



Annual Security & Fire Safety Report

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Northwest Iowa Community College



2016

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Campus Security Act

In accordance with Public Law 102-26 Title I, Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act, students, employees, and visitors who have experienced criminal acts or other emergencies which have occurred on the college campus shall immediately report those emergencies to the Vice President of Operations and Finance, College Equity Officers, Vice President of Student and Academic Services, or the Sheldon Police Department. Within 24 hours of the occurrence, an incident report shall be completed by the individual or a copy of the police report submitted to the Vice President of Operations and Finance. Incident report forms are available from the office of the Vice President of Operations and Finance.

NCC distributes a notice of this Annual Security Report by October 1 of each year to every member of the College community. Anyone including prospective students or employees, may obtain a paper copy of this report by contacting the Vice President of Finance at 712-324-5061 or by contacting the Student Services office.

NCC relies on its close working relationships with local law enforcement agencies to receive information about incidents involving NCC students. In coordination with local law enforcement agencies, NCC will actively investigate certain crimes occurring on campus with the assistance of local police departments.

Campus buildings, with the exception of the student housing units, are open and available for use from 7:00 a.m. to 10:00 p.m. Monday through Friday. Physical Plant staff is available on campus during this period of time to provide help with students, staff and visitors. Emergency telephones for 911 calls are located at the east side of Parking Lot 1, the east side of parking lot 3 and the south side of parking lot 5. The Sheldon Police Department should be called when the incident dictates. Student Housing main outside doors will generally be locked. The campus does not employ a security officer but relies on the Sheldon City Police Department for security 24 hours a day. In the evenings, custodial staff is available to escort students and staff to their cars. The information in this report includes locations in Orange City, Iowa, Marcus, Iowa, as well as Sheldon, Iowa.

Definition from the FBI's Uniform Crime Reporting Handbook (UCR)

1. **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 any manner related to, the institution's educational purposes, including residence halls: and (2) Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as food or other retail vendor).
2. **Murder/Non-Negligent Manslaughter** – The willful (non-negligent) killing of one human being by another.
3. **Negligence Manslaughter** – The killing of another person through gross negligence
4. **Sex Offenses, Forcible** – Any sexual act directed against another person, forcibly or/and against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.
5. **Sex Offenses, Non-forcible** – unlawful, non-forcible sexual intercourse. (Includes incest or statutory rape – under age of consent).
6. **Robbery** - The taking, or attempting to take, or anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
7. **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 weapon or by means likely to produce death or great bodily harm.
8. **Burglary** - The unlawful entry of a structure to commit a felony or a theft.
9. **Motor Vehicle Theft** – The theft or attempted theft of a motor vehicle.
10. **Arson** – Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
11. **Liquor Law Violations** – Violation of state or local laws or ordinances prohibiting the manufacture, sale, purchases, transportation, possession or use of alcoholic beverages (with the exception of “driving under the influence” or “drunkenness”).
12. **Drug Law Violations** – Violations of laws prohibiting the production, distribution, and/or use of certain controlled substance and the equipment of devices utilized in their preparations and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance, Arrest for violations of state and local laws, specifically those relating 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 – manufactured narcotics that can cause true addition (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
13. **Illegal Weapons Possession** - Violations of laws or ordinance prohibiting the manufacture, sale, purchase, transportation, possession, concealment of use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.
14. **Hate Crimes** – Sufficient objective facts lead a reasonable and prudent person to conclude that an offender's actions were motivated, in whole or in part, by bias against

the victim's race, gender, religion, sexual orientation ethnicity/national origin, or disability.

15. **Domestic Violence:** Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
16. **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: (i) the length of the relationship, (ii) the type of relationship, and (iii) the frequency of interaction between the persons involved in the relationship.
17. **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 to suffer substantial emotional distress.
18. **Unfounded Crimes:** A reported crime investigated by law enforcement and found to be false or baseless.

The following statistics, provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act, are for students and employees and to applicants for enrollment or employment upon request. Our 2013, 2014, and 2015 comparative reputable crime rates were as follows:

	Year	On Campus Property	On Campus Student Housing Facilities	Noncampus Property	Public Property
Murder/Non-negligent manslaughter	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Negligent manslaughter	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Sex offenses-Forcible	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Sex offenses-Non-forcible	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Robbery	2013	0	0	0	0
	2014	0	0	0	0

	2015	0	0	0	0
Aggravated Assault	2013	0	0	0	0
	2014	0	0	0	0
	2015	1	1	0	0
Burglary	2013	0	0	0	0
	2014	0	0	0	0
	2015	1	0	0	1
Motor vehicle theft	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Arson	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Drug Law Violations	2013	0	0	0	0
	2014	1	0	0	0
	2015	1	1	0	0
Liquor Law Violations	2013	5	5	0	0
	2014	2	2	0	0
	2015	0	0	0	0
Weapons Possessions	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Hate Crimes	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Domestic Violence	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Dating Violence	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	1	0	0
Stalking	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
Unfounded Crimes	2014	1	0	0	0
	2015	0	0	0	0

Northwest Iowa Community College also wants students and employees to be aware of where the public can access “Megan’s Law” information regarding sex offenders. One source of

information is on the website www.iowasexoffenders.com and the second is through the local county sheriff's department.

Sex Offense Policy Statement

Effective July 1, 1992, House File 2028, and Act requiring institutions of higher education to establish policies relating to sexual abuse and providing the Act's applicability was enacted by the General Assembly of the State of Iowa and signed by the Governor.

Procedures for Reporting Sexual Offense

Northwest Iowa Community College is dedicated to providing a safe and healthy environment for all its students, staff, and visitors. Reports of sexual offense should be made to the Equity Officers as shown on page 30.

Procedures for Preventing Sexual Abuse

1. Counseling – Students are encouraged to discuss with College personnel if they believe there is a potential for sexual abuse or an incident of sexual abuse has occurred. College personnel are dedicated to the protection of both the physical and emotional well-being of students and will be available for counseling whenever such a need should arise. College personnel are trained to report all inquiries to the NCC Equity Officer.
2. Education – The primary means of preventing sexual abuse is through education. Student will be made aware of what sexual abuse is, what the criminal penalties are for sexual abuse, and how to prevent sexual abuse through annual publication of this policy and the posting of information on campus bulletin boards, information regarding the reporting of emergencies and other criminal acts are posted throughout the campus on bulletin boards.

