and procedures, including the enforcement practices of the local law enforcement jurisdictions, are consistent with applicable local, state, and federal laws regarding the possession, use, and/or sale of these substances. The Local Police Departments have primary responsibility for the enforcement of State underage drinking laws, as well as the enforcement of Federal and State drug laws.

Alcohol and drug offenses shall be deemed as serious, and enforcement will be reflected accordingly. All criminal citations written to NWCCD students for alcohol and/or drug violations result in notification and possible disciplinary action through the Vice President of Student Affairs Office and/or Campus Life and Housing Office. For further information, contact the Student Affairs Office at 307-675-0123.

Drug and Alcohol Abuse Education

The Department of Campus Life and Housing Sanctions EverFi's "Think About It: Alcohol" and "Think About It: Drugs" to students who receive alcohol or drug violations. "Think About It: Alcohol" and "Think About It: Drugs" are available for any student who wishes to learn more. The student programming board brings in speakers to discuss alcohol, drugs, sexual assault. They also run educational programs such as RHA House party, Mario Kart DUI and Water Pong Tournaments to simulate the effects of alcohol through the use of drunk goggles. Alcohol education tabling with Campus Life and Housing, Counseling Services and Campus Police have also been conducted.

Drug Free Schools and Communities Act

In compliance with the Drug Free Schools and Communities Act, NWCCD publishes information regarding the District's educational programs related to drug and alcohol abuse prevention; sanctions for violations of federal, state, and local laws and District policy; a description of health risks associated with alcohol and other drug use; and a description of available treatment programs for NWCCD students and employees. A complete description of these topics, as provided in the District's annual notification to students and employees, is available online at: www.sheridan.edu/wp-content/uploads/2018/03/DAAPP-16-17.pdf

Timely Warnings

In the event that a situation arises within the NWCCD Clery Geography (on campus, public property and non-campus property), that, in the judgment of the responding Local Police, Campus Public Safety Director, Cabinet Member or the District Risk Manager, constitutes an ongoing or serious threat, a campus-wide "timely warning" will be issued. Timely Warning Notices are typically written by and distributed by the District Risk Manager (or a designee) with the assistance of the Public Information Office and approval from the Vice President of Administrative Services' office, and are issued through the college e-mail and text message system to students, faculty, and staff.

These reports are also distributed using press releases, warning posters, postings on the campus website, campus meetings, and announcements depending on the nature of the event. The website is immediately accessible via computer by all faculty, staff and students. Anyone with information warranting a timely warning should report the circumstances to the Campus Public Safety office, by phone 307-675-0250 (for SC & SCJC) or 307-681-6050 (GC) or in person at the Sheridan Campus Physical Plant or the office of the Vice President for Administration, Sheridan Campus, Whitney Building, Suite W145. In person in Gillette, you will want to see the Office of the Vice President in the GC Main Building, 2nd Floor.

Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Base Reporting System (NIBRS) crime classifications.

- Murder/Non-Negligent Manslaughter
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger NWCCD community)
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice, but will be assessed on a case-by-case basis)
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the reporting party or designee). In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a “timely” warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Major incidents of Arson
- Other Clery crimes as determined necessary by the reporting party or his or her designee in his or her absence.

Timely Warning Notices may also be posted for other crime classifications and locations, even though that is not required by the law, at the sole discretion of NWCCD.

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

When a timely warning is issued, it will be made in a manner that protects the identity of any victim of crime and in a way to prevent similar occurrences from happening.

NWCCD is not required to issue a timely warning for crimes reported to a pastoral or professional counselor.

Emergency Response and Evacuation Procedures

NWCCD maintains an Emergency Response Plan that outlines responsibilities of campus units during emergencies. This plan outlines incident priorities, campus organization and specific responsibilities of particular units or positions.

District units are responsible for developing emergency response and continuity of operations plans for their areas and staff. Campus emergency management provides resources and guidance for the development of these plans.

Evacuation

Buildings on campus have a notification system for emergency evacuation. In most buildings, this is a fire alarm system. Some systems sound only an alarm while others give voice evacuation directions or

announcements. Whenever the alarm system sounds and/or voice command for evacuation is sounded, everyone must leave the building or move to a safe location.

It is required of all departments to have an evacuation plan, which explains the emergency systems and evacuation procedures. This document is to be readily available and provide information such as emergency telephone numbers; evacuation personnel duties; designated meeting points; and building information such as whether the building has an automatic sprinkler system, smoke detection, and/or manual alarm pull stations. The Safety Planning Committee may provide Evacuation Training to individual departments, upon request. Contact the Campus Public Safety Director at 307-675-0250 to set up training or for assistance in development of an Evacuation Plan.

The Campus Life and Housing Office distributes the following document to students residing in District Housing, "Residence Hall Safety Procedures and Rules." The document contains emergency evacuation and safety procedures for natural disasters.

The District Emergency Operations Plan calls upon all employees to be familiar with the Employee Quick Reference Emergency Card. For additional information on District emergency procedures and safety resources, consult a handbook located inside each classroom, on the portal or on the NWCCD Alert app under Emergency Instructions.

General Evacuation Procedures

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify the Local Police by dialing 911.

1. Remain calm.
2. Do NOT use elevators, use the stairs.
3. Assist the physically impaired. If he/she is unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform the Local Police or the responding Fire Department of the individual's location.
4. Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
5. Make sure all personnel are out of the building.
6. Do no re-enter the building.

Shelter-in-Place Procedures – What It Means to “Shelter-in-Place”

If an incident occurs and the buildings or areas around your room become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

Basic “Shelter-in-Place” Guidance

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest District building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to “Shelter-in-Place”

A shelter-in-place notification may come from several sources; Local Police Department, Housing staff members, other District employees, or other authorities utilizing the District’s emergency communications tools.

How to “Shelter-in-Place”

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
 - An interior room;
 - Above ground level; and,
 - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (District staff will turn off the ventilation as quickly as possible.)
6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list in to Local Police so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

Emergency Notification

Northern Wyoming Community College District has multiple campus-wide emergency notification systems that can rapidly provide mass notification during natural disasters or other emergencies to the Northern Wyoming Community College District community. The Local Police, in consultation with the President’s Administration Team and the Crisis Management Team (if one of them is unavailable, the other is responsible), will determine if a notification is necessary, and if so, will determine the content of the notification. The District Risk Manager, or a member of the Public Information Office (or a designee)

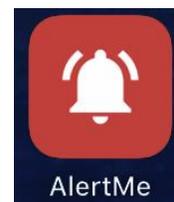
will initiate all notifications. Northern Wyoming Community College District will, without delay, and taking into account the safety of the community, determine the content of any notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. Information regarding the response and notification policies will be distributed to the faculty and staff during annual meetings and to students during orientation sessions.

In the event of an emergency, NWCCD will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the District community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees and visitors.

If the Local Police Department, the Campus Public Safety Director, a member of the NWCCD Cabinet or District Risk Manager (or designee), in conjunction with other District administrators, local first responders, the health department, and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some of all members of the NWCCD community, the Local Police Department, in consultation with the President's Administration Team and the Crisis Management Team will determine the content of the message and will use some or all of the systems described below to communicate the threat to the NWCCD community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

During an emergency, the PIO will coordinate information gathered by the District Risk Manager, and coordinate releases to the media with the Information Officer with the On-site Command, the Campbell/Johnson/Sheridan County Emergency Operations Center, or the Joint Information Center (JIC) as appropriate.

To opt-in for emergency text and voice messaging, students, faculty, and staff can do so through the **NWCCD Alert Me emergency notification system (by ReGroup): (This info is updated)**All College-issued email addresses will receive emergency notifications through our Alert Me system automatically. For individuals who would like to receive emergency text and voice messages as well, please follow these instructions to sign up:



To register a phone number:

1. Go to: <https://NWCCD.Regroup.com>,
2. Sign in using your NWCCD email and password,
3. Go to the "person" icon in the upper right-hand corner, click on it, update your cell phone number and any other pertinent information and **hit save**.

To designate the types of messages you would like to receive, based on audience groups, please:

1. Click on "Dashboard" once logged into **Alert Me**,
2. Click on "Groups" at the top of the page. It will show you a list of pre-determined groups. Under "status" it will show you groups you are a default member of (which cannot be changed by you).
3. Click on any groups you would like to join (you will receive messages targeted to any groups you join).

Methods of Issuing Emergency Notifications

District Website: Up-to-date information regarding the status of the district is always available on the District's website: www.sheridan.edu. During and following emergency situations, information as it applies to the District's public will be posted on this web page as it becomes available, including information about such things as District closure, etc. This web page also provides links to department-specific information (i.e., entertainment venue and program changes, class schedules, and emergency operations procedures). In the event of an emergency situation or campus crises, it is the responsibility of each department to update the Web page with department-specific information as it becomes available. Other information will be posted as deemed appropriate.

NWCCD Alert: For individuals who have chosen to opt-in for emergency text and voice messages through the NWCCD Alert Me app, they will receive a message with information regarding potential threats to the safety and security of the campus community.

District E-mail: Mass e-mails will be used to provide students, faculty, and staff with information regarding potential threats to the safety and security of the campus community. E-mails will also be used as a way to notify students, faculty, and staff on emergency situations and keep them updated on the situation. The College employs the following types of e-mails:

- Informational: any communication that increases the awareness of campus activities, events, or services (i.e., parking disruptions).
- Operational: communication that requires some action on the recipient's part or a required notification by the college (i.e., a message about benefits eligible information).
- Official: a non-urgent communication from an executive officer (i.e., a message from the College President).
- Emergency: an emergency announcement from an executive officer regarding an imminent event, such as a tornado warning.

Follow-up information will be distributed using some of all of the identified communication systems (except fire alarm).

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents, and other interested parties. The larger community can also access emergency information via the NWCCD homepage and/or social media.

If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the circumstances; however, the institution must provide adequate follow-up information to the community as needed.

Testing and Evaluation

Northern Wyoming Community College District will test the emergency response and evacuation procedures at least once per calendar year. In conjunction with other emergency agencies, the District conducts emergency response drills and exercises each year, such as table top exercises, field exercises, and tests of the emergency notification systems on the campuses. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution.

The District Risk Manager/Clery Compliance Officer will publicize these procedures in conjunction with this test and document the date and time of the event, as well as provide a description of the exercise and state whether it was announced or unannounced. See the following:

On November 22, 2019, the Crisis Management Team conducted a planned table top emergency drill exercise at the Sheridan College Johnson County satellite location. The exercise involved a scenario in which an athletic team started to have flu symptoms and eventually a flu pandemic developed on the Sheridan and Gillette campuses. Campus Police (still an active department at the time), along with various members of the Crisis Management Team worked together to determine how to identify what steps each department would take at different phases of the incident, including: what the anticipated next steps would be at the onset and at different stages; who needed to be communicated with; when to notify Public Health; and how to engage community members in response. There was a thorough discussion of where the strengths were and where improvements could be implemented. In conjunction with this exercise, the communications systems were tested the next week to test overhead PA announcement systems.

Maintenance of Campus Facilities

Proper lighting and building security are major factors in reducing crime on campus. The Physical Plant maintains the District buildings and grounds with a concern for safety and security. Inspections of campus facilities are conducted regularly, and repairs are made as quickly as possible. Individuals should report potential safety and security hazards, such as broken locks and windows. All members of the campus community are encouraged to report safety and security hazards to the Physical Plant or District Risk Manager.

Security and Access to Northern Wyoming Community College District Grounds and Buildings

During normal business hours, the College (excluding certain housing facilities) will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours, access to all College facilities is by key or key card, if issued, or by admittance via Campus Life and Housing staff. In the case of periods of extended or extended closing, the District will admit only those with prior written approval to all facilities. Residence halls are secured 24 hours a day. Over extended breaks, the door of all halls will be secured around the clock. Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic have security surveys conducted of them. Administrators from the Cabinet, Physical Plant, Residence Life, and other concerned areas review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications.

Northern Wyoming Community College District grounds are open to visitors on a daily basis with tours available through the Office of Admissions. Vehicular access to campus is open to the public and monitored by Local Law Enforcement. Visitor parking is allowed in designated areas or by temporary permit only. To obtain parking permission, please see the Information Desk in the Whitney Building (Sheridan). Visitors to Gillette College may park in any unrestricted space on campus.

Academic and administrative buildings are locked after normal working hours and residence halls are controlled by District Housing Policy. Every effort is made to ensure that all residence halls are free from uninvited guests. Residence halls are locked 24 hours a day. Visitors must be registered with the Resident Assistants and must be escorted by their host at all times.

Facilities Staff conduct routine patrols of campus buildings to evaluate and monitor security related matters in campus facilities and contact Local Law Enforcement when necessary.

Missing Student Notification

Missing Person Policies

In accordance with the Higher Education Reauthorization Act, NWCCD will actively investigate any report of a missing student who is enrolled at the District. Members of the District community should immediately report missing persons to Local Police by calling 911. Within the District, responsibility for investigation of missing person reports rests with Local Police. There is no waiting period for reporting a missing person. Responding officers will carefully record and investigate the factual circumstances surrounding the disappearance in accordance with departmental processes.

Campus Life and Housing has established a Missing Student Emergency Contact list, where on campus students may register a confidential emergency contact(s) to be notified in the event they are reported missing. The information is voluntary, but strongly encouraged. The information provided will be treated in a confidential manner and will only be used by district college officials (Student Affairs and Cabinet members) and local police to aid in locating a student who has been reported missing or where disclosure is legally required by a search warrant or subpoena. The information can be provided as part of the housing application process. Updates to the information can be done through Campus Life and Housing.

If Local Police or Student Affairs, after investigation, determines that an on-campus residential student has been missing for 24 hours, the District will, within 24 hours after making such a determination, notify both the student's designated contact person that the student is missing. If the missing student is under the age of 18 and is emancipated, the District will also notify the student's parents or legal guardian within the 24 hour period after Local Police have determined that the student is missing. Notice to others will be in compliance with applicable FERPA regulations. Reports of students missing from off-campus residences will be referred to the police department having jurisdiction over the student's local residence, if known, or the student's permanent residence if the local residence cannot be determined.