Sexual Misconduct

Sexual misconduct is a broad term encompassing any behavior of a sexual nature that is non-consensual committed by force or intimidation, or that is otherwise unwelcome. The term includes sexual assault, sexual exploitation, sexual intimidation, and sexual harassment as those behaviors are described later in this section. Sexual intimacy or sexual acts or behavior of any kind require that all participants consent. Consent between two or more people is defined as an affirmative agreement through clear actions or words to engage in each specific sexual activity. The person giving the consent must act freely, voluntarily, and with an understanding of his or her actions when giving the consent. Lack of protest or resistance does not constitute consent, nor does silence mean consent has been given. Relying solely on non-verbal communication can lead to misunderstanding. Persons who want to engage in the sexual activity are responsible for obtaining consent, it should never be assumed. A prior relationship or prior sexual activity is not sufficient to demonstrate consent. Consent must be present throughout the sexual activity at any time, a participant can communicate that he or she no longer consents to continuing the activity. Additionally, consent to one type of sexual activity is not sufficient to demonstrate consent to all sexual activities. If there is confusion as to whether anyone has consented or continues to consent to sexual activity, it is essential that the participants stop the activity until the confusion can be clearly resolved. In addition, under Iowa law the following people are unable to give consent:

- Persons who are asleep or unconscious.
- Persons who are impaired due to the influence of drugs, alcohol, or medication.
- Persons who are unable to communicate consent due to a mental or physical condition.

- Generally, minors under the age of 16.

Sexual misconduct may vary in its severity and consists of a range of behavior or attempted behavior. It can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual misconduct can occur between members of the same or opposite sex and can also occur while individuals are fully clothed. Sexual misconduct includes, but is not limited to, the following examples of prohibited conduct:

Sexual Assault

Sexual assault is an extreme form of sexual misconduct and represents a continuum of conduct from forcible rape to nonphysical forms of pressure that compel individuals to engage in sexual activity against their will. In Iowa, the terms "rape" and "sexual assault" fall under the legal definition of "sexual abuse," which includes any sex act done by force or against the will of another. Examples of sexual assault under this policy include, but are not limited to, the following behaviors when consent is not present:

- Sexual intercourse
- Oral sex
- Rape or attempted rape
- Penetration of an orifice with any object
- Touching of the genitals, buttocks, breast, or other body part
- Through any method of making someone else touch one's genitals, buttocks, breast, or other body part, or bodily fluid
- Inducing consent through drugs or alcohol
- Engaging in sexual activity with a person who is unable to provide consent due to the influence of drugs, alcohol, or other condition

Sexual Exploitation

Sexual exploitation involves taking non-consensual sexual advantage of another person. Examples can include, but are not limited to the following behaviors:

- Electronic recording, photographing, or transmitting intimate or sexual utterances, sounds, or images without knowledge and consent of all parties
- Voyeurism (sexual interest in spying on others)
- Distributing intimate or sexual information about another person without consent

Sexual Intimidation and Stalking

Sexual intimidation involves threatening another person that you will commit a sex act against them, an implied threat of the same, or engaging in indecent exposure. Stalking involves any course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress. Sexual intimidation and stalking includes cyber-stalking or threatening via e-mail, social media, text message, or other electronic communications.

Domestic and Dating Violence

Domestic violence includes violent acts committed by the survivor's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law. Dating violence involves violence

by a person who has been in a romantic or intimate relationship with the survivor, as gauged by the length, type and frequency of interaction within the relationship.

How to Report Sexual Misconduct

Northwest Iowa Community College encourages students to report all incidents of sexual misconduct to the police.

A guiding principal in the reporting of sexual offenses is to avoid re-victimizing the sexual assault survivor by forcing the person into any plan of action. Survivors of sexual offenses may contact NCC personnel or community services for assistance. The following resources provide immediate aid or on-going consultation for survivors of sexual assault:

Reporting Numbers:

Sheldon Police Department: 911

NCC Equity Officers: 712-324-4614 Ext 113 or 242

National Sexual Assault Hotline: 1-800-656-HOPE

Any Hospital or Medical Facility

Referral or advocacy services can be found on page 29.

What to Do If You Are Sexually Assaulted

- Get to a safe place and call 911. If desired, they may take you to the hospital for a voluntary medical exam and make a report and advise you of resources and options.
- Contact College Equity Officers.
- To help preserve evidence, do not douche, bathe, change clothing, or remove anything from the location of the assault.
- If you have been raped, you should seek medical attention immediately regardless of whether you report the assault to the police.

Privacy, Confidentiality, and Other Information for Survivors of Sexual Misconduct

The survivor of sexual misconduct has the option to, or not to, notify and seek assistance from law enforcement and College officials, and will not face discipline for either decision. The College encourages the reporting of all incidents of sexual misconduct. To the extent possible, the College will protect the privacy of all parties to a complaint of sexual misconduct. Under federal law, if a student makes a formal report about a sexual assault to a College official (e.g., officials within Student Services, deans, campus security personnel, and certain other administrators with supervisory responsibilities), the College has an obligation to investigate the complaint.

Survivors of any sexual misconduct are reminded of the importance of preserving evidence for proof of criminal activity to assist law enforcement in any future prosecution, as well as to assist in obtaining a protection order. The College will assist the student in contacting law enforcement and/or preserving evidence if requested. The College will abide by the instructions and requirements of any protection order, restraining order, or similar lawful order issued by criminal, civil, or tribal courts.

If the College receives a formal report of sexual misconduct, it will be treated in a confidential manner. At the same time, information will be shared as necessary in the course of an investigation with people who need to know such as investigators, witnesses, disciplinary officers, and the accused. When the College, through a report to a College official, becomes aware of an incident of sexual misconduct that occurred on-campus and there is a potential for bodily harm or danger to members of the campus community, College administrators must issue a timely warning to the campus. While the College will provide enough information to safeguard the campus community, a survivor student's name or other personally identifying information will not be disclosed.

NCC encourages students who are the survivor of a sexual assault to seek medical and counseling services.

Sexual Assault Victim's Rights

Under federal law, sexual assault survivors are afforded certain basic rights. The College will notify survivors of sexual assault of their option to report their assault to the proper law enforcement authority and of the following rights:

- The accuser and the accused are entitled to the same opportunities to have others present during a campus disciplinary proceeding.
- Both parties shall be informed of the outcome of any disciplinary proceeding and any sanction that is imposed against the accused.
- Survivors shall be informed of their options to notify law enforcement.
- Survivors shall be notified of counseling services. Survivors shall be notified of options for changing academic and living situations if the changes are reasonably available.

Investigation and Disciplinary Action

The Equity Officers, or designee, will investigate each reported sexual offense. Survivors of sexual offenses should be aware of the potential need of the College to release information regarding the fact that an assault has occurred for the protection and safety of others in the form of a timely warning issued by the Vice President of Operations and Finance, or designee. In a timely warning, information about the reported sexual offense will be reported to the campus community, including as much detail as possible regarding location, date and time of assault, and any information that may help identify the assailant. Every attempt is made to maintain the anonymity of the sexual assault survivor.

During the investigation and disciplinary processes, the College will take appropriate action to safeguard the alleged survivor and at the same time, protect the rights of the alleged perpetrator. The College will work with a survivor to arrange reasonable accommodations, including possible changes to class schedule, alternate housing arrangements, or a campus no contact order. The College strongly encourages survivors who feel in danger to contact police and pursue an order of protection or other legal remedies.

Education and Training

The College will offer all new students and new employees primary prevention and awareness programs that promote awareness of rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking. These programs will include the following:

- a. A statement that the College prohibits rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking.
- b. The definition of the above-listed offenses pursuant to Iowa law.
- c. The definition of consent in the context of sexual offenses pursuant to Iowa law.
- d. Safe and positive options for bystander intervention an individual may take to prevent harm or to intervene if he or she witnesses or is confronted with potential rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking.
- e. Recognition of signs of abusive behavior and how to avoid potential attacks.

In addition to the above-discussed programs for new students and new employees, the College will also offer all students and employees ongoing prevention and awareness campaigns that address the foregoing five items. All such programs and campaigns will be reported and described in the annual security report issued by the College in compliance with the Clery Act.

Standards for Investigating and Conducting Internal Investigations and Student Disciplinary Proceedings

The College will, in investigating and conducting internal investigations and student disciplinary proceedings concerning sexual assault, domestic violence, dating violence, and stalking cases (“Proceedings”), implement procedures that provide prompt, fair, and impartial investigation and resolution. Those procedures will thus incorporate the following standards:

- a. The standard of evidence to be used in Proceedings will be the “preponderance of evidence” standard set forth in the April 4, 2011 “Dear Colleague Letter” issued by the Office for Civil Rights of the Department of Education.
- b. College officials who conduct Proceedings will be trained, at least annually, on (i) issues related to rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking; and (ii) how to investigate and conduct hearings in a manner that protects the safety of victims and promotes accountability.
- c. Following a final determination of rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking, the College may impose any sanctions or protective measures deemed appropriate, including (but not limited to) the following: educational sanction, reprimand, probation, restitution, fine, denial of privileges, no-contact order, housing transfer or removal, suspension, and/or expulsion.
- d. An accuser and the accused will be entitled to the same opportunities to have others present during Proceedings, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of his or her choice.
- e. An accuser and the accused will be simultaneously notified in writing of the outcome of the Proceedings, the applicable appeal procedures, any change to the result before it becomes final, and when the result becomes final.
- f. Victim confidentiality will be protected by appropriate means in all phases and aspects of Proceedings, including (but not limited to) via record-keeping that excludes, to the extent permitted by law, personally-identifiable information regarding victims.

Implementation of Standards and Other Requirements

Any member of the College community who believes he or she has been subjected to sexual violence (including rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking) may report such incident(s) as follows:

- a. To local law enforcement; or
- b. To a campus security authority or Equity Officer.

A victim is encouraged to make such reports, but he or she is not required to notify and seek assistance from a law enforcement agency or a College authority. However, timely reporting of a possible criminal offense can be critical for evidence collection and preservation. The aforementioned reporting options (as well as current contact information for applicable law enforcement agencies, College authorities, victim advocates, counseling and health services, and other relevant services) will be made available to the College community in writing and via www.nwicc.edu.

Victims of sexual violence may be entitled to additional legal protections through state or federal courts, including (but not limited to) through no-contact orders, restraining orders, protective orders, or similar orders. The College cannot interpret or enforce such orders. Additional information regarding such legal protections can be obtained through the Family Crisis Center in Sioux Center, Iowa, or the Clerk of Court of the Iowa District Court for Sioux County in Orange City, Iowa.

Internal investigations and disciplinary proceedings regarding sexual violence will be conducted in a prompt, fair, and impartial manner. College officials who conduct proceedings will be trained, at least annually, on (i) issues related to rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking; and (ii) how to investigate and conduct hearings in a manner that protects the safety of victims and promotes accountability. Such proceedings shall typically be commenced via notification of a complaint from an accuser to an Equity Officer.

Upon receiving a complaint, an Equity Officer shall confer with the accuser in order to obtain a clear understanding of his or her statement of the facts, and shall then attempt to meet with the accused in order to obtain his or her response to the complaint. However, the complaint will not be discussed with anyone else without the accuser's permission. The Equity Officer may hold as many meetings with the parties as is necessary to gather facts; provided, however, the first meeting shall be conducted within five (5) business days of the date the complaint is first received.

After completing his or her fact-finding regarding a complaint, the Equity Officer may proceed as follows:

- a. Attempt to resolve the matter informally through conciliation; or
- b. Transfer the record to the President of the College or his or her designee, and so notify the parties by certified mail.

After reviewing the record, the President or his or her designee may attempt to gather any more evidence deemed necessary to decide the case, and thereafter impose any sanctions deemed appropriate, including a recommendation to the Board of Trustees for an educational sanction, reprimand, probation, restitution, fine, denial of privileges, no-contact order, housing transfer or removal, suspension, and/or expulsion or termination. Consideration by the Board of Trustees shall be deemed the “hearing level” in this procedure and the Board's decision shall be final.