Missing Person Procedures

A student is determined to be missing when the Student Affairs have conducted an initial inquiry and have contacted the Local Police, who will have verified that reported information is credible and circumstances warrant declaring the person missing. Should the Student Affairs or the Local Police investigate and determine that a residential student is missing, contact will then be made to the missing person contact, if contact information has been provided, within 24 hours of the determination that the student is missing by the Local Police and/or Student Affairs. If the student is under the age of 18 and is not an emancipated individual, Local Police and/or Student Affairs will notify the student's parent or guardian and any other designated contact person within 24 hours. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, NWCCD Student Affairs officials will inform the local police department (or the local law enforcement with jurisdiction) that the student is missing within 24 hours.

Sex Offender Registration

If you wish to view a list of registered sex offenders in Campbell, Johnson, or Sheridan Counties, please visit the following website <http://wysors.dci.wyo.gov/sor/>. A departmental representative will be able to answer any questions you may have regarding the information. Sex offender information can also be obtained through the Wyoming Division of Criminal Investigation website <http://attorneygeneral.state.wy.us/dci/sofaq.html>. All registered sex offenders are required to check in with the Local Police Department prior to attending classes. Minors that are registered sex offenders will not be publicly identified.

Preparation of Annual Disclosure and Distribution of Crime Statistics

The District Risk Manager/Clery Compliance Officer, in collaboration with the Vice President of Administration and CFO, prepared and disseminates this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our web site at <http://www.sheridan.edu/site/departments/campus-safety/>. You will also be able to connect to our site via the Northern Wyoming Community College District home page at www.sheridan.edu. This report is prepared in cooperation with local Law Enforcement agencies surrounding our campuses and alternate sites, Campus Life and Housing, and the Division of Student Affairs. Each entity provides updated information on their educational efforts and programs to comply with the Act. Campus crime, arrest and referral statistics include those reported to the NWCCD Police (prior to their disbandment) , designated campus officials (including but not limited to Directors, Deans, Department Heads, designated Campus Life and Housing staff, advisors to students/ student organizations, athletic coaches), and local Law Enforcement agencies. These statistics may also include crimes that have occurred in private residences or businesses and is not required by law. Department of Counseling Services staff inform their clients of the procedures to report crime to the Local Police on a voluntary or confidential basis, should they feel it is in the best interest of the client. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.

Each year, an e-mail notification is made to all enrolled students to provide the web site to access this report. Faculty and staff receive similar notification via email. Copies of the report may also be obtained at the NWCCD District Risk Manager/Clery Compliance office located in the Whitney Building on the Sheridan College Campus in Suite W145 or by calling (307) 675-0812 (SC, GC & SCJC). All prospective employees may obtain a copy from the NWCCD District Risk Manager/Clery Compliance office.

Sheridan College Campus

Criminal Offenses Reporting Table

| Offense | Year | Geographic Location | | | |
|-----------------------------------|------|---------------------|--------------------------------------|---------------------|-----------------|
| | | On-Campus Property | On Campus Student Housing Facilities | Non Campus Property | Public Property |
| Murder/Non-Negligent Manslaughter | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Rape | 2019 | 1 | 1 | 0 | 0 |
| | 2017 | 2 | 2 | 0 | 0 |
| | 2017 | 4 | 3 | 0 | 0 |
| Fondling | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 1 | 0 | 0 | 0 |
| | 2017 | 1 | 0 | 0 | 0 |
| Incest | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Statutory Rape | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Robbery | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 1 | 1 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Burglary | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 2019 | 1 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Arson | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |

Gillette College Campus

Criminal Offenses Reporting Table

| Offense | Year | Geographic Location | | | |
|-----------------------------------|------|---------------------|--------------------------------------|---------------------|-----------------|
| | | On-Campus Property | On Campus Student Housing Facilities | Non Campus Property | Public Property |
| Murder/Non-Negligent Manslaughter | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Rape | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 1 | 1 | 0 | 0 |
| Fondling | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 1 | 1 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Incest | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Statutory Rape | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Robbery | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Burglary | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Arson | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |

Sheridan College Campus

Arrests and Disciplinary Referrals Reporting Table

| Offense | Year | Geographic Location | | | |
|---|------|---------------------|--------------------------------------|---------------------|-----------------|
| | | On-Campus Property | On Campus Student Housing Facilities | Non Campus Property | Public Property |
| Arrests: Weapons (Carrying, Possession, etc.) | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Weapons (Carrying, Possession, etc.) | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Arrests: Drug Abuse Violations | 2019 | 3 | 3 | 0 | 1 |
| | 2018 | 2 | 0 | 0 | 0 |
| | 2017 | 3 | 3 | 0 | 0 |
| Disciplinary Referrals: Drug Abuse Violations | 2019 | 2 | 2 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Arrest: Liquor Law Violations | 2019 | 28 | 28 | 0 | 0 |
| | 2018 | 50 | 50 | 0 | 0 |
| | 2017 | 58 | 51 | 0 | 0 |
| Disciplinary Referrals: Liquor Law Violations | 2019 | 6 | 6 | 0 | 0 |
| | 2018 | 5 | 5 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |

Gillette College Campus

Arrests and Disciplinary Referrals Reporting Table

| Offense | Year | Geographic Location | | | |
|---|------|---------------------|--------------------------------------|---------------------|-----------------|
| | | On-Campus Property | On Campus Student Housing Facilities | Non Campus Property | Public Property |
| Arrests: Weapons (Carrying, Possession, etc.) | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Weapons (Carrying, Possession, etc.) | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 1 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Arrests: Drug Abuse Violations | 2019 | 2 | 2 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 4 | 2 | 0 | 0 |
| Disciplinary Referrals: Drug Abuse Violations | 2019 | 1 | 1 | 0 | 0 |
| | 2018 | 1 | 1 | 0 | 0 |
| | 2017 | 3 | 3 | 0 | 0 |
| Arrest: Liquor Law Violations | 2019 | 16 | 16 | 0 | 0 |
| | 2018 | 2 | 2 | 0 | 0 |
| | 2017 | 8 | 7 | 0 | 0 |
| Disciplinary Referrals: Liquor Law Violations | 2019 | 13 | 12 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 1 | 1 | 0 | 0 |

| Sheridan College Campus | | | | | |
|--------------------------------------|-------------|----------------------------|---|----------------------------|------------------------|
| VAWA Offenses Reporting Table | | | | | |
| Offense | Year | Geographic Location | | | |
| | | On-Campus Property | On Campus Student Housing Facilities | Non Campus Property | Public Property |
| Domestic Violence | 2019 | 1 | 1 | 0 | 1 |
| | 2018 | 2 | 2 | 0 | 0 |
| | 2017 | 6 | 6 | 0 | 0 |
| Dating Violence | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Stalking | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 2 | 2 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |

| Gillette College Campus | | | | | |
|--------------------------------------|-------------|----------------------------|---|----------------------------|------------------------|
| VAWA Offenses Reporting Table | | | | | |
| Offense | Year | Geographic Location | | | |
| | | On-Campus Property | On Campus Student Housing Facilities | Non Campus Property | Public Property |
| Domestic Violence | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 3 | 3 | 0 | 0 |
| Dating Violence | 2019 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |
| Stalking | 2019 | 1 | 1 | 0 | 0 |
| | 2018 | 1 | 1 | 0 | 0 |
| | 2017 | 0 | 0 | 0 | 0 |

Sheridan College Campus

| Campus Geography | Reportable Hate Crimes | Bias |
|------------------------------|--|-----------------|
| On Campus Property | Murder and Non-Neg Manslaughter | Race |
| On Campus in Student Housing | Sexual Assault | Religion |
| | | Sexual |
| Non Campus | Robbery | Orientation |
| Public Property | Aggravated Assault | Gender |
| | Burglary | Gender Identity |
| | Motor Vehicle Theft | Ethnicity |
| | Arson | National Origin |
| | Larceny-Theft | Disability |
| | Simple Assault | |
| | Intimidation | |
| | Destruction/Damage/Vandalism of Property | |

Hate Bias Crimes will be reported in a narrative format. The report will include the year, campus geography, hate crime reported and the bias of the incident. Above is a list of the reportable crimes and the bias that must be reported.

There were no reported Hate Bias Crimes in 2019 on the Sheridan College Campus.

Gillette College Campus

| Campus Geography | Reportable Hate Crimes | Bias |
|------------------------------|--|--------------------|
| On Campus Property | Murder and Non-Neg Manslaughter | Race |
| On Campus in Student Housing | Sexual Assault | Religion |
| Non Campus | Robbery | Sexual Orientation |
| Public Property | Aggravated Assault | Gender |
| | Burglary | Gender Identity |
| | Motor Vehicle Theft | Ethnicity |
| | Arson | National Origin |
| | Larceny-Theft | Disability |
| | Simple Assault | |
| | Intimidation | |
| | Destruction/Damage/Vandalism of Property | |

Hate Bias Crimes will be reported in a narrative format. The report will include the year, campus geography, hate crime reported and the bias of the incident. Above is a list of the reportable crimes and the bias that must be reported.

There were no reported Hate Bias Crimes in 2019 on the Gillette College Campus.

Daily Crime and Fire Logs

The Office of the District Risk Manager/Clery Compliance Officer maintains a Daily Crime Log for the entire District which is available to the public for review, at the Sheridan College Campus Whitney Building, located at 1 Whitney Way, Suite W145, Sheridan, WY, from 8:00 a.m.– 5:00 p.m. Monday through Friday, excluding holidays.

A fire log for the District is available for review at the Sheridan College Campus Office of the District Risk Manager/Clery Compliance Officer, located at the Whitney Building at 1 Whitney Way, Suite W145, Sheridan, WY, from 8:00 a.m.–5:00 p.m. Monday through Friday, excluding holidays. The information in the fire log includes information about fires that occur in residential facilities, including the nature, date, time, and general location.

Fire Policies and Procedures

Fire Safety

- Unannounced fire evacuation drills will be held regularly throughout the school year in each residence hall. At Sheridan and Gillette Colleges, students who fail to exit the halls, attempt to re-enter the building without permission of proper authorities, or fail to comply with College officials will be subject to disciplinary action and the assessment of fines.
- Tampering with fire safety equipment or fire alarms is a violation of State Law, as well as College policy. Persons found in violation will be subject to severe disciplinary action.
- Fire detection units should not be covered or blocked at any time.
- For reasons of fire safety, the following items are not permitted in student rooms: Space heaters, halogen lamps, non UL rated lamps, any non UL rated decorations requiring electricity, sun lamps/tanning beds, toaster ovens, hot plates, candles with or without wicks, decorative candles, open flames, incense, candle warmers, tart burners, non-light bulb potpourri burners, scented oil burners, live/cut Christmas trees and wreaths.
- Unauthorized possession, storage or use of hazardous or dangerous weapons, explosive components or substances including, but not limited to, firearms, fireworks, and chemical materials such as gasoline/fuels, kerosene or compressed gases/air in College residence halls is specifically forbidden and, therefore, subject to severe disciplinary action.
- Do not hang anything from the sprinkler heads. This will cause damage to the system that will be charged to the occupants of that suite/room. Additionally, decorations or objects hung on the walls must be at least 18 inches from the ceiling.

Fire Safety Tips:

1. Know where alarm pull stations are in your building.
2. Know all of the exits and evacuation plans to your building.
3. If you discover smoke or fire:
 - a. Sound the alarm.
 - b. Call 9-1-1.

4. If you are in a burning building:
 - a. Close the window.
 - b. Close the door.
 - c. Go to the nearest exit or stairs (if you are in a smoke-filled area, keep low to the floor).
 - d. Leave the building immediately

In case of fire, notify the Resident Assistant and pull the local fire alarm located nearest to your location. (Make a mental note of the location of fire alarms so you will know exactly where they are if needed.) Upon hearing the alarm, all residents should close their windows and doors, leaving them unlocked, and if safe passage is possible, proceed to a safe area a distance away from the building and await further instructions. If safe passage is not possible, residents should wait in their rooms with doors closed. Anyone caught turning in a false alarm will be subject to disciplinary measures.

Fire Hazards

Prohibited items: Candles, candle warmers, incense, heat lamps, fog machines, fireworks, non-surge protector extension cords, potpourri pots, air conditioners* (including floor models), cooking and heating coils, electric blankets, kerosene or electric heaters, extension electric plugs, toaster ovens, sun lamps and halogen lamps, electric frying pans, George Foreman grills, wireless access points, fog machines, pets or animals of any kind (they are not allowed in the halls event to visit); firearms: are **NEVER ALLOWED** in the Residence Halls or on Campus in vehicles. NOTE: Cooking is not allowed in residence hall rooms, only in kitchens.

Use of electrical devices such as stereos, DVD/CD players, hair dryers, and personal computers are permitted providing such devices are plugged within the room and do not exceed the amperage limits of the circuits within the room. Only one freestanding TV and refrigerator are allowed per room. Each room in Founders, South, and the Villas has a cable TV hook-up, so a cable-ready TV is best for viewing. Televisions must have a power input of 120 volts.

Refrigerators are allowed only in the Villas at Sheridan College. If you choose to bring a personal refrigerator it must meet these specifications: Capacity - four (4) cubic feet, energy star approved.

Smoking

Smoking is prohibited in all campus buildings and in/on all College property, including College vehicles and residence halls. At the discretion of a college in the District, designated smoking space can be provided; however, it must be placed in such a way to eliminate environmental smoke hazards to non-smokers. Smoking is permitted in personal automobiles when parked on campus. Organizers and attendees at public events, such as conferences, meetings, public lectures, social events, and cultural events using NWCCD facilities, are required to abide by the College's Smoke-Free Policy. Organizers of such events are responsible for communicating this policy to attendees and for enforcing this policy. For the purposes of the NWCCD policy, smoking is defined as burning any type of tobacco product including vape pens and e-

cigarettes. If you are interested in quitting, please visit <http://wellbeingofwyoming.org/quit.htm> for information on programs that can help.

Fireworks

Possession or use of fireworks within the city limits of Sheridan, Gillette and Buffalo which includes the all NWCCD Campus locations, is illegal. Fireworks can be dangerous as well as a fire hazard and are not be used or stored in students' rooms.

Smoke Detectors

All rooms are equipped with electric smoke detectors. For your protection and that of other residents, keep smoke detectors in working order. Students will be fined if alarms are found disturbed in any way. The cost to repair electric smoke detectors is approximately \$50 each.

Fire Alarm Procedure

- Stop all activity.
- Close all windows and doors.
- Follow evacuation procedure, refer to evacuation map.

Fire Evacuation Procedure

- Leave the building as instructed, in a calm, orderly manner. Use the predetermined evacuation route or alternate safe route. Ensure residents remain out of the way of emergency responders.
- Keep residents quiet and calm. Stay with the residents and keep them together, take attendance.
- DO NOT return to or move to another site unless told to do so by emergency personnel or College Official.
- Listen for further instructions.
- Refer all media who attempt to speak with you or your students to the College Public Information Officer.

Fire Safety Education and Training Programs

Each year the housing professional and student staff are trained by the Sheridan Fire Department during the August training. Fire extinguisher training happens yearly with all Sheridan College facilities staff with the Sheridan Fire Department. Gillette College facilities staff are trained yearly on eye wash stations, use of chemical showers, and fire evacuation procedures by the Gillette College Facilities Director.

Fire Reporting Process

In the event that a fire has occurred, individuals are encouraged to contact the following individuals:

Sheridan College

- NWCCD District Risk Manager, Office: 307-675-0812 or Cell: 307-752-4657
- Assistant Vice President of Facilities, Cell: 307-752-1760
- Director of Campus Life and Housing, Cell: 307-752-7579
- Maintenance Manager, Cell: 307-752-1805

Gillette College

- NWCCD District Risk Manager, Office: 307-675-0812 or Cell: 307-752-4657
- Director of Facilities, Cell: 307-689-1242
- Assistant Director of Campus Life and Housing, 307-696-7855

Sheridan College in Johnson County

- Director of Sheridan College in Johnson County, 307-620-1271

Future Plans

The next steps in improving the fire safety education and training program is to continue to expand the training to all residential students and faculty and staff on each campus. We would also like to include the respective fire departments and utilize their expertise more.

Sheridan College Campus Fire Log

| Name of House Facility | 2017 | | | 2018 | | | 2019 | | |
|------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| | Fires | Injuries | Deaths | Fires | Injuries | Deaths | Fires | Injuries | Deaths |
| Crook | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Kearney | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Conner | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| South | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| Founders | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Blume | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Davis | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Diefenderfer | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Eaton | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Griffin | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Griffith | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Hanson | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| McKeen | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Thorne | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fitzgerald | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stevens | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Williams | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Hayes | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| East | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |

Gillette College Campus Fire Log

| Name of House Facility | 2017 | | | 2018 | | | 2019 | | |
|-------------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| | Fires | Injuries | Deaths | Fires | Injuries | Deaths | Fires | Injuries | Deaths |
| Tanner Village Bldg. 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Tanner Village Bldg. 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Tanner Village Bldg. 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Tanner Village Bldg. 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Inspiration Hall | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 |

Sheridan College Campus Fire Safety Systems in Residence Halls

| Residential Facility | Fire Alarm Monitoring Done By Simplex Grinnell | Partial *1 Sprinkler System | Full *2 Sprinkler System | Smoke Detection | Fire Extinguisher Devices | Evacuations Plans & Placards | Number of Evacuation (fire) drills each calendar year |
|-----------------------------------|--|-----------------------------|--------------------------|-----------------|---------------------------|------------------------------|---|
| East Hall, 1 Whitney Way | X | X | X | X | X | X | 1 |
| Founders Hall, 1 Whitney Way | X | X | X | X | X | X | 1 |
| South Hall, 1 Whitney Way | X | X | X | X | X | X | 1 |
| Crook Hall, 1 Whitney Way | X | X | X | X | X | X | 1 |
| Kearney Hall, 1 Whitney Way | X | X | X | X | X | X | 1 |
| Connor Hall, 1 Whitney Way | X | X | X | X | X | X | 1 |
| Blume House, 1 Whitney Way | X | X | X | X | X | X | 1 |
| Davis House, 1 Whitney Way | X | X | X | X | X | X | 1 |
| Diefenderfer House, 1 Whitney Way | X | X | X | X | X | X | 1 |
| Eaton House, 1 Whitney Way | X | X | X | X | X | X | 1 |
| Griffin House, 1 Whitney Way | X | X | X | X | X | X | 1 |
| Hanson House, 1 Whitney Way | X | X | X | X | X | X | 1 |
| Griffith House, 1 Whitney Way | X | X | X | X | X | X | 1 |
| McKeen House, 1 Whitney Way | X | X | X | X | X | X | 1 |
| Thorne House, 1 Whitney Way | X | X | X | X | X | X | 1 |
| Fitzgerald House, 1 Whitney Way | X | X | X | X | X | X | 1 |
| Hayes Hall, 1 Whitney Way | X | X | X | X | X | X | 1 |
| Stevens Hall, 1 Whitney Way | X | X | X | X | X | X | 1 |
| Williams Hall, 1 Whitney Way | X | X | X | X | X | X | 1 |

“X” indicates the system is present in the building

*1 Partial Sprinkler System is defined as having sprinklers in the common areas only.

*2 Full Sprinkler System is defined as having sprinklers in both the common areas and individual rooms.

Gillette College Campus Fire Safety Systems in Residence Halls

| Residential Facility | Fire Alarm Monitoring Done By Simplex Grinnell | Partial *1 Sprinkler System | Full *2 Sprinkler System | Smoke Detection | Fire Extinguisher Devices | Evacuations Plans & Placards | Number of Evacuation (fire) drills each calendar year |
|---|--|-----------------------------|--------------------------|-----------------|---------------------------|------------------------------|---|
| Tanner Village Building 1, 251 W. Sinclair Ave | X | X | X | X | X | X | 1 |
| Tanner Village Building 2, 253 W. Sinclair Ave | X | X | X | X | X | X | 1 |
| Tanner Village Building 3, 255 W. Sinclair Ave | X | X | X | X | X | X | 1 |
| Tanner Village Building 4, 257 W. Sinclair Ave | X | X | X | X | X | X | 1 |
| Inspiration Hall 265 W. Sinclair Ave | X | X | X | X | X | X | 1 |

“X” indicates the system is presence in the building

*1 Partial Sprinkler System is defined as having sprinklers in the common areas only.

*2 Full Sprinkler System is defined as having sprinklers in both the common areas and individual rooms.

Violence Against Women Act (VAWA)

Domestic Violence, Dating Violence, Sexual Assault and Stalking

The NWCCD prohibits the crimes of dating violence, domestic violence, sexual assault and stalking. An officer responding to an incident of domestic violence, dating violence, or stalking shall conduct a thorough investigation and, when the elements of a crime are present, prepare a domestic violence report, irrespective of the wishes of the victim or the presence or absence of the subject. Toward that end, NWCCD issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a District official.

VAWA Terms Defined

Sexual Harassment: Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, in person or electronically when:

a) **Employees:**

- i. Submission to such conduct is made explicitly or implicitly a term or condition of employment.
- ii. Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment.
- iii. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

b) **Students:**

- i. Is reasonably perceived as creating an intimidating or hostile work, learning, or living environment.
- ii. Unreasonably interferes with, denies or limits someone's ability to participate in or benefit from any educational program and/or activities.
- iii. Is based on power differentials, the creation of a hostile environment, or retaliation.

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

- a) The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- b) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.
- c) **Dating Violence** is not defined under Wyoming State Statutes.

Domestic Violence or Intimate Partner Violence: A felony or misdemeanor crime of violence committed in the following manner:

- a) By a current or former spouse or intimate partner of the reporting party;
- b) By a person with whom the reporting party shares a child in common;

- c) By a person who is cohabitating with, or has cohabitated with, the reporting party as a spouse or intimate partner;
- d) By a person similarly situated to a spouse of the reporting party under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- e) By any other person against an adult or youth reporting party 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.
- f) Under Wyoming State Statute, domestic violence is divided between two statutes: Domestic Battery and Domestic Assault defined below
 - a. **6-2-511 Domestic battery:** A household member is guilty of domestic battery if he knowingly or recklessly causes bodily injury to another household member by use of physical force.
 - b. **6-2-510 Domestic assault:** A household member is guilty of domestic assault if, having the present ability to do so, he unlawfully attempts to cause bodily injury to another household member.
 - i. **35-24-102 (iv) Household member:**
 - (a) Persons married to each other;
 - (b) Persons living with each other as if married;
 - (c) Persons formerly married to each other;
 - (d) Persons formerly living with each other as if married;
 - (e) Parents and their adult children;
 - (f) Other adults sharing common living quarters;
 - (g) Persons who are the parents of a child but who are not living with each other; and
 - (h) Persons who are in, or have been in, a dating relationship.

Sexual Assault: Having or attempting to have sexual intercourse or oral sex, without consent. Sexual intercourse means 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 reporting party. This definition includes any gender of reporting party or perpetrator. This definition also includes instances in which the reporting party is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs and or alcohol). Physical resistance is not required on the part of the reporting party to demonstrate lack of consent. Also included in the Sexual Assault category:

- a) Incest – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- b) Statutory Rape – Sexual intercourse with a person who is under the statutory age of consent.
- c) Sexual Assault is defined under Wyoming Statute in 3 degrees in addition to a 4th defined as sexual battery as are defined below.
 - a. **Statute 6-2-302. Sexual assault in the first degree.**
 - (a) Any actor who inflicts sexual intrusion on a victim commits a sexual assault in the first degree if:
 - (i) The actor causes submission of the victim through the actual application, reasonably calculated to cause submission of the victim, of physical force or forcible confinement;

- (ii) The actor causes submission of the victim by threat of death, serious bodily injury, extreme physical pain or kidnapping to be inflicted on anyone and the victim reasonably believes that the actor has the present ability to execute these threats;
- (iii) The victim is physically helpless, and the actor knows or reasonably should know that the victim is physically helpless and that the victim has not consented; or
- (iv) The actor knows or reasonably should know that the victim through a mental illness, mental deficiency or developmental disability is incapable of appraising the nature of the victims conduct.

b. Statute 6-2-303. Sexual assault in the second degree

(a) Any actor who inflicts sexual intrusion on a victim commits sexual assault in the second degree if, under circumstances not constituting sexual assault in the first degree:

- a. The actor causes submission of the victim by threatening to retaliate in the future against the victim or the victim's spouse, parents, brothers, sisters or children, and the victim reasonably believes the actor will execute this threat. "To retaliate" includes threats of kidnapping, death, serious bodily injury or extreme physical pain;
- b. The actor causes submission of the victim by any means that would prevent resistance by a victim of ordinary resolution;
- c. The actor administers, or knows that someone else administered to the victim, without the prior knowledge or consent of the victim, any substance which substantially impairs the victim's power to appraise or control his conduct;
- d. The actor knows or should reasonably know that the victim submits erroneously believing the actor to be the victim's spouse;
- e. Repealed By Laws 2007, Ch.159, 3.
- f. The actor is in a position of authority over the victim and uses this position of authority to cause the victim to submit;
- g. The actor is an employee, independent contractor or volunteer of a state, county, city or town, or privately operated adult or juvenile correctional system, including but not limited to jails, penal institutions, detention centers, juvenile residential or rehabilitative facilities, adult community correctional facilities or secure treatment facilities and the victim is known or should be known by the actor to be a resident of such facility or under supervision of the correctional system; or
- h. The actor inflicts sexual intrusion in treatment or examination of a victim for purposes or in a manner substantially inconsistent with reasonable medical practices.

(b) A person is guilty of sexual assault in the second degree if he subjects another person to sexual contact and causes serious bodily injury to the victim under any of the circumstances listed in W.S 6-2-302 (a)(i) through (iv) or paragraphs (a)(i) through (vii) of this section.

- c. **Statute 6-2-304. Sexual assault in the third degree.**
 - (a) An actor commits sexual assault in the third degree if, under circumstances not constituting sexual assault in the first or second degree: The actor subjects a victim to sexual contact under any of the circumstances of W.S. 6-2-302(a) (i) through (iv) or 6-2-302(a) (i) through (vii) of this section.
- d. **Statute 6-2-313. Sexual battery.**
 - (a) Except under circumstances constituting a violation of W.S. 6-2-302 through 6-2-304, 6-2-314 through 6-2-317 or 6-2-502, an actor who unlawfully subjects another person to any sexual contact is guilty of sexual battery.

Stalking:

- a) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to be impacted in the following manner:
 - i. Fear for the person’s safety or the safety of others; or
 - ii. Suffer substantial emotional distress.
- b) For the purposes of this definition, course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
- c) Reasonable person is described in the following manner: a reasonable person under similar circumstances and with similar identities to the victim.
- d) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- e) Wyoming Statute 6-2-506: **Stalking** is defined below.
 - i. “Course of conduct” means a pattern of conduct composed of a series of acts over any period of time evidencing a continuity of purpose;
 - ii. “Harass” means to engage in a course of conduct, including but not limited to verbal threats, written threats, lewd or obscene statements or images, vandalism or nonconsensual physical contact, directed at a specific person or the family of a specific person. Which the defendant knew or should have known would cause a reasonable person to suffer substantial emotional distress, and which does in fact seriously alarm the person toward whom it is directed.
 - iii. Unless otherwise provided by law, a person commits the crime of stalking if, with intent to harass another person, the person engages in a course of conduct reasonably likely to harass that person, including but not limited to any combination of the following:
 - 1. Communicating, anonymously or otherwise, or causing a communication with another person by verbal, electronic, mechanical, telegraphic, telephone or written means in a manner that harasses;
 - 2. Following a person, other than within the residence of the defendant;
 - 3. Placing a person under surveillance by remaining present outside his or her school, place of employment, vehicle, other place occupied by the person, or residence other than the residence of the defendant; or
 - 4. Otherwise engaging in a course of conduct that harasses another person.
- f) This section does not apply to an otherwise lawful demonstration, assembly or picketing.