In regards to internal investigations and disciplinary proceedings regarding sexual violence, the above-discussed standards shall apply. Moreover, an accused, regardless of the extent to which he or she may be involved in such investigations and proceedings, may seek redress in other appropriate forums. No person shall be subject to retaliation by any member of the College community because of his or her involvement in the above-discussed internal investigations and proceedings or because that person has exercised his or her rights under any provision of the SaVE Act.

The College President, or his or her designee, may compose such additional procedures and regulations that may be necessary from time-to-time to ensure the SaVE Act is consistently adhered to by the College and its community.

Sexual & Gender Harassment Reference Board Policy 578

It is the policy of the College to maintain an environment conducive to work and study. Such an environment is free of sexual and gender harassment and all forms of sexual intimidation and exploitation. The College will take action to prevent and correct such behavior.

The College does not condone actions or words which a reasonable person would regard as sexually harassing or coercive. The Equal Employment Opportunity Commission characterizes sexual harassment as “unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.” The following behaviors will not be tolerated: abusing the dignity of a student through insulting or degrading sexual remarks or conduct; threats, demands, or suggestions that a student’s academic progress is contingent upon his/her toleration of, or submission to, sexual advances.

The relationship between faculty, staff, and students is central to the mission of the College. It is essential to establish that the standard of expected conduct in the relationship goes beyond the normal description of sexual harassment. Therefore, the College will view it as unethical and inappropriate if staff members engage in amorous relations with students enrolled in their classes or subject to their supervision, even when both parties appear to have consented to the relationship. Exceptions include previous and ongoing relationships such as husband and wife.

Sexual and Gender Harassment Procedure

1. Any member of the college community who believes that he/she has been subjected to sexual or gender harassment shall report the incident(s) to the College’s Equity Officers (EO), Sandy Bruns or Beth Frankenstein.
2. The College EO receiving complaints shall attempt to resolve the problem in an informal manner through the following interviewing process.

- a. The College EO shall confer with the grievant in order to obtain a clear understanding of the party's statement of the facts.
 - b. The College EO shall then attempt to meet with the charged party in order to obtain his or her response to the complaint.
 - c. The College EO may hold as many meetings with the parties as is necessary to gather facts. However, the first such meeting shall be scheduled within five (5) working days of the date the complaint is first registered.
 - d. On the basis of the College's EO's understanding of the situation, he/she may:
 - i. Attempt to resolve the matter informally through conciliation.
 - ii. Report the incident and transfer the record to the President or designee, and so notify the parties by certified mail.
 - iii. Require that the complaint be placed in writing and signed by the grievant at any step in this procedure.
3. After reviewing the record made before the College's EO, the President, or designee may attempt to gather any more evidence necessary to decide the case, and thereafter impose any sanctions deemed appropriate, including a recommendation to the Board of Trustees for termination or expulsion. Consideration by the Board of Trustees shall be deemed the "hearing level" in this procedure and their decision shall be final.
 4. In investigating such complaints, the following shall apply:
 - a. The person bringing the complaint will suffer no retaliation.
 - b. The complaint will not be discussed with anyone else without the person's permission. The right to confidentiality, both of the complainant and of the accused, will be respected.
 - c. Use of the College's internal process in no way prevents, or interferes with, the complainant's right to seek redress in other appropriate forums.

Anti-Bullying/Harassment Board Policy 579

Harassment and bullying of students and employees are against federal, state, and local policy, and are not tolerated by the College. The College is committed to providing all students with a safe and civil college environment in which all members of the college are treated with dignity and respect. To that end, the College has in place policies, procedures, and practices that are designed to reduce and eliminate bullying and harassment as well as processes and procedures to deal with incidents of bullying and harassment. Bullying and harassment of students by students, college employees, and volunteers who have direct contact with students will not be tolerated in the college.

The College prohibits harassment, bullying, hazing, or any other victimization of students based on any of the following actual or perceived traits or characteristics, including but not limited to age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status.

This policy is in effect while students are on property within the jurisdiction of the College; while in college-owned or college-operated vehicles; while attending or engaging in college-

sponsored activities; and while away from college grounds if the misconduct directly affects the good order, efficient management, and welfare of the college.

If, after an investigation, a student is found to be in violation of this policy, the student shall be disciplined by appropriate measures up to, and including, suspension and expulsion.

Harassment and bullying mean any electronic, written, verbal, or physical act or conduct toward a student which is based on any actual or perceived trait or characteristic of the student and which creates an objectively hostile college environment that meets one or more of the following conditions:

- Places the student in reasonable fear of harm to the student's person or property;
- Has a substantially detrimental effect on the student's physical or mental health;
- Has the effect of substantially interfering with the student's performance; or
- Has the effect of substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by the college.

"Electronic" means any communication involving the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means. "Electronic" includes but is not limited to communication via electronic mail, internet-based communications, pager service, cell phones, electronic text messaging, or similar technologies.

Harassment and bullying may include, but are not limited to, the following behaviors and circumstances:

- Verbal, nonverbal, physical, or written harassment, bullying, hazing, or other victimization that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Repeated remarks of a demeaning nature that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Implied or explicit threats concerning one's grades, achievements, property, etc. that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Demeaning jokes, stories, or activities directed at the student that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim; and/or
- Unreasonable interference with the student's performance or creation of an intimidating, offensive, or hostile learning environment.

In situations between students and college officials, faculty, staff, or volunteers who have direct contact with students, bullying and harassment may also include the following behaviors:

- Requiring that a student submit to bullying or harassment by another student, either explicitly or implicitly, as a term or condition of the targeted student's education or participation in college programs or activities; and/or
- Requiring submission to or rejection of such conduct as a basis for decisions affecting the student.

Any person who promptly, reasonably, and in good faith reports an incident of bullying or harassment under this policy to a college official, shall be immune from civil or criminal liability

relating to such report and to the person's participation in any administrative, judicial, or other proceeding relating to the report.

Retaliation against any person, because the person has filed a bullying or harassment complaint or assisted or participated in a harassment investigation or proceeding, is also prohibited. Individuals who knowingly file false harassment complaints and any person who gives false statements in an investigation shall be subject to discipline by appropriate measures, as shall any person who is found to have retaliated against another in violation of this policy. Any student found to have retaliated in violation of this policy shall be subject to measures up to, and including, suspension and expulsion.