Wyoming Statute Definitions

Dating Violence: Is not defined under Wyoming State Statutes

Domestic Violence: Is broken into two statutes, Domestic Battery and Domestic Assault defined below

6-2-511 Domestic battery: A household member is guilty of domestic battery if he knowingly or recklessly causes bodily injury to another household member by use of physical force.

6-2-510 Domestic assault: A household member is guilty of domestic assault if, having the present ability to do so, he unlawfully attempts to cause bodily injury to another household member.

35-24-102 (iv) Household member:

- (A) Persons married to each other;
- (B) Persons living with each other as if married;
- (C) Persons formerly married to each other;
- (D) Persons formerly living with each other as if married;
- (E) Parents and their adult children;
- (F) Other adults sharing common living quarters;
- (G) Persons who are the parents of a child but who are not living with each other; and
- (H) Persons who are in, or have been in, a dating relationship.

Sexual Assault: Is defined under Wyoming Statute in 3 degrees in addition to a 4th defined as sexual battery as are defined below.

6-2-302. Sexual assault in the first degree.

- (b) Any actor who inflicts sexual intrusion on a victim commits a sexual assault in the first degree if:
 - (i) The actor causes submission of the victim through the actual application, reasonably calculated to cause submission of the victim, of physical force or forcible confinement;
 - (ii) The actor causes submission of the victim by threat of death, serious bodily injury, extreme physical pain or kidnapping to be inflicted on anyone and the victim reasonably believes that the actor has the present ability to execute these threats;
 - (iii) The victim is physically helpless, and the actor knows or reasonably should know that the victim is physically helpless and that the victim has not consented; or,
 - (iv) The actor knows or reasonably should know that the victim through a mental illness, mental deficiency or developmental disability is incapable of appraising the nature of the victims conduct.

6-2-303. Sexual assault in the second degree

- (a) Any actor who inflicts sexual intrusion on a victim commits sexual assault in the second degree if, under circumstances not constituting sexual assault in the first degree:
 - (i) The actor causes submission of the victim by threatening to retaliate in the future against the victim or the victim's spouse, parents, brothers, sisters or children, and the victim reasonably believes the actor will execute this threat. "To retaliate" includes threats of kidnapping, death, serious bodily injury or extreme physical pain;

- (ii) The actor causes submission of the victim by any means that would prevent resistance by a victim of ordinary resolution;
 - (iii) The actor administers, or knows that someone else administered to the victim, without the prior knowledge or consent of the victim, any substance which substantially impairs the victim's power to appraise or control his conduct;
 - (iv) The actor knows or should reasonably know that the victim submits erroneously believing the actor to be the victim's spouse;
 - (v) Repealed By Laws 2007, Ch.159, § 3.
 - (vi) The actor is in a position of authority over the victim and uses this position of authority to cause the victim to submit;
 - (vii) The actor is an employee, independent contractor or volunteer of a state, county, city or town, or privately operated adult or juvenile correctional system, including but not limited to jails, penal institutions, detention centers, juvenile residential or rehabilitative facilities, adult community correctional facilities or secure treatment facilities and the victim is known or should be known by the actor to be a resident of such facility or under supervision of the correctional system;
 - (viii) Repealed by Laws 2018, Ch. 80 § 3.
 - (ix) The actor is an employee or volunteer of an elementary or secondary public or private school who, by virtue of the actor's employment or volunteer relationship with the school, has interaction with the victim who is a student or participant in the activities of the school and is more than four (4) years older than the victim.
- (b) A person is guilty of sexual assault in the second degree if he subjects another person to:
- (i) Sexual contact or sexual intrusion in the person's capacity as a health care provider in the course of providing care, treatment, services or procedures to maintain, diagnose or to otherwise treat a patient's physical or mental condition;
 - (ii) Sexual contact and causes serious bodily injury to the victim under any of the circumstances listed in W.S 6-2-302 (a)(i) through (iv) or paragraphs (a)(i) through (vii) and (ix) of this section.
- (c) Repealed by Laws 1997, Ch. 135 § 2.

6-2-304. Sexual assault in the third degree.

- (b) An actor commits sexual assault in the third degree if, under circumstances not constituting sexual assault in the first or second degree:
- (i) and (ii) Repealed by Laws 2007, Ch. 159 § 3.
 - (iii) The actor subjects a victim to sexual contact under any of the circumstances of W.S. 6-2-302(a) (i) through (iv) or 6-2-303(a)(i) through (vii) and (ix) without inflicting sexual intrusion on the victim and without causing serious bodily injury to the victim.

6-2-313. Sexual battery.

- (b) Except under circumstances constituting a violation of W.S. 6-2-302 through 6-2-304, 6-2-314 through 6-2-317 or 6-2-502, an actor who unlawfully subjects another person to any sexual contact is guilty of sexual battery.

6-2-506 Stalking:

(a) As used in this section:

(i) "Course of conduct" means a pattern of conduct composed of a series of acts over any period of time evidencing a continuity of purpose;

(ii) "Harass" means to engage in a course of conduct, including but not limited to verbal threats, written threats, lewd or obscene statements or images, vandalism or nonconsensual physical contact, directed at a specific person or the family of a specific person. Which the defendant knew or should have known would cause a reasonable person to suffer substantial emotional distress, and which does in fact seriously alarm the person toward whom it is directed.

(c) Unless otherwise provided by law, a person commits the crime of stalking if, with intent to harass another person, the person engages in a course of conduct reasonably likely to harass that person, including but not limited to any combination of the following:

(i) Communicating, anonymously or otherwise, or causing a communication with another person by verbal, electronic, mechanical, telegraphic, telephone or written means in a manner that harasses;

(ii) Following a person, other than within the residence of the defendant;

(iii) Placing a person under surveillance by remaining present outside his or her school, place of employment, vehicle, other place occupied by the person, or residence other than the residence of the defendant; or

(iv) Otherwise engaging in a course of conduct that harasses another person.

(C) This section does not apply to an otherwise lawful demonstration, assembly or picketing.

Statutory definition of consent: There is no statutory definition of the word "Consent".

Institutional Definition of Consent and Purposes

The purpose of this definition is to establish the presence or absence of consent. Consent to engage in sexual activity must exist from beginning to end of each instance of sexual activity, and should be affirmative in nature. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness or enthusiastic participation to engage in, and continue to engage in, a specific sexual activity. Effective consent is doing the same thing, at the same time, in the same way. Consent must be informed and voluntary. Consent cannot be implied by attire or inferred from the giving or acceptance of gifts, money or other items. To give consent, a person must be awake, of legal age, and have the capacity to reasonably understand the nature of their actions. Individuals who are physically or mentally incapacitated cannot give consent. Some indicators that an individual is incapacitated due to intoxication may include, but are not limited to; vomiting, unresponsiveness, inability to communicate coherently, inability to dress/undress without assistance, inability to walk without assistance, slurred speech, loss of coordination, or inability to perform other physical or cognitive tasks without assistance. Silence, without actions evidencing permission, does not demonstrate consent. Where force or coercion is alleged, the absence of resistance does not demonstrate consent. The responsibility of obtaining consent rests with the person initiating sexual activity. Consent to engage in sexual activity may be withdrawn by either person at any time. A previous or current dating or sexual relationship, by itself, is

not sufficient to constitute consent. Once withdrawal of consent has been expressed, the sexual activity must cease. Consent is automatically withdrawn by a person who is no longer capable of giving consent (due to falling asleep or passing out into a state of unconsciousness, for example).

How to Be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness conditions that perpetuate violence. They are not directly involved but have the chose to intervene, speak up, or do something about it.”¹ We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list² of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are okay.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off-campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one’s risk of sexual assault or harassment (take from Rape, Abuse, & Incest National Network, www.rainn.org)

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don’t know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cab money.
7. Don’t allow yourself to be isolated with someone you don’t trust or someone you don’t know.

¹ Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles*, 60, 779-792.

² Bystander intervention strategies adapted from Stanford District’s Office of Sexual Assault & Relationship Abuse

8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punchbowls or other large, common open containers.
13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - a. Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - b. Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c. Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - d. Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

Education and Primary Prevention Programs

The District engages in comprehensive educational programming to prevent domestic violence, dating violence, sexual assault and stalking that:

- a. Are culturally relevant, inclusive or diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and,
- b. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and faculty that:

- a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- b. Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- c. Define consent and describe what behaviors and actions constitute consent, in reference to sexual activity as defined by the student and employee codes of conduct.
- d. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander; programs include Campus Clarity Bystander training and “Think about it.”
- e. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.
- f. Provides an overview of information contained in the Annual Security and Fire Safety Report in compliance with the Clery Act.
- g. Provide Information regarding:
 - 1) procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this document);
 - 2) how the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
 - 3) existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
 - 4) options for, available assistance in, and how to request changes in academic living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this document); and,
 - 5) procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this document).

The College has an annual educational campaign that distributes educational materials to new students, new employee and faculty, and educational programs throughout the year as outlined below.

Students, faculty, and staff should report potential safety or security hazards by calling the District Police Department at Sheridan College 307-675-0250 or Gillette College 307-681-6050.

Primary Prevention and Awareness Programs

Specifically, the District offered the following **primary prevention and awareness programs** for all **incoming students** in 2019 on the Sheridan and Gillette College Campuses:

| Name of Program | Date Held | Location Held | Which Prohibited Behavior* Covered | Targeted Audience |
|---------------------------------|-----------------------|---------------------------|---|---|
| Foundry by EverFi | Ongoing | Online | SA, DoV, DaV | 1st time NWCCD Students |
| Sexual Assault Awareness Table | 4/2/2019 | TRCC 009 | SA | All Students |
| Clothesline Project | 4/10/2019 - 4/11/2019 | TRCC 009 & Whitney Atrium | DoV, SA | All Students |
| Table Talks | 4/18/2019 | TRCC 009 | DoV, SA | All Students |
| Hunting Ground Movie Showing | 4/22/2019 | Kinnison Hall | SA, DoV, DaV, S | All Students, staff and community members |
| Denim Day | 4/24/2019 | TRCC 009 | SA | All Students |
| Res Life Health and Safety | August | Online | SA | All Residential Students |
| Sex in the Dark | 10/8/2019 | TRCC 008 | SA, DoV, DaV | All Students |
| Adam Grabowski Consent(sus) | 10/9/2019 | TRCC 008 | SA | All Students |
| Sex Olympics | 10/10/2019 | TRCC | SA, DoV, DaV | All Students |
| Clothesline Project | 04/16/2019-04/18/2019 | GCMN – Main Building | SA, DoV, DaV | All Students |
| Denim Day | 04/24/2019 | GCMN – Main Building | SA, DoV, DaV | All Students |
| Take Back the Night Walk | 04/24/2019 | TEC Building | SA, DoV, DaV | All Students |
| Residence Hall Consent Training | 08/24/2019 | Presentation Hall | SA | All Students |
| Healthy Relationships w/GARF | 09/04/2019 | Inspiration Hall | SA, DoV, DaV | All Students |

| | | | | |
|--|-------------------------|----------------------|--------------|----------------------|
| Suicide Prevention Week | 09/08/2019 – 09/14/2019 | GCMN Main Building | | All Students |
| Meet a Drug Dog | 09/24/2019 | Inspiration Hall | | Residential Students |
| Mocktail Party | 10/17/2019 | Inspiration Hall | SA | All Students |
| GARF Tabling | 10/30/2019 | GCMN – Main Building | SA, DoV, DaV | All Students |
| A Better Man | 10/30/2019 | Presentation Hall | SA, DoV, DaV | All Students |
| Ellen Hopkins on Addiction | 11/14/2019 | Public Library | | All Students |
| BJ's & PJ's | 11/21/2019 | Inspiration Hall | SA | Residential Students |
| SC offered STD/STI testing every week through the spring and fall semesters in 2019. Advocacy and Resource Center also help office hours and information sessions regularly throughout the year. | | | | |
| GC offered the Gillette Abuse Refuge Foundation (GARF), every Wednesday in the GC Main Commons for covered DoV, SA Prohibited Behavior for All Students. | | | | |

*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking.

The District offered the following **primary prevention and awareness programs** for all **new employees** in 2019:

| <u>Name of Program</u> | <u>Date Held</u> | <u>Location Held</u> | <u>Which Prohibited Behavior* Covered?</u> |
|---|--|----------------------|--|
| Preventing Harassment & Sexual Violence | Required during New Employee Orientation | Online | SA, S, DoV, DaV |

*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking.

Ongoing Education and Awareness Programming

The District offers programs and activities to raise awareness about Domestic Violence, Dating Violence, Sexual Assault and Stalking to education communities and individuals on how to prevent victimization on our campus. The following are examples of annual programs currently offered:

The District Police Department (no longer a Department, as of Fall 2020) presented a variety of safety and crime prevention programs at least once a year and also by request. These programs included Basic Personal Safety, Personal Property Theft Deterrence and Alcohol Abuse. Campus Police and the Crisis Management Team ran a drill calendar year 2019 to ensure equipment was properly working and

members of the campus community were aware of what actions to take in an emergency. The A.L.I.C.E. program was continuing to be utilized and training has been conducted as a way to deal with active threats and lock down situations.

The Department of Campus Life and Housing sanctioned EverFi’s “Think About it: Alcohol” and “Think About It: Drugs” to students who receive alcohol or drug violations. “Think About It: Alcohol” and “Think About It: Drugs” are available for any student who wishes to learn more. Sexual safety, assault, and sexual assault prevention are addressed at Residence Hall Health and Safety Meetings for all on-campus residents. Bystander intervention training “Campus Clarity” is included for all student leadership. In addition to these programs, the student programming board brings in speakers to discuss alcohol, drugs, and sexual assault. They also run educational programs such as RHA House Party, Mario Cart DUI and Water Pong tournaments to simulate the effects of alcohol through the use of drunk goggles. Bystander Intervention Training is administered to all students who work with Campus Life and Housing as well as offered throughout the year to the entire campus.

NWCCD Counseling Services offers programs in positive/healthy relationships, self-confidence building, alcohol and drug dependency assessments, sexual assault prevention, and suicide prevention. Referrals are made on a case-by-case basis to community resources. Brochures are available in multiple campus areas addressing sexual assault prevention, alcohol safety, sexual safety, drug prevention, and many more topics.

Employees of Northern Wyoming Community College District have counseling services available to them through the Employee Assistance Program through Wyoming State Insurance benefits. District Campus safety and security programs are presented to incoming freshman at orientation, to the on-campus residents as part of their regular programming during the year, to faculty and staff at back to school meetings and various other meetings throughout the year, and new employees during New Employee Orientation.

The District offered the following **ongoing awareness and prevention programs** for **students** in 2019:

| <u>Name of Program</u> | <u>Date Held</u> | <u>Location Held</u> | <u>Which Prohibited Behavior* Covered?</u> | <u>Targeted Audience</u> |
|----------------------------------|------------------|----------------------|--|--------------------------|
| Gillette Abuse Refuge Foundation | Every Wednesday | Main Commons | DoV, SA | All Students |

*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking.

The District offered the following **ongoing awareness and prevention programs** for **employees** in 2019:

| <u>Name of Program</u> | <u>Date Held</u> | <u>Location Held</u> | <u>Which Prohibited Behavior* Covered?</u> |
|--|------------------|--------------------------------------|--|
| EverFi’s Preventing Harassment & Sexual Violence | November 2020 | Online for All Employees to complete | SA, S, DoV, DaV |

*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking.

Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault or Stalking Occurs

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible at Sheridan Memorial Hospital (Sheridan campus), Johnson County Healthcare Center (Buffalo), or Campbell County Memorial Hospital (Gillette campus).

In Wyoming, evidence may be collected even if you choose not to make a report to law enforcement³. When the victim submits to the sexual assault exam, the victim must provide their name. Because the victim is required to provide their name at the time of the exam, once law enforcement receives that evidence kit, law enforcement may be in contact with the victim. Cooperation with law enforcement, however, is not required.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to District adjudicators/investigators or police.

Reporting Sexual Assault, Domestic Violence, Dating Violence, and Stalking

If you have been the victim of domestic violence, dating violence, sexual assault or stalking, you should report the incident promptly to the Title IX Coordinator (Director of Human Resources, Jennifer McArthur, NWCCD's Title IX and Section 504 Coordinator, Sheridan College, Whitney Building, Room GMB 141, 1 Whitney Way, Sheridan, WY, 82801; (307) 675-0571) by calling, writing or coming into the office to report in person and to Local Police (if the victim so desires). Reports of all domestic violence, dating violence, sexual assault and stalking made to an official of the College will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

As soon as possible following an incident of rape or sexual assault, domestic violence, dating violence, or stalking, a victim should report the incident to the Local Police, the Title IX Coordinator, or a College Official at Sheridan College 307-675-0250 and Gillette College 307-681-6050.

³ Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not "require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both."

Reporting to the Local Police or a College Official can help:

- 1) protect you and others from future victimization;
- 2) apprehend the assailant;
- 3) open options regarding criminal prosecution, action against the perpetrator, and the District disciplinary action.

Although the District strongly encourages all members of its community to report violations of this policy to law enforcement (including Local Police), it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, the District Campus Life and Housing Offices will assist any victim with notifying law enforcement if the victim so desires. Sheridan Police Department may be reached directly by calling 307-672-2413. The Gillette Police Department may also be reached directly by calling 307-682-5155. Additional information about the Sheridan Police Department may be found online at: www.sheridanpolice.com. Additional information about the Gillette Police Department may be found at: www.gillettewy.gov/city-government/departments/police.

When you report a sexual assault, domestic violence, dating violence, or stalking, a Police officer will gather information from you concerning the specifics of the incident. These questions are necessary to obtain a description of your assailant, where the crime occurred, who may have been present, and other data pertinent to investigation and prosecution.

Reporting a sexual assault, domestic violence, dating violence, or stalking and choosing to prosecute are two separate things. When you file a report, you are encouraged to continue with legal proceedings or with District disciplinary action.

After the report is filed:

- A sexual assault victim is escorted to a local hospital for a medical examination. The medical examination is necessary to eliminate the possibility of venereal disease and other contagious diseases and obtain necessary lab specimens for prosecution. The victim is also referred to the NWCCD Counseling Center or the local advocacy center for assistance depending on the preference of the victim.
- A domestic violence, dating violence, or stalking victim will be encouraged to seek medical attention if necessary. The victim will also be put in contact with the NWCCD Counseling Center or the local advocacy center for assistance, depending on the preference of the victim.
- In either case, an investigation shall be prompt, fair, and impartial and be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation that protects the safety of victims and promotes accountability.

It is important to know that the preservation of physical evidence is important. If a student is the victim of a sexual assault, domestic violence, dating violence or stalking, efforts should be made to preserve any physical evidence. This includes, but is not limited to, not showering, not laundering clothing or bedding, and the preserving digital evidence such as messages or photos. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the

incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Police or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the District at a later date to assist in proving that the alleged criminal offence occurred or that may be helpful in obtaining a protection order.

When a student or employees reports they have been the victim of dating violence, domestic violence, sexual assault or stalking whether or not the incident occurred on or off campus, they are provided with written notice of their rights and options. Including assistance in how to request changes to academic living, transportation, and working situations or other protective measures.

Such written information will include:

- The procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- Information about how the institution will protect the confidentiality of victims and other necessary parties;
- A statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- A statement regarding the institution’s provisions about options for, available assistance in, and how to request accommodations and protective measures; and,
- An explanation of the procedures for institutional disciplinary action.

Procedures the District Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault or Stalking is Reported:

| Incident Being Reported | Procedure Institution Will Follow |
|--------------------------------|---|
| Sexual Assault | <ol style="list-style-type: none"> 1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care. 2. Institution will assess immediate safety needs to complainant. 3. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department. 4. Institution will provide complainant with referrals to on and off campus mental health providers. 5. Institution will assess need to implement interim or long-term protective measures, if appropriate. 6. Institution will provide the victim with a written explanation of the victim’s rights and options. 7. Institution will provide a “No Trespass” or “No Contact” directive to accused party if deemed appropriate. 8. Institution will provide instructions on how to apply for Protective Order by referring them to a local advocacy and resource centers. 9. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is. 10. Institution will enforce any anti-retaliation and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation. |

| | |
|--------------------------|--|
| Stalking | <ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department. 3. Institution will provide instructions on how to apply for Protective Order by referring them to a local advocacy and resource centers. 4. Institution will provide information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate. 6. Institution will provide the victim with an explanation of the victim’s rights and options. 7. Institution will provide a “No Trespass” or “No Contact” directive to accused party if deemed appropriate. |
| Dating Violence | <ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant. 2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department. 3. Institution will provide instructions on how to apply for Protective Order by referring them to a local advocacy and resource centers. 4. Institution will provide information to complainant on how to preserve evidence. 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate. 6. Institution will provide the victim with an explanation of the victim’s rights and options. 7. Institution will provide a “No trespass” or “No Contact” directive to accused party if deemed appropriate. |
| Domestic Violence | <ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department. 3. Institution will provide instructions on how to apply for Protective Order by referring them to a local advocacy and resource centers. 4. Institution will provide information to complainant on how to preserve evidence. 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate. 6. Institution will provide the victim with a written explanation of the victim’s rights and options 7. Institution will provide a “No Trespass” or “No Contact” directive to accused party if deemed appropriate. |

Rights of Victims and the Institution’s Responsibilities for Orders of Protection, “No Contact” Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution

The Northern Wyoming Community College District complies with Wyoming State law in recognizing orders of protection.

Any person who obtains an order of protection from Wyoming should provide a copy to Local Police and the Title IX Coordinator. A complainant may then meet with the Local Police in coordination with Office of Student Affairs to develop a Safety Action Plan, which is a plan for the Local Police in coordination with Office of Student Affairs and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts through the Campus Public Safety Director’s Office, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, etc.) The District cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s).

In Wyoming, a victim of domestic violence, dating violence, sexual assault or stalking has the right to file a petition with the courts requesting protection through stalking protection orders, domestic violence protection orders, and/or sexual assault protection orders.

Stalking Protection Order:

A stalking protection order is a court order, signed by a judge, granting the protection of a victim of stalking as defined in W.S. § 6-2-506 (defined above).

Upon filing a petition for a stalking protection order, and if the court finds there is a clear and present danger of continued harassment, an Ex Parte Temporary Order of Protection will be issued and served to the Respondent. An Ex Parte Order is an order that is entered after the court considers the Petitioner’s information only. The Respondent will get notice of the allegations (through civil service) and will have an opportunity to be heard by the court at the hearing. The Ex Parte Temporary Order of Protection will include terms the court deems necessary and sufficient to protect the Petitioner and other persons and will contain a date and time within seventy-two (72) hours, or as soon thereafter as the matter may be heard, for a hearing on the petition.

If the court finds from evidence and the hearing that stalking has occurred, an Order of Protection will be issued for up to three (3) years, containing terms and conditions prohibiting further stalking. A Petitioner may ask the court to extend the order upon a showing of good cause for additional periods of time not to exceed three (3) years each. The request for extension must be filed prior to the expiration of the original order and must contain information for the court to consider in determining whether to extend the original order. The Respondent may object to the extension and another hearing may be set. Judges may differ on what they consider “good cause”.

Domestic Violence Protection Order:

A domestic violence protection order is a court order, signed by a judge, granting the protection of a victim of domestic violence. Domestic Violence Orders should not be sought unless an act of domestic about as defined by the law exists.

“Domestic abuse” means the occurrence of one (1) or more of the following acts by a household member but does not include acts of self-defense:

- A. Physically abusing, threatening to physically abuse, attempting to cause or causing physical harm or acts which unreasonably restrain the personal liability of any household member;
- B. Placing a household member in reasonable fear of imminent physical harm; or,
- C. Causing a household member to engage involuntarily in sexual activity by force, threat of force or duress.

Household member, as defined in W.S. § 35-24-102 (iv), includes:

- A. Persons married to each other;
- B. Persons living with each other as married;
- C. Persons formerly married to each other;
- D. Persons formerly living with each other as if married;

- E. Parents and their adult children;
- F. Other adults sharing common living quarters;
- G. Persons who are the parents of a child but who are not living with each other; and,
- H. Persons who are in, or have been in, a dating relationship.

Upon filing a petition for a stalking protection order, and if it appears from specific facts shown by the affidavit or by the petition that there exists a danger or further domestic abuse, an Ex Parte Temporary Order of Protection will be issued and served to the Respondent. An Ex Parte Order is an order that is entered after the court considers the Petitioner's information only. The Respondent will get notice of the allegations (through civil service) and will have an opportunity to be heard by the court at the hearing. The Ex Parte Temporary Order of Protection will include terms the court deems necessary and sufficient to protect the Petitioner and other persons and will contain a date and time within seventy-two (72) hours, or as soon thereafter as the matter may be heard, for a hearing on the petition. If the Petitioner feels they need protection other than what is listed on the Ex Parte Order of Protection, they may ask for it in "other relief".

If granted, the Order of Protection will replace the Ex Parte Protection Order if one was issued. An Order of Protection will be issued for a specific amount of time, but not longer than three (3) years. A Petitioner may ask the court to extend the order upon a showing of good cause for additional periods of time not to exceed three (3) years each. The request for extension must be filed prior to the expiration of the original order and must contain information for the court to consider in determining whether to extend the original order. The Respondent may object to the extension and another hearing may be set. Judges may differ on what they consider "good cause".

Sexual Assault Protection Order:

A sexual assault protection order is a civil order issued by the court on behalf of a sexual assault victim. The order can require the alleged perpetrator to stay away from the victim or place(s) where the victim lives or works and to have no further contact with the victim.

Any person 18 or older who is a victim of sexual assault – including a single incident – may petition the court to obtain the order. Victims under 18 need a parent or guardian to petition on their behalf. A third party may also file on behalf of a vulnerable adult or any other adult who cannot file due to age, disability, health or inaccessibility.

The sexual assault protection order is designed for victims who do not meet the "household member" requirement with the person who sexually assaulted them to qualify for a domestic violence protection order.

A sexual assault protection order may also be obtained as part of a criminal case. If a victim reports the sexual assault to law enforcement and the assailant is being prosecuted, a judge may order the perpetrator to keep the assailant away from the victim when they are released from custody.

Upon filing a petition for a stalking protection order, and if the court finds there is a clear and present danger of continued sexual assault or other serious physical adverse consequences, an Ex Parte Temporary Order of Protection will be issued and served to the Respondent. An Ex Parte Order is an order that is entered after the court considers the Petitioner's information only. The Respondent will get notice

of the allegations (through civil service) and will have an opportunity to be heard by the court at the hearing. The Ex Parte Temporary Order of Protection will include terms the court deems necessary and sufficient to protect the Petitioner and other persons and will contain a date and time within seventy-two (72) hours, or as soon thereafter as the matter may be heard, for a hearing on the petition.

A victim of sexual assault may request the assistance of law enforcement agencies, which may take necessary steps to protect the victim, including advisement of the remedies in W.S. § 7-3-506 through 7-3-512, advising the victim, when appropriate, of the procedure for initiating a sexual assault action or criminal proceedings and providing for or arranging for transportation of the victim to a medical facility or place of shelter.

The Campus Life and Housing Office will help put victims who are interested in pursuing an order of protection in contact with the local court or the local advocacy center. Any student who obtains a protection order from Wyoming or any reciprocal state should provide a copy to the NWCCD Police Department. The Campus Life and Housing Office will help facilitate the reporting of an order of protection to the District Police.

While not the same as a state mandated protection order, the District may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. If the District receives a report that such an institutional no contact order has been violated, the District will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

Confidentiality

Victims may request that directory information on file with the District be withheld by request. This request can be made to the Registrar's Office in person by visiting the Whitney Academic Center or by calling (307) 675-0615. Employees can contact the Public Information Office at (307) 675-0411 to make a similar request regarding directory information.