The college will promptly and reasonably investigate allegations of bullying or harassment. Equity Officers, Sandy Bruns or Beth Frankenstein, will be responsible for handling all complaints by students alleging bullying or harassment.

It also is the responsibility of the President, in conjunction with the investigator, to develop procedures regarding this policy.

The college shall annually publish this policy in the student handbook and a copy shall be made to any person at the Human Resources Office, 603 West Park Street, Sheldon, Iowa.

Missing Student Notification Policy

As an institution that provides on-campus student housing, Northwest Iowa Community College has a policy regarding missing student notification procedures for students who reside in on-campus student housing facilities pursuant to Federal Register §668.46(h)—Institutional security policies and crime statistics.

Students, employees, and other persons should report to the Housing Coordinator if a student has been missing for 24 hours. The Housing Coordinator shall immediately notify the Associate Dean of Students or designee of any student who has not been seen on campus, who cannot be reached by acquaintances, and for whom concern has been expressed regarding the student's safety and well-being by an acquaintance, for a period of more than 24 hours.

The Associate Dean of Students or designee shall contact the Sheldon Law Enforcement Center to file a missing person's report no later than 24 hours after the time the student is determined missing.

At residence life orientation, students have the option of identifying a contact person or persons whom the institution shall notify within 24 hours of the determination that the student is missing if the student has been determined missing by the institutional police or campus security department, or the local law enforcement agency. Students will be advised that if they are under 18 years of age and not emancipated, the institution must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student; and that the institution will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless

the local law enforcement agency was the entity that made the determination that the student is missing.

If a student is reported missing, the Associate Dean of Students or designee shall contact the student's emergency contact, filed in the Registrar's Office, within 24 hours of the time the report was made that the student is missing.

Resources

Equity Officers:

Sandy Bruns (employee complaints)
712-324-5061 ext. 113

Beth Frankenstein (student complaints)
712-324-5061 ext. 242

Emergency Telephone

Emergency telephones for 911 calls are located:

East side of Parking Lot 1

East side of Parking Lot 3

South side of Parking Lot 5

Local Agencies

Department of Human Services (O'Brien County & Osceola)
800-392-3895

Department of Human Services (Sioux County & Lyon)
800-337-2943

Department of Human Services (Cherokee)
866-640-7087

Division of Vocational Rehabilitation Services
712-324-4864

Iowa Workforce Development
712-324-4152

Family Crisis Center of NW Iowa
800-382-5603

(free and confidential services for victims of domestic violence and sexual assault)

Seasons Center for Community Mental Health, Rock Valley
800-242-5101 (24 hr. crisis line)
712-324-3263 for appointment

Planned Parenthood of Greater Iowa

712-262-1545

COMPASS POINTE
Sioux County
712-439-1170

Lyon County
712-472-3442

O'Brien County
712-324-3276

Osceola County
712-754-3443

Cherokee County
Drug and Alcohol Treatment: Jackson Recovery
712-225-5856

Plains Area Mental Health
712-225-2575

Drug-Free Schools and Communities

It is the policy of NCC to comply with the Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226 and to provide staff and students with information to prevent the use of illicit drugs, the abuse of alcohol on campus and to provide a drug-free work place for students and staff. It shall be unlawful to possess, use or distribute illicit drugs and alcohol by students or employees on college property or as part of any college activity. The laws of the state of Iowa pertaining to the possession and use of illicit drugs and alcoholic beverages on public property shall be followed. Specifically, this means that it is a violation of the drug and alcohol policy for students and employees to purchase, manufacture, possess, consume or sell such items on campus.

Student and staff violations of the standards as stated in the previous paragraph shall result in any one or combination of the following disciplinary sanctions:

- A. Warning
- B. Disciplinary probation
- C. Suspension
- D. Referral to an appropriate drug/alcohol treatment program
- E. Referral to law enforcement agencies
- F. Possible disciplinary sanctions include expulsion or termination

Definitions and accompanying procedures of these sanctions pertaining to the student can be found in the office of the Associate Dean of Students. Policies and procedures pertaining to employees can be found in the office of the Director of Human Resources.

Staff rights shall be protected in accordance with due process.

Staff accused of violating the drug/alcohol policy as established shall have the right to:

1. a hearing before the appropriate campus judicial board
2. access to an appeal as defined within the college policies and procedures.

Student's rights shall be protected in accordance with due process.

Students accused of violating the drug/alcohol policy as established shall have the right to due process.

See the Student Discipline Section.

Substance Abuse Prevention Program

If a student or staff member is identified as having a probable chemical dependency problem or voluntarily notifies his/her instructor or supervisor of such, that individual will be directed to the counseling staff in the Student Services Office. The counseling staff in the Student Services Office will refer the individual to the local alcohol and drug treatment unit or to an agency of the individual's own choosing.

Legal Sanctions

Under Chapter 124 of the State of Iowa Code regarding controlled substances, various penalties and offenses are described involving the illegal manufacture, possession, possession with intent to deliver, delivery and design (simulation and counterfeiting) of illegal drugs. Illegal drugs include but are not limited to marijuana, methamphetamines, amphetamines, cocaine, heroin and ecstasy. Except as authorized under Chapter 124 (legally prescribed drugs), it is unlawful for any person to manufacture, deliver or possess with intent to manufacture or deliver a controlled substance, or to act with, enter into a common scheme or design with, or conspire with one or more other persons to manufacture, deliver, or possess with intent to manufacture or deliver a controlled substance or a counterfeit or simulated controlled substance. Violations of Chapter 124 may result in simple, serious or aggravated misdemeanors, or class "D," "C" or "B" felony charges.

Consequences may include:

Possession of Drug Paraphernalia is punishable by up to 30 days in the County Jail and a fine not to exceed \$500.

Simple Possession of controlled substances is punishable by up to one year in the County Jail and a fine not to exceed \$1,500. A conviction will also result in the loss of student financial aid eligibility.

Possession with intent to deliver, delivery and/or manufacture (including growing) of controlled substances is punishable by a range of penalties up to a maximum prison term of 50 years and a maximum fine not to exceed \$1,000,000.