Regardless of whether a victim has opted-out of allowing the District to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The District does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the *Jeanne Ctery Disclosure of Campus Security Police and Campus Crime Statistics Act*. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

Victim Accommodations

If you are the victim of sexual assault, domestic violence, dating violence, or stalking, you are entitled to changes in academic, living, and working situations if these changes are reasonably available. To request such changes, contact the Vice President of Student Affairs, Office of Campus Life and Housing, or Counseling Services.

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking NWCCD will provide written notification to students and employees about accommodations available to them, including academic, living, transportation, protective orders and working situations. The written notification will include information regarding the accommodation options available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, District offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, protective measures or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a difference section of class, withdraw and take a class at another time of there is no option for moving to a difference section, etc., Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, living, transportation and/or working situations or protective measures, a victim should contact Vice President of Student Affairs. If the victim wishes to receive assistance in requesting these accommodations, she or he should contact the Office of Campus Life and Housing or Counseling Services.

On- and Off –Campus Services for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, NWCCD will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. These resources include the following:

| Community Police | Community Hospital Emergency Room | Community Advocacy Resources |
|---|---|---|
| <p>911 (Emergency)</p> <p>Sheridan Police Department (307) 672-2413 45 W 12th St Sheridan, WY 82801</p> <p>Gillette Police Department (307) 682-5155 201 East 5th Street Gillette, WY 82716</p> <p>Buffalo Police Department (307) 684-5581 639 Fort Street Buffalo, WY 82834</p> | <p>911 (Emergency)</p> <p>Sheridan Memorial Hospital 1401 West 5th Street Sheridan, WY 82801 (307) 672-1000</p> <p>Campbell County Memorial Hospital 501 South Burma Avenue Gillette, WY (307) 688-1000</p> <p>Johnson County Healthcare Center 497 W Lott St Buffalo, WY 82834 (307) 684-5521</p> | <p>CONFIDENTIAL REPORTING</p> <p>Advocacy Resource Center 136 Coffeen Avenue Sheridan, WY 82801 (307) 672-7471</p> <p>Gillette Abuse Refuge Foundation 910 East 3rd Street Gillette, WY 82716 (307) 686-8071</p> <p>National Hotline 1-800-799-7233</p> |
| Campus Safety Line | Office of Civil Rights | College Counseling |
| <p>911 (Emergency)</p> <p>SC Campus Safety Line (307) 675-0250</p> <p>1 Whitney Way Sheridan, WY 82801</p> <p>GC Campus Safety Line (307) 681-6050</p> <p>300 W. Sinclair St. Gillette, WY 82718</p> | <p>Office for Civil Rights Denver Office U.S. Department of Education Cesar E. Chavez Memorial Building 1244 Speer Boulevard, Suite 310 Denver, CO 8024-3582 Phone: (303) 844-5695 Fax: (303) 844-4303 OCR.Denver@ed.gov</p> | <p>CONFIDENTIAL REPORTING</p> <p>SC Counseling Services Shelby Garstad (307) 675-0122 W156E 1 Whitney Way Sheridan, WY 82801</p> <p>GC Counseling Services Susan Serge (307) 681-6082 GCMN 206D 300 W. Sinclair St. Gillette, WY 82718</p> |

| Legal Assistance | Visa and Immigration Assistance | |
|--|--|--|
| Legal Aid of Wyoming 1-877-432-9955 www.lawwyoming.org | U.S. Citizenship and Immigration Services Wyoming-Casper Field Support Office 150 East B Street, Room 1014 Casper, WY 82601 | |

| Title IX Coordinator | Title IX Administrator | Additional Campus Resources for Assistance in Reporting |
|--|---|--|
| Jennifer McArthur, Assistant Vice President of Human Resources Griffith Memorial Building 141 (307) 675-0571 jmcarthur@sheridan.edu | Cheryl Heath, VP for Admin Services & CFO Whitney Building, W145 (307) 675-0811 cheath@sheridan.edu | SC Campus Life & Housing TRCC 106 (307) 675-0510 Larissa Bonnet, Director GC Campus Life & Housing Inspiration Hall 114 (307) 681-6502 Cara Mittleider Director of Admin Services Gillette Main Business Office (307) 681-6331 cmittleider@sheridan.edu Online report: <u>Anonymous on-line report:</u> https://publicdocs.maxient.com/reportingform.php?NorthernWyomingCCD&layout_id=2 |

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

- www.rainn.org – Rape, Abuse and Incest National Network
- www.ovw.usdoj.gov/sexassault.htm - Department of Justice
- www2.ed.gov/about/offices/list/ocr/index/html – Department of Education, Office of Civil Rights

Student Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault, and Stalking

Reporting Procedures

- A. If NWCCD determines that a student's behavior is in violation of this procedure, disciplinary action will be taken as outlined in the NWCCD *Student Code of Conduct*. The *Student Code of Conduct* includes descriptions of sanctions; interim measures; interim and permanent supports and protective measures for the reporting party; support for the responding party; and the procedures related to written notification throughout the investigation and conduct process.
- B. Students should report incidents that they consider violations of this procedure to the Local Police, or to the Title IX Coordinator, Assistant Vice President of Human Resources. The staff and administrators in each of these areas are identified by NWCCD as reporting authorities and will initiate NWCCD's preliminary investigation process into an incident. Employees of NWCCD, including student staff, (with the exception of counselors as identified below) are considered mandatory reporters with regard to incidents of sexual assault and sexual misconduct as defined by this procedure. These employees are required to report an incident of sexual assault or sexual misconduct to the Local Police and/or the Title IX Coordinator even if the reporting party elects not to or is unable to make an official report. Reporting parties have a right to report the incident directly to the Office for Civil Rights (OCR) or the Board Chair of NWCCD.
- C. Official reports can be made using the NWCCD's on-line form at the following web address: https://cm.maxient.com/reportingform.php?NorthernWyomingCCD&layout_id=40; by phone to a reporting entity; or in person to a reporting entity as outlined below.
- D. Employees should report incidents they consider violation of this procedure to the Assistant Vice President for Human Resources.
- E. Confidential and Anonymous Reporting
 - Members of the Counseling Services staff are confidential resources and do not investigate incidents. In their capacity and function as counselors, they do not make identifiable reports of incidents to the official on-campus resources unless the student specifically requests them to do so. Students may report incidents anonymously using the https://cm.maxient.com/reportingform.php?NorthernWyomingCCD&layout_id=40. The amount of detail provided may cause NWCCD to initiate an investigation into the circumstances surrounding the report. Such an investigation may jeopardize the anonymity of the reporting person. Students who become aware of sexual misconduct or relationship violence can make anonymous reports to NWCCD via https://cm.maxient.com/reportingform.php?NorthernWyomingCCD&layout_id=40 or speaking with the Counseling Center. NWCCD does not provide confidential or anonymous reporting outside of these entities.
- F. If the reporting party does not wish to pursue resolution
 - In all reported cases of sexual misconduct, NWCCD will conduct a fact-finding investigation to the best of its ability. In cases where the Reporting Party chooses to participate, this

investigative report is provided to the Title IX Coordinator or Deputy Coordinator for a threshold analysis.

- In cases where the reporting party does not participate, NWCCD has two options:
 - 1) NWCCD may attempt to resolve the complaint in a manner consistent with the Reporting Party's request. This may include holding the report for action at a later date.
 - 2) NWCCD may pursue a resolution procedure based on the status of the reporting party, student or staff/faculty in the investigation. Under these circumstances, NWCCD would take into consideration the nature of the assault, the safety of the Reporting Party, and the campus community, as well as the previous disciplinary history and previous allegations of sexual misconduct.

Statement on Confidentiality

- NWCCD will protect the identity of persons who report having experienced sexual assault, domestic violence, dating violence, or stalking (to the fullest extent of the law). Additionally, NWCCD will take all reasonable steps to investigate and respond to the complaint consistent with any request for confidentiality or request not to pursue an investigation. However, its ability to do so may be limited based on the nature of the request by the reporting party.
 - If the reporting party requests anonymity or that NWCCD not pursue an investigation, NWCCD must balance this request in the context of its responsibility to provide a safe environment for all NWCCD community members. In cases where NWCCD cannot respect the wishes of the Reporting party, NWCCD will consult with the reporting party and keep them informed about NWCCD's course of action.
 - If the report of misconduct discloses an immediate threat to the NWCCD campus community, where timely notice must be given to protect the health or safety of the community, NWCCD may not be able to maintain the confidentiality of the alleged reporting party or alleged offender identities.
 - NWCCD will assess any barriers to proceeding, including retaliation, and in cases where informal or formal resolution will take place, NWCCD will inform the responding party that Title IX prohibits retaliation and NWCCD will take strong responsive action to protect the reporting party.

Advisors

All parties are entitled to an advisor of their choosing to guide and accompany them throughout the campus resolution process. The advisor may be a friend, mentor, family member, attorney or any other supporter a party chooses. An advisor cannot be anyone affiliated with the case. The NWCCD maintains a pool of trained (non-attorney) advisors who are available to the parties. The parties may choose advisors from outside the pool, or outside the campus community, but those advisors may not have the same level of insight and training on the campus process as do those participating in NWCCD-sponsored training. Outside advisors are not eligible to be trained by NWCCD.

The parties are entitled to be accompanied by their advisor in all meetings and interviews at which the party is entitled to be present, including intake, interviews, hearings and appeals. Advisors should help their advisees prepare for each meeting, and are expected to advise ethically, with integrity and in good faith. NWCCD cannot guarantee equal advisory rights, meaning that if one party selects an advisor who

is an attorney, but the other party does not, or cannot afford an attorney, NWCCD is not obligated to provide one. Additionally, accused individuals may wish to contact organizations such as:

- FACE (<http://www.facecampusequality.org>)
- SAVE (<http://www.saveservices.org>),

Reporting parties may wish to contact organizations such as:

- The Victim Rights Law Center (<http://www.victimrights.org>), or the
- The National Center for Victims of Crime (<http://www.victimsofcrime.org>), which maintains the Crime Victim's Bar Association.

All advisors are subject to the same campus rules, whether they are attorneys or not. Advisors may not address campus officials in a meeting, interview or hearing unless invited to or a sidebar is requested. Advisors may confer quietly with their advisees as necessary, as long as they do not disrupt the process. For longer or more involved discussions, the parties and their advisors should ask for brief breaks or step out of meetings to allow for private conversation. Advisors will typically be given an opportunity to meet in advance of any interview or hearing with the administrative officials conducting that interview or meeting. This pre-meeting will allow advisors to clarify any questions they may have, and allows the NWCCD an opportunity to clarify the role the advisor is expected to take. Advisors are expected to refrain from interference with the NWCCD investigation and resolution. Any advisor who steps out of their role in any meeting under the campus resolution process will be warned once and only once. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the advisor will be asked to leave the meeting. When an advisor is removed from a meeting, that meeting will typically continue without the advisor present. Subsequently, the Title IX Coordinator will determine whether the advisor may be reinstated, may be replaced by a different advisor, or whether the party will forfeit the right to an advisor for the remainder of the process.

NWCCD expects that the parties will wish to share documentation related to the allegations with their advisors. NWCCD provides a consent form that authorizes such sharing. The parties must complete this form before NWCCD is able to share records with an advisor. Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with 3rd parties, disclosed publicly, or used for purposes not explicitly authorized by NWCCD. NWCCD may seek to restrict the role of any advisor who does not respect the sensitive nature of the process or who fails to abide by NWCCD privacy expectations.

NWCCD expects an advisor to adjust their schedule to allow them to attend scheduled meetings. NWCCD does not typically change scheduled meetings to accommodate an advisor's inability to attend. NWCCD will, however make provisions to allow an advisor who cannot attend in person to attend a meeting by telephone, video and/or virtual meeting technologies as may be convenient and available.

A party may elect to change advisors during the process, and is not locked into using the same advisor throughout. However, a change in advisor cannot elongate the process without permission by the other party.

Notice of Alleged Violation

Any member of NWCCD community, visitor or guest may allege a policy violation(s) by any student for misconduct under this *Code* through submission of a CARE Incident Report or by reporting to the Office of the Vice President for Student Affairs.

Notice may also be given to the conduct officer and/or to the Title IX Coordinator, when appropriate. Additionally, administrators may act on notice of a potential violation whether a formal allegation is made or not. All allegations can be submitted by the reporting party or a third party, and should be submitted as soon as possible after the offending event occurs. NWCCD has the right to pursue an allegation or notice of misconduct on its own behalf and to serve as convener of the subsequent campus conduct process.

The conduct officer or an assigned trained staff member will assume responsibility for the investigation of the alleged violation as described in the sub-sections below.

Interim Measures

During the investigation and prior to the final determination, NWCCD may take appropriate interim measures to protect the parties involved. These actions are not a presumption of responsibility. In all cases, the highest level of discretion will be provided to ensure privacy while implementing the protective measure. Interim actions may include support for the reporting in the form of escorts, special parking arrangements, providing a temporary cellphone, changing classroom location, allowing a student to complete assignments from home, or similar modifications. When a student or staff represents a threat of serious harm to others, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve NWCCD property and/or to prevent disruption of, or interference with, the normal operations of NWCCD, interim actions may be imposed on the reporting party. These may include reassignment of residence hall room, denial of access to specific facilities, reassignment of classes or work location, or temporary separation from the institution.

Investigation

The conduct officer or the Title IX Coordinator will appoint an investigator(s) for allegations under this *Code* and will work with the Title IX Coordinator for any complaint that falls under Title IX (sexual misconduct). The investigator(s) will take the following steps, if not already completed by the conduct officer or designee. (In most cases, the first four steps are completed prior to the investigation.)

1. Initiate any necessary remedial actions on behalf of the reporting party (if any).
2. Determine the identity and contact information of the reporting party.
3. Provide notification to the parties that a preliminary inquiry has been initiated and review the process with both the reporting party and the responding student.
4. Conduct an immediate preliminary inquiry to identify an initial list of all policies that may have been violated, to review the history of the parties, the context of the incident(s), any potential patterns and the nature of the complaint.
 - a. If the reporting party is reluctant to pursue the complaint, determine whether the complaint should still be pursued and whether sufficient independent evidence could

Findings

The following three options describe how to proceed depending on whether the responding student is found responsible and whether the responding student accepts or rejects the findings and/or the sanctions either in whole or in part.