Local and federal sanctions will also apply.

Student Conduct

NCC expects that you will obey federal, state and local laws; will show respect for properly constituted authority; and will exhibit and maintain integrity and honor in all matters related to NCC. The Board shall authorize procedures as appropriate to student behavior and discipline for a post-secondary institution.

For additional information contact the Associate Dean of Students or designee.

Tobacco Policy

As a result of the Iowa Smoke free Air Act, smoking is prohibited anywhere on campus.

Prohibited Weapons Policy

Except as provided in this policy, no person shall bring or possess a firearm, ammunition, or prohibited weapon of any kind:

- On or in any college property,
- To or at any college-related function at any location; or
- While acting on behalf of or representing the college in any capacity at any location.

This policy applies to all persons regardless of whether they are licensed to carry a concealed weapon. Only peace officers whose duties require them to carry a weapon are exempt from the above-stated prohibition.

A “prohibited weapon” includes any form of firearm, knife, explosive, incendiary, or other weapon restricted under local, state, or federal regulation. “College property” includes, without limitation, all college-owned or leased vehicles, buildings or other structures, and real property (such as sidewalks, walkways, driveways, open spaces, and parking lots) under college control.

Any person who questions the applicability of this policy to his or her potential situation shall obtain written permission from the college’s president or his or her designee before bringing or possessing the item(s) at issue to or at any location that would potentially be covered by this policy.

Class Cancellation/Delay Start Procedures

Inclement weather, mechanical systems failure, utility problems, or unforeseen circumstances may require classes to be cancelled or delayed. In the event that conditions affect Northwest Iowa Community College’s operations or schedule, students, faculty, and staff will be notified. Cancellations, early closure or a delay in starting will be made through announcements using the RAVE Alert Service. RAVE notifies all subscribers of important campus alerts.

RAVE also offers e-mail alerts and text messaging alerts free of charge. You can find more information and a link to sign up for RAVE on the NCC website: <http://www.nwicc.edu> and look for the RAVE sign-up button at the bottom of the page.

Alerts issued by NCC via RAVE will be brief and to the point. Late start announcements will be posted by 5:45 AM. Late starts will be announced as a 10:00 AM start. Early closures will state the time of the closure.

In the event of any circumstance requiring class cancellations or delayed starts, information and updates will also be posted on the NCC website.

Northwest Iowa Community College website
<http://www.nwicc.edu>

Northwest Iowa Community College phone message
712-324-5061 or 800-352-4907

Emergency Procedures

Follow the instructions of staff personnel in the event of an emergency, (i.e. fire, tornado, bomb threats, etc). Shelter areas and emergency exits are posted throughout the campus.

Student Discipline

I. Statement of General Policy and Definitions

It is expected that each student will obey federal, state, and local laws; will show respect for properly constituted authority, and will exhibit and maintain integrity and honor in all matters related to Northwest Iowa Community College.

A. Definitions: in this policy, unless the context otherwise requires:

- a. "Board" means the Northwest Iowa Community College Board of Trustees.
- b. "Class day" means a day on which classes are regularly scheduled.
- c. "College property" or "College facilities" mean property, real or personal, owned, leased, controlled or managed by the College.
- d. "Complaint" is a written statement which identifies an alleged violation and which sets forth the facts which constitute the violation. A complaint shall be prepared by the Vice President of Student and Academic Services and shall include a summary of the expected testimony of each witness in support of the Allegation.
- e. "Vice President" means the Vice President of Student and Academic Services, his/her delegate, his/her representative, or his/her agent.
- f. "Faculty" means instructional employees.
- g. "Major violation" means one which can result in suspension or expulsion from the College or denial of degree.
- h. "Minor violation" means one which can result in any disciplinary action other than suspension or expulsion from the College or denial of degree.
- i. "Student" means any person enrolled in the College, whether on a part-time or full-time basis, and includes a person accepted for admission to the College.
- j. "President" means the President of the College.
- k. "Violation" means any conduct, act, or omission to act, which violates a provision of this policy, or a regulation policy or administrative rule of the College or of the Board.

II. Standards

Conduct which is contrary to any of the following may subject the student to disciplinary action and shall constitute a violation.

- A. Use of Facilities - A student or student group or association shall comply with established administrative rules and board policies in planning for the use of facilities and in using the facilities.
- B. Speech and Advocacy - Discussion and expression of all views are permitted on Northwest Iowa Community College property, provided that:
- a. Peace and order are maintained;
 - b. College sponsored, supported, and supervised activities, including classroom instruction is not disrupted;
 - c. Student activities, whether individual or group, are not disrupted;
 - d. State, federal, and local laws are not violated. Approved College organizations may invite speakers of their own choosing provided the policy of the College or Board or these rules and regulations are not violated.
- C. Student Conduct - The following shall be subject to disciplinary procedures:
- a. Any acts of academic dishonesty or cheating: Each student assumes an obligation to conduct his/her academic affairs in a manner compatible with the standards of academic honesty established by the College and its faculty. If this obligation is not met by the student, disciplinary action will be taken as outlined in the syllabus or the student disciplinary policy. The following statements identify the types of activities that would constitute violations of the College's standards of academic honesty.
 1. Turning in written essays, assignments, and computer programs produced by someone else when you were designated to do your own work.
 2. Collaborating on a written assignment without the specific approval of the instructor.
 3. Borrowing materials from any source—professional or amateur—and turning it in as original.
 4. Failure to acknowledge through appropriate citations any words, ideas, research, graphics, etc., produced by someone other than the person claiming authorship.
 5. Copying from another person's tests or assignments.
 6. Using unauthorized test aids such as notes, drawings, books, etc., during an examination.
 7. Aiding another student in dishonesty such as producing written work or sharing information during a test period.
 8. Fabricating research or source materials.
 9. Stealing, buying or somehow obtaining a test from an instructor's work area or computer files.
 - b. Knowingly furnishing false information to the College, forgery, alteration, or misuse of College documents or records;
 - c. Disruption of the orderly process of activities of the College, including unauthorized entry into, obstruction of, or occupation of any College property, and including obstruction of entry or exit to any College property;
 - d. Threatening, harassing, physically abusing, or endangering in any manner the physical or mental health and safety of any person on College property;

- e. Theft, willful destruction, damage or misuse of any property belonging to or in the possession of the College or belonging to or in the possession of any person on College property;
- f. Possession or consumption of an alcoholic beverage on College property or while representing the College as a part of an off campus function in violation of College rules;
- g. Illegal possession, sale or use of a controlled substance, as defined in Chapter 124, Code of Iowa, or of a prescription drug upon College property;
- h. Illegal possession or use of any firearms, explosive dangerous chemical or other weapon;
- i. Assault: a person commits an assault when, without justification, the person does any of the following:

- 1. Any act which is intended to cause pain or injury to, or which is intended to result in physical contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act.
- 2. Any act which is intended to place another in fear of immediate physical contact which will be painful, injurious, insulting or offensive, coupled with the apparent ability to execute the act.
- 3. Intentionally points any firearm toward another, or displays in a threatening manner any dangerous weapon or object toward another. Provided, that where the person doing any of the above enumerated acts, and such other person, are voluntary participants in a sport, social, or other activity, not in itself criminal, and such act is a reasonably foreseeable incident of such sport or activity, and does not create an unreasonable risk of serious injury or breach of the peace, the act shall not be an assault.

j. Willful injury: any person who does an act which is not justified and which is intended to cause and does cause serious injury to another violates this policy.

k. Disorderly conduct: a person violates this policy when the person does any of the following:

- 1. Engages in fighting or violent behavior in the College or at College functions.
- 2. Makes loud and raucous noise in the vicinity of the College or at College functions which causes unreasonable distress to the occupants or participants thereof.
- 3. Directs abusive epithets or makes any threatening gesture which the person knows or reasonably should know is likely to provoke a violent reaction by another.
- 4. Without lawful authority, the person disturbs any lawful assembly or meeting of persons by conduct intended to disrupt the meeting or assembly.
- 5. By words or actions, initiates or circulates a report or warning of fire, epidemic, or other catastrophe, knowing such report to be false or such warning to be baseless.
- 6. Without authority or justification, the person obstructs College premises or any access to College premises with the intent to prevent or hinder its lawful use by others. This shall include premises where any College function is held.

l. Trespass

- 1. The term “property” shall include any land, dwelling, building, conveyance, vehicle, or other temporary or permanent structure whether publicly or privately owned, used by the College corporation.
- 2. The term “trespass” shall mean one or more of the following acts:

- a. Entering upon or in College property without justification or without the implied or actual permission of College authorities or other designated supervisor in authority with the intent to commit a public offense or to use, remove them from, alter, damage, harass, or place thereon or therein anything animate or inanimate.
- b. Entering or remaining upon or in College property without justification after being notified or requested to abstain from entering or to remove or vacate there from by College authorities or other designated supervisor in authority, or by any peace officer, magistrate, or public employee whose duty it is to supervise the use or maintenance of the property.
- c. Entering upon property or in property for the purpose or with the effect of unduly interfering with the lawful use of the property by others.
- d. Being upon or in property and wrongfully using, removing there from, altering, damaging, harassing, or placing thereon or there in anything animate or inanimate, without the implied or actual permission of the College authorities or other designated supervisor in authority.

3. The term “trespass” shall not mean entering upon College property for the sole purpose of retrieving personal property which has accidentally or inadvertently been thrown, fallen, strayed, or blown onto the College property, provided that the person retrieving the property takes the most direct and accessible route to and from the property to be retrieved, exits the property as quickly as is possible, and does not unduly interfere with the lawful use of the property.

D. Financial Transactions with the College

The following shall be subject to disciplinary procedures and shall constitute violations.

- a. Failure or refusal to timely pay a debt owed Northwest Iowa Community College.
- b. Presentation or delivery of any check, draft, or order to Northwest Iowa Community College, with intent to defraud.
- c. Failure to pay the College the amount of a check, draft, or order on or before the first class day after the day the business office sends written notice that the drawer has rightfully refused payment on the check, draft or order.

III. Disciplinary Proceedings

A. Instructor/Academic Dean

The instructor and/or Academic Dean may suspend a student temporarily, not to exceed a twenty-four (24) hour period or not more than the next scheduled class meeting. Upon recommendation of the Vice President of Student and Academic Services, a student may be suspended further for up to a total of three (3) days for a violation of student conduct standards.

B. Administrative

- a. Investigation and Complaint

If the student, instructor, and/or Academic Dean wish to pursue the violation, the Vice President of Student and Academic Services is given information indicating that a student has committed a violation, and the Vice President of Student and Academic Services shall investigate the alleged violation. After preliminary investigation, the Vice President of Student and Academic Services may:

1. Dismiss the allegation as unfounded, either before or after conferring with the student;
2. Proceed administratively as provided below in (b); or
3. Prepare a complaint for use before the Student Conduct Committee (SCC).

b. The Vice President of Student and Academic Services may take interim disciplinary action, including, but not limited to, suspending the right of the student to be present on the campus and to attend classes, and restricting or altering the other privileges granted the student, when in the opinion of the Vice President of Student and Academic Services the interests of the College would best be served.

C. Notice to Appear

a. A student may be ordered to appear before the Vice President of Student and Academic Services in connection with an alleged violation by a notice from the Vice President of Student and Academic Services personally served upon the student; provided, that nothing herein shall prevent the Vice President of Student and Academic Services and student from agreeing informally to meet to discuss the alleged violation.

b. The notice shall direct the student to appear at a specified time and place not less than three class days after the date of service. The notice shall briefly describe the alleged violation and shall state whether the Vice President of Student and Academic Services intends to handle the allegation as a minor or major violation.

c. The Vice President of Student and Academic Services may place on disciplinary probation a student who fails without good cause to comply with a notice ordering appearance, or the Vice President of Student and Academic Services may submit the matter to the Student Conduct Committee.