1. The responding student is found *Not Responsible*
 - a. Where the responding student is found not responsible for the alleged violation(s), the investigation will be closed. The reporting party, if any, may request that the Title IX Coordinator or the Vice President for Student Affairs (VPSA) as applicable, review the investigation file to possibly re-open the investigation or convene a hearing. The decision to re-open an investigation or convene a hearing rests solely in the discretion of the Title IX Coordinator or the VPSA in these cases, and is granted only on the basis of extraordinary cause.
2. The responding student accepts a finding of *Responsible*.
 - a. The responding student accepts a finding of *Responsible* and accepts the recommended sanctions.
 - i. Should the responding student accept the finding that they violated NWCCD policy, the Investigator will recommend appropriate sanctions for the violation, having consulted with the VPSA and/or Title IX Coordinator, as appropriate. In cases involving discrimination, recommended sanctions will act to end the discrimination, prevent its recurrence, and remedy its effects on the victim and NWCCD community. If the responding student accepts these recommended sanctions, the sanctions are implemented by the conduct officer and the process ends. This outcome is not subject to appeal.
 - b. The responding student accepts a finding of *Responsible* and rejects the sanctions recommended.
 - i. If the responding student accepts the *Responsible* findings, but rejects the recommended sanctions, there will be an administrative conference on the sanction, only. Administrative conference procedures are detailed below. (Section L.2)
3. Responding student rejects the findings completely or in-part
 - a. Responding student rejects the findings completely
 - i. Where the responding student rejects the finding that they violated NWCCD policy, a formal hearing will be convened within seven business days, barring exigent circumstances.
 - ii. At the hearing, the investigator(s) will present their report to the administrative hearing officer or a panel. The officer or panel will hear from the parties, and any necessary witnesses. The investigation report will be considered, which renders an independent and objective finding. Hearing procedures are detailed below. (Sections L.3 & M)
 - iii. If the panel or administrative hearing officer finds the responding student not responsible for all violations, the conduct officer will timely inform the parties of this determination and the rationale for the decision in writing. This determination is subject to appeal by any party to the complaint. Appeal review procedures are outlined below.

- iv. If the panel or hearing officer finds a violation, a sanction/responsive action will be recommended to the conduct officer, who will confer with the Title IX Coordinator as necessary and, render a decision within 10 working days of the hearing and timely notify the parties in writing. An appeal may be filed by any party to the complaint as detailed below.
 - b. Responding student accepts the findings in part and rejects in part
 - i. Where the responding student rejects in part the finding that they violated NWCCD policy, there will be a hearing solely on the disputed allegations within seven business days, barring exigent circumstances. For all findings holding a responding student responsible for a violation, NWCCD will use the sanctioning options outlined in section N. If the outcome of the hearing finds the responding student *Not Responsible* on any of the contested allegations, the investigation will be closed. The reporting party, if any, may request that the Title IX Coordinator or the Vice President for Student Affairs (VPSA) as applicable, review the investigation file to possibly re-open the investigation or convene a hearing. The decision to re-open an investigation or convene a hearing rests solely in the discretion of the Title IX Coordinator or the VPSA in these cases, and is granted only on the basis of extraordinary cause.

Notice of Hearing

All hearings will be conducted by an administrative hearing officer drawn from the pool of trained panelists. For sexual misconduct, discrimination and other complaints of a sensitive nature, alternative testimony options may be provided, such as placing a privacy screen in the hearing room or allowing the parties to testify from another room via audio or audio/video technology. While these options are intended to help make the parties more comfortable, they are not intended to work to the disadvantage of any party, and were entirely voluntary during the timeframe covered by this report (Calendar year 2019).

The past sexual history or sexual character of a party will not be admissible by the other parties in hearings unless such information is determined to be highly relevant by the panel Chair. The past history between the parties is typically relevant to showing context. All other history information sought to be admitted by a party or NWCCD will be presumed irrelevant until a showing of relevance is made, in advance of the hearing, to the Chair. Demonstration of pattern, repeated, and/or predatory behavior by the responding student, in the form of previous findings in any legal or campus proceeding, or in the form of previous good faith allegations, will always be relevant to the finding, not just the sanction. The parties will be notified in advance if any such information is deemed relevant and will be introduced in the hearing.

The parties will be notified in writing of the outcome of the hearing. The administrator will inform the parties of the final determination within five (5) business days of the resolution, without significant time delay between notifications. Notification will be made in writing and may be delivered by one or more of the following methods: in person; mailed to the local or permanent address of the parties as indicated in official NWCCD records; or emailed to the parties' NWCCD-issued email account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered. The notification of outcome will specify the finding on each alleged policy violation, any sanctions that may result which the NWCCD is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the NWCCD is permitted to share under state or federal law. The notice will also include information on when the results are considered by the NWCCD to be final, any changes that occur prior to finalization,

and any appeals options that are available.

Hearing Options and Preparation

The following sub-sections describe the NWCCD conduct hearing processes. Except in a complaint involving failure to comply with the summons of the VPSA or designee, no student may be found to have violated the *Code of Student Conduct* solely as a result of the student's failure to appear for a hearing. In all such instances, conduct hearings will proceed as scheduled and the information in support of the complaint will be presented to, and considered by, the conduct officer or panel presiding over the hearing.

1. Administrative Conference: Where the responding student admits to violating the *Code of Student Conduct*, the conduct officer or designee may invoke administrative hearing procedures to determine and administer appropriate sanctions without a formal hearing. This process is also known as an *administrative conference*. In an administrative conference, complaints will be heard and determinations will be made by the conduct officer or designee.
2. Hearing: Where the responding student denies violating the *Code of Student Conduct*, a formal hearing will be conducted. The hearing can be an administrative hearing (1 person) or a panel hearing (3 people). The decision for the type of hearing will be at the discretion of the conduct officer or designee or at the request of one or more of the parties to the complaint. The students involved will be given a minimum of five working days to prepare unless all parties wish to proceed more quickly. Preparation for the hearing is summarized in the following guidelines:
 - a. Notice of the time, date and location of the hearing and the type of hearing will be in writing and may be delivered by one or more of the following methods: in person by the conduct officer or designee; mailed to the local or permanent address of the student as indicated in official NWCCD records; or emailed to the NWCCD-issued student email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered.
 - b. The reporting party may serve as the party bringing the complaint or may elect to have NWCCD administration serve as the party bringing the complaint forward. When there is no reporting party or the reporting party is not participating, NWCCD administration will serve as the party bringing the complaint forward.
 - c. If a responding student fails to respond to notice from the conduct officer or designee, the conduct officer or designee may initiate a complaint for failure to comply with the directives of a NWCCD official and give notice of this offense. Unless the student responds to this notice within two business days by answering the original notice, an administrative conference may be scheduled and held on the student's behalf. As a result, the student may be administratively withdrawn from attending classes or a disciplinary hold may be placed on their NWCCD account, deeming them ineligible to register for courses or NWCCD housing until such time as the student responds to the initial complaint or fulfills sanctions.
 - d. At least three (3) business days before any scheduled hearing, the following will occur:
 - i. The responding student will deliver to the conduct officer or designee a written response to the complaint if such has not already been provided to the investigator(s);
 - ii. The responding student will deliver to the conduct officer or designee a written list of all witnesses for NWCCD to call at the hearing;
 - iii. The responding student will deliver to the conduct officer or designee all physical

- evidence the student intends to use or needs to have present at the hearing and will indicate who has possession or custody of such evidence, if known, so that the conduct officer can arrange for its presence;
- iv. Reporting party will deliver to the conduct officer or designee a written list of all witnesses for NWCCD to call at the hearing;
 - v. The reporting party will deliver to the conduct officer or designee all items of physical evidence needed at the hearing and will indicate who has possession or custody of such evidence, if known, so that the conduct officer or designee can arrange for its presence;
 - vi. The party bringing the complaint and the responding student will notify the conduct officer or designee of the names of any advisors/advocates who may be accompanying the parties at the hearing.
- e. The conduct officer or designee will ensure that the hearing information and any other available written documentation is shared with the parties at least two (2) business days before any scheduled hearing. In addition, the parties will be given a list of the names of the administrative hearing officer or the panelists in advance. Should any party object to the hearing officer or any panelist, that party must raise all objections, in writing, to the conduct officer or designee immediately. Hearing officers will only be unseated if the conduct officer concludes that their bias precludes an impartial hearing of the complaint. Additionally, panelists who feel they cannot make an objective determination must recuse from the proceedings.

Hearing Procedures

The conduct officer will appoint an administrative hearing officer or a panelist as the chair of the hearing to preside over the hearing. The parties have the right to be present at the hearing; however, they do not have the right to be present during deliberations. If a party cannot attend the hearing, it is that party's responsibility to notify the conduct officer or designee no less than three (3) days prior to the scheduled hearing to arrange for another date, time and location. Except in cases of grave or unforeseen circumstances, if the responding student fails to give the requisite minimum three (3) day notice, or if the responding student fails to appear, the hearing will proceed as scheduled. If the reporting party fails to appear, the complaint may be dropped unless NWCCD chooses to pursue the allegation on its own behalf, as determined by the conduct officer.

The administrative hearing officer or the chair will conduct panel hearings according to the following guidelines:

1. Hearings will be closed to the public.
2. The conduct officer may attend as an observer and to assist with procedural navigation.
3. Admission to the hearing of persons other than the parties involved will be at the discretion of the panel chair and the conduct officer.
4. In hearings involving joint misconduct by more than one responding student, the standard procedure will be to hear the complaints jointly; however, the conduct officer may permit the hearing pertinent to each responding student to be conducted separately. In joint hearings, separate determinations of responsibility will be made for each responding student. In hearings where more than one reporting party alleges a pattern of similar conduct by the same responding student, the College will typically hear the complaints jointly, making separate determinations for each complaint, unless the conduct officer determines that

separate hearings will be used.

5. The parties have the right to an advisor/advocate of their own choosing, including attorneys. The advisor may not make a presentation or represent the party bringing the complaint or responding student during the hearing. They may confer quietly with their advisee, exchange notes, clarify procedural questions with the chair, and suggest questions to their advisee.
6. The chair or administrative hearing officer will determine the order of the witnesses and resolve any questions of procedure arising during the hearing. The chair or administrative hearing officer will be the only person to directly ask questions to the responding party, reporting individual or witnesses. Questions can be submitted in writing in advance of the hearing, or suggested during the hearing by whatever method the chair prefers. Unduly repetitive witnesses can be limited at the discretion of the chair.
7. Pertinent records, exhibits, and written statements may be accepted as information for consideration by the panel and the conduct officer or designee. Formal rules of evidence are not observed. The chair, conduct officer, or designee may limit the number of character witnesses presented or may accept written affidavits of character instead.
8. All procedural questions are subject to the final decision of the chair.
9. After a hearing, the panel will deliberate and determine, by majority vote, or the administrative hearing officer will determine whether it is more likely than not that the responding student has violated the *Code of Student Conduct*. The conduct officer or designee will be present and available as a resource during all deliberations. Once a finding is determined, if the finding is that of a policy violation, the panel will determine an appropriate sanction(s). The conduct officer or designee is responsible for informing the administrative hearing officer or panel of applicable precedent and any previous conduct violations or other relevant pattern information about the responding student. The administrative hearing officer will prepare a written deliberation report and deliver it to the conduct officer, detailing the recommended finding, how each member voted, the information cited by the panel in support of its recommendation, and any information that was excluded from consideration and why. This report should conclude with any recommended sanctions. This report should not exceed two pages in length and must be submitted to the conduct officer within three (3) days of the end of the hearing.
10. The conduct officer will consider the recommendations of the hearing office, may make appropriate modifications to the report, and will then render a decision and inform the parties of the final determination within five business days of the hearing. The conduct officer will inform the parties of the final determination within five (5) business days of the resolution, without significant time delay between notifications. Notification will be made in writing and may be delivered by one or more of the following methods: in person; mailed to the local or permanent address of the parties as indicated in official NWCCD records; or emailed to the parties' NWCCD-issued email account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered. The notification of outcome will specify the finding on each alleged policy violation, any sanctions that may result which the NWCCD is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the NWCCD is permitted to share under state or federal law. The notice will also include information on when the results are considered by the NWCCD to be final, any changes that occur prior to finalization, and any appeals options that are available.
11. There will be a single record, such as an audio recording, for all panel hearings. Deliberations will not be recorded. The record will be the property of NWCCD and maintained according to disciplinary records procedure noted in Section 7.Q.

Conduct Sanctions

One or more of following sanctions may be imposed upon any student for any single violation of the *Code of Student Conduct*:

1. *Warning*: An official written notice that the student has violated NWCCD policies and/or rules and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at NWCCD.
2. *Restitution*: Compensation owed for damage caused to NWCCD or any person's property. This could also include situations such as failure to return a reserved space to proper condition – labor costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.
3. *Fines*: Reasonable fines may be imposed.
4. *Fees*: Cost of educational activities.
5. *Community/NWCCD Service Requirements*: For a student or organization to complete a specific supervised service to NWCCD or the community.
6. *Loss of Privileges*: The student will be denied specified privileges for a designated period of time.
7. *Confiscation of Prohibited Property*: Items whose presence is in violation of NWCCD policy will be confiscated and will become the property of NWCCD. Prohibited items may be returned to the owner at the discretion of the conduct officer and/or Campus Police.
8. *Behavioral Requirement*: This includes required activities including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.
9. *Educational Program*: Requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.
10. *Restriction of Visitation Privileges*: May be imposed on a resident or non-resident student. The parameters of the restriction will be specified.
11. *NWCCD Housing Probation*: Official notice that should further violations of housing or NWCCD policies occur during a specified probationary period, the student may be immediately removed from NWCCD housing. Regular probationary meetings may also be imposed.
12. *NWCCD Housing Reassignment*: Reassignment to another NWCCD housing facility. Housing personnel will determine reassignment details.
13. *NWCCD Housing Suspension*: Removal from NWCCD housing, for a specified period of time, after which the student is eligible to return. Conditions for re-admission to NWCCD housing may be specified. Under this sanction, a student is required to vacate NWCCD housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Campus Life & Housing. This sanction may be enforced with a trespass action if deemed necessary. Prior to reapplication for NWCCD housing, the student must gain permission from the Director of Campus Life & Housing or designee. This sanction may include restrictions on visitation to specified buildings or all College housing during the suspension.
14. *NWCCD Housing Dismissal*: The student's privilege to live in or visit any NWCCD housing structure is revoked indefinitely. This sanction may be enforced with a trespass action if deemed necessary.

15. **NWCCD Conduct Probation:** The student is put on official notice that should further violations of NWCCD policies occur during a specified probationary period, the student may face suspension or expulsion. Regular probationary meetings may also be imposed.
16. **Eligibility Restriction:** The student is deemed to be “not in good standing” with NWCCD for a specified period of time. Specific limitations or exceptions may be granted by the VPSA, and terms of this conduct sanction may include, but are not limited to the following:
 - a. Ineligible to hold any office in any student organization recognized by NWCCD or hold an elected or appointed office at NWCCD; or
 - b. Ineligible to represent NWCCD to anyone outside NWCCD community in any way including: participating in the study abroad program, attending conferences, or representing NWCCD at an official function, event, or intercollegiate competition as a player, manager or student coach, etc.
17. **NWCCD Suspension:** Separation from NWCCD for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to and at the discretion of the VPSA. During the suspension period, the student is banned from NWCCD property, functions, events, and activities without prior written approval from the VPSA. This sanction may be enforced with a trespass action if deemed necessary. This sanction will be noted as a *Conduct Suspension* on the student’s official academic transcript. (*Procedure 5035.5: Transcript Notation.*)
18. **NWCCD Dismissal:** Permanent separation from NWCCD. The student is banned from NWCCD property and the student’s presence at any NWCCD-sponsored activity or event is prohibited. This action may be enforced with a trespass action if deemed necessary. This sanction will be noted as a *Conduct Dismissal* on the student’s official academic transcript. (*Procedure 5035.5: Transcript Notation.*)
19. **Other Sanctions:** Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the VPSA or designee.
20. If a student withdraws from NWCCD in the midst of the conduct process, a transcript notation “Withdrew with conduct charges pending” will be noted on their transcript until the procedure is complete. (*Procedure 5035.5: Transcript Notation.*)

The following sanctions may be imposed upon groups or organizations found to have violated the *Code of Student Conduct*:

1. One or more of the sanctions listed above.
2. Deactivation, de-recognition, loss of all privileges (including status as a NWCCD registered group/organization) for a specified period of time.

Failure to Complete Conduct Sanctions

All students, as members of NWCCD community, are expected to comply with conduct sanctions within the timeframe specified by the conduct officer. Failure to follow through on conduct sanctions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions and/or suspension from NWCCD and may be noted on, or with, the student’s official transcript at the end of the semester. In such situations, resident students will be required to vacate NWCCD housing within 24 hours

of notification by the conduct officer, though this deadline may be extended upon application to and at the discretion of the Director of Campus Life & Housing or the VPSA. A suspension will only be lifted when compliance with conduct sanctions is satisfactorily achieved. This determination will be made by the VPSA.

Appeal Review Procedures

Any party may request an appeal of the decision of the panel/by filing a written request with the conduct officer or VPSA, subject to the procedures outlined below. All sanctions imposed by the original hearing body remain in effect, and all parties should be informed in a timely manner of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision.

Grounds For Appeal Requests

Appeals requests are limited to the following grounds:

1. A procedural or substantive error occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.);
2. To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction.⁴ A summary of this new evidence and its potential impact must be included⁵;
3. The sanctions imposed are substantially outside the parameters or guidelines set by the college for this type of offense or the cumulative conduct record of the responding student.⁶ Appeals must be filed in writing with the Vice President for Student Affairs or conduct officer within three business days of the notice of the outcome of the hearing, barring exigent circumstances. Any exceptions are made at the discretion of the conduct officer and, when

⁴ Failure to provide information during or participate in an investigation or a hearing, even resulting from concern over pending criminal or civil proceedings, does not make evidence “unavailable” at the time of the hearing.

⁵ The conduct officer is expected to consult with the chair of the original panel to inquire as to whether the new evidence would, in the opinion of the Chair, have substantially impacted the original finding or sanction.

⁶ When the sanctions imposed are perceived as substantially outside the parameters or guidelines set by NWCCD for this type of offense or the cumulative conduct record of the responding student is such. These guidelines and parameters are NOT to be confused with precedent. Prior findings/sanctions in similar cases that are flawed should not create the basis for all future cases. Finally, appeals officers/committees (preference for committees) MUST discern the difference between a SANCTION and the IMPACT of a sanction. For a SANCTION to be disproportionate or inconsistent, it must be viewed as a “stand-alone” outcome. Simply put, where a one-year suspension is within the guidelines or has been issued by the Board and/or reviewed by the Student Conduct Office, it is, by default, proportionate. The other impacts on the student’s life are notwithstanding. This should alleviate the potential of subjective decision-making that will later be scrutinized as potentially arbitrary, capricious or pretextually (or actually) discriminatory. For example: A violation of the sexual misconduct policy where the sanction is a one-year suspension (with conditions for reinstatement) is not “disproportionate” because of the graduation status, time in the semester, pending internship/job/externship/graduate school application. Altering the suspension to allow for some personal situation that may appear academic on its face, or extending it for the same reasons, is not only inconsistent, but also puts the campus at both actual and litigation risk.

appropriate, the Title IX Coordinator.

The VPSA will share the appeal by one party with the other party (parties) when appropriate under procedure or law (e.g., if the responding student appeals, the appeal is shared with the complainant, who may also wish to file a response, request an appeal on the same grounds or different grounds). The conduct officer will refer the request(s) to the VPSA. The conduct officer will also draft a response memorandum to the appeal request(s), based on the determination that the request(s) will be granted or denied, and why. All request-related documents are shared with all parties.

The VPSA will conduct an initial review to determine if the appeal request meets the limited grounds and is timely. They may consult with the conduct officer and/or Title IX Coordinator on any procedural or substantive questions that arise.

If the appeal is not timely or substantively eligible, the original finding and sanction will stand and the decision is final. If the appeal has standing, the VPSA determines whether to refer the appeal to an Appeals Panel or to remand it to the original decision-maker(s), typically within 3-5 business days. Efforts should be made to use remand whenever possible, with clear instructions for reconsideration only in light of the granted appeal grounds. Where the original decision-maker may be unduly biased by a procedural or substantive error, a new panel will be constituted to reconsider the matter, which can in turn be appealed, once. Full re-hearings by the Appeals Panel are not permitted. Where new evidence is presented or the sanction is challenged, the VPSA will determine if the matter should be returned to the original decision-maker for reconsideration or if it should be reviewed by the Appeals Panel with instruction on the parameters regarding institutional consistency and any applicable legal guidelines. In review, the original finding and sanction are presumed to have been decided reasonably and appropriately, thus the burden is on the appealing party(ies) to show clear error. The Appeals Panel must limit its review to the challenges presented.

On reconsideration, the Appeals Panel or original decision-maker may affirm or change the findings and/or sanctions of the original hearing body according to the permissible grounds. Procedural or substantive errors should be corrected, new evidence should be considered, and sanctions should be proportionate to the severity of the violation and the student's cumulative conduct record.

All decisions of the Appeals Panel are to be made within five (5) business days of submission to the Panel and are final, as are any decisions made by the original hearing body, conduct officer or Title IX Coordinator as the result of reconsideration consistent with instructions from the VPSA. Notification of the outcome of the appeal will occur in the same manor as all other notifications of outcome, above.

The Appeals Panel

Appeals Panels are drawn from the trained pool of faculty and staff, and may consist of one to three people, with the following requirements to serve.

1. The member did not serve on the Panel for the initial hearing;
2. The member was not involved in the investigation in any way; and
3. The member has been properly trained in appeals procedures.

The VPSA will have final authority to approve all those serving on the panel. The parties may challenge a panelist(s) on the basis of potential bias, and any panelist who cannot render an impartial decision must recuse themselves. The VPSA will make the determination as to the validity of any challenge or need for recusal. In the event of a recusal from the panel, the VPSA will solicit a replacement from the pool of panelists.

The conduct officer or designee serves as the non-voting advisor to the panel, with responsibility for training the panel, conducting preliminary investigations, and ensuring a fair process for the complainant and responding student.

The presumptive stance of NWCCD is that all decisions made and sanctions imposed by the original decision-maker are to be implemented during the appellate process. At the discretion of the conduct officer, and in consultation with the Title IX Coordinator when necessary, implementation of sanctions may be stayed pending review only in extremely exigent circumstances. This does not include proximity to graduation, end of term, or exams. Instead, it refers to an overwhelming likelihood, as determined by the VPSA and the conduct officer, in consultation, that the appeal would result in a reversal of the finding and/or substantial modification of the sanctions.

Other Guidelines for Appeals

- All parties will be informed of the status of requests for appeal within five business days, the status of the appeal consideration, and the results of the appeal decision;
- Every opportunity to return the appeal to the original decision-maker for reconsideration (remand) should be pursued;
- Appeals are not intended to be full re-hearings of the complaint (de novo). In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal; witnesses may be called if necessary.

Appeals are not an opportunity for appeals panelists to substitute their judgment for that of the original decision-maker merely because they disagree with the finding and/or sanctions. Appeals decisions are to be deferential to the original decision-maker, making changes to the finding only where there is clear error and to the sanction only if there is a compelling justification to do so.

Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking for Employees

In accordance with the NWCCD Employee Handbook, NWCCD strives to provide a safe working, residential, and learning environment for all members of the college community. Violence on NWCCD property is prohibited. Employees engaging in such conduct will be subject to corrective action up to and including termination. Employees, community members, guests, and visitors have the right to be free from sexual violence. NWCCD also prohibits non-sexual violence. Employees have a role in the policy including reporting of any alleged misconduct to appropriate administrators with responsibility. If you believe that you or others are being subjected to any form of violence, contact the Local Police Department immediately before notifying a Title IX administrator. For more information see Series 5075.5

Sexual Misconduct and Intimate Partner Violence Procedure. Sexual misconduct reporting procedures can be found in the Title IX Right to Know Brochure Procedure 5075.51. All new employees are required to take on-line education and prevention training. For more information see procedure 5075.12.

NWCCD operates under the guidelines of “if you see (or hear) something, say something”. All employees are responsible for reporting. If it is an emergency or a threat to life or property, the first call should be 911 with an Incident Report following. If you can resolve it on the spot, do so. All student and parent complaints should be reported to the Vice President of Student Affairs office. Non-student related (public, community) complaints should be reported to the Vice President of Administrative Services office.

If you believe there has been a violation of Title IX, the EEO policy or harassment based on the protected classes listed above, including sexual harassment, please use the following complaint procedure. NWCCD expects employees to report as soon as reasonably possible, per the procedure, to enable the District to investigate and correct any behavior that may be in violation of this policy.

Procedure: Report the incident to the Assistant Vice President of Human Resources (or, if unavailable or desired, to the Vice President of Administrative Services) who will investigate the matter and take corrective action. Your complaint will be kept as confidential as practicable. If you prefer not to go to either of these individuals with your complaint, you should report the incident to the President of NWCCD. While your input may be solicited during the investigation, all action taken at the conclusion of the investigation will occur in NWCCD’s sole discretion.

If an employee has a complaint related to the workplace, the complaint should be taken to the department supervisor. It can also be reported to any of the offices above if the employee feels more comfortable.

All employees are expected to assist in efforts to address complaints of unlawful discrimination. If you aren’t sure where to report it, report it to any of the offices above. For more information see the NWCCD Institutional Complaint Process.

Retaliation

NWCCD prohibits retaliation against any employee for the good faith filing of a complaint under this policy or for assisting in a complaint investigation. If you believe there has been a violation of our EEO or retaliation standard, please follow the complaint procedure outlined above.

If NWCCD determines that an employee’s behavior is in violation of this policy, disciplinary action will be taken, up to and including termination of employment.

District-Initiated Protective Measures

In addition to those protective measures previously described, the Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a District order of no contact, residence hall relocation,

adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved.⁷ Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by the District.

(HEOA) Notification to Victims of Crimes of Violence

The District will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report of the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

⁷ Applicable law requires that, when taking such steps to separate the complainant (reporting party) and the accused (responding party), the District must minimize the burden on the complainant and thus should not, as a matter of course, remove the complainant from his or her job, classes or housing while allowing the accused to remain.

Appendix

DEFINITION OF TERMS

CRIME DEFINITIONS FROM THE UNIFORM CRIME REPORTING HANDBOOK

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

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

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

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 following factors:
 - The length of the relationship;
 - The type of relationship; and the frequency of interaction between the persons involved in the relationship.

Domestic Violence: A felony or misdemeanor crime of violence committed by

- A current or former spouse or intimate partner of the victim
- A person with whom the victim shares a child in common,
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies (under VAWA) or
- 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.

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine);

marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Fire: any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Hate Crime: A criminal offence that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

Liquor Law Violations: The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned violations

Manslaughter by Negligence: The killing of another person through gross negligence.

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

Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

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

Sex Offenses: The Clery Act has four defined sex offense for which crime statistics must be collected on Clery geography. They are: rape, fondling, incest and statutory rape.

- Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling: The touching of a private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age and/or because of his/her temporary or permanent mental incapacity.
- Incest: Non forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape: Non forcible sexual intercourse with a person who is under the statutory age of consent.

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

Unfounded Crime: A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

LOCATION DEFINITIONS FROM THE JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT

On-Campus:

- (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and
- (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), 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 retail vendor).

Non-Campus Building or Property:

- (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
- (2) 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.