D. Disposition

a. When the student appears before the Vice President of Student and Academic Services, whether informally or pursuant to notice, the Vice President of Student and Academic Services shall advise the student of his/her rights as set forth in this code.

b. A student may refuse administrative disposition of the alleged violation, and upon refusal is entitled to a hearing before the Student Conduct Committee. The student must serve the Vice President of Student and Academic Services with a written request for a hearing on or before the third day following the refusal to accept administrative disposition. The Vice President of Student and Academic Services shall then inform the President that a request for hearing has been made. A student's failure to timely make a written request for hearing shall constitute an acceptance of administrative disposition.

- c. If a student accepts administrative disposition, then the student shall sign an acknowledgement which states that the student understands the following:
 - 1. The nature of the violation
 - 2. That the student has the right of a hearing at which the allegations must be proved by clear and convincing evidence.
 - 3. The penalty that may be or which will be imposed and its implications.
 - 4. That the student waives his/her right to appeal.
- d. The Vice President of Student and Academic Services shall prepare an accurate, written summary of each administrative disposition and shall deliver a copy to the student, and, if the student is a minor, shall mail a copy to the parent or guardian of the student and copy shall be transmitted to the President.

E. Student Conduct Committee (SCC)

a. Composition and Organization

- 1. The SCC shall be composed of one administrative officer of the College other than an officer under the supervision of the Vice President of Student and Academic Services; the Academic Dean from the applicable area; one faculty member at the College and two students as selected by the Student Government Association. The members of the committee shall be appointed by the President except the student members who shall be appointed by the Student Government Association.
- 2. The Vice President of Student and Academic Services shall serve as Chairperson of the committee. The chairperson shall conduct the hearing and shall rule on the admissibility of evidence, motions, and objections; the Chairperson's decision may be overridden on a vote of the committee. Each member of the committee, including the Chairperson, is eligible to vote at the hearing.
- 3. Chairperson: the Chairperson shall set the date, time and place for the hearing and shall issue subpoenas and subpoenas duces tecum upon the request of the Vice President of Student and Academic Services or the student.
- 4. The Vice President of Student and Academic Services shall represent the College before the SCC and shall present evidence to support an allegation of a violation. The Vice President of Student and Academic Services and/or the student may be assisted by legal counsel.

b. Notice

- 1. The SCC Chairperson shall have written notice served upon the student and the Vice President of Student and Academic Services which notice shall set the date, time and place for the hearing, as well as the nature of the alleged violation. The hearing date shall be not less than five (5) nor more than ten (10) class days after service of the notice. If the student is under 18 years of age, a copy of the notice shall be sent by certified, return receipt request, U.S. mail to the parents or guardian of the student.
- 2. The Chairperson may for good cause postpone the hearing.
- 3. The SCC may hold a hearing at any time if the student has actual notice of the date, time, and place of the hearing, and the student makes written

acknowledgement of said actual notice and written consent of the conduction of a hearing.

4. The notice shall direct the student to appear before the SCC on the date and at the time specified, and shall advise the student that he/she has a right to each of the following:

- a. To a private hearing;
- b. To the presence and assistance of legal counsel;
- c. To the presence of his/her parents and/or legal guardian;
- d. To have the witnesses against him/her appear at the hearing and to confront and cross-examine each of them;
- e. To cause the Committee to order witnesses to appear on his/her behalf and to require the production of documentary and other evidence possessed by the College, and to offer evidence and argue in his/her own behalf;
- f. To have a privately paid stenographer present at the hearing and to record the hearing by electronic means;
- g. To appeal to the President;
- h. To remain silent during the hearing and to not have his/her silence used against him/her.

5. The SCC may suspend a student who fails without good cause to comply with notice sent under these provisions, or, at its discretion, the SCC may proceed with the hearing in the student's absence.

6. The Vice President of Student and Academic Services shall have the right to have a stenographer present at the hearing and/or to record the hearing by electronic means.

c. Preliminary Matters

1. Alleged violations arising out of the same transaction or occurrences, or out of the same series of transactions or occurrences, against more than one student may be heard together, or, either at the option of the Committee or upon request by one of the students or the Vice President of Student and Academic Services, a separate hearing shall be held. Alleged violations by one student arising out of the same transaction or occurrence or out of the same series of transactions or occurrences shall be heard together. Alleged violations by one student arising out of unrelated transactions or occurrences may be heard together with the written consent of the student.

2. At least three (3) class days before the hearing date, the student shall in writing furnish the SCC with:

- a. The name of each witness he/she wants ordered to appear and a description of all evidence possessed by the College which he/she wants produced;
- b. Any objection that, if sustained, would postpone the hearing;
- c. The name of legal counsel, if any, who is to appear with him/her;
- d. A request for a private or separate hearing and the grounds for such request;

e. A request to exercise any of the student's other rights stated in the notice.

3. When the hearing is held by consent of the student less than five (5) days after service of notice or for other good cause shown, the student may submit the information described in paragraph 2 immediately above at any time before the hearing terminates.

4. An objection which if sustained would require the dismissal of the complaint, may be submitted at any time prior to the termination of the hearing.

d. Procedure

1. The hearing shall be informal and shall be open to the public unless otherwise requested by the student in accordance with the Iowa Open Meetings law. If the hearing is to be private, the members of the student's immediate family and the student's legal counsel, if requested by the student, may attend.

2. The Hearing Committee shall proceed generally as follows:

a. The Chairperson of the SCC shall read the complaint;

b. The Chairperson of the SCC shall inform the student of his/her rights, as stated in the notice of hearing;

c. The Vice President of Student and Academic Services shall present evidence in support of the alleged violation;

d. The student shall present his/her defense;

e. The Vice President of Student and Academic Services and the student may present rebuttal evidence, and shall have the right to make argument. The Vice President of Student and Academic Services shall have the right of the opening and the closing argument.

f. The Committee will vote the issue of whether there has been a violation and shall inform the student and the Vice President of Student and Academic Services of their finding. If the Committee finds a violation, the student and the Vice President of Student and Academic Services shall have the right to submit evidence and argument as to the proper penalty;

g. The Committee shall then determine the penalty, if any;

h. The committee shall state in writing each finding of a violation and the penalty determined. Each committee member concurring in the finding and penalty shall sign the statement. The Committee shall include in the statement its reasons for the finding and penalty.

e. Evidence

1. Rules of evidence shall not apply to hearings before the SCC, and the SCC may admit and give effect to evidence that possesses probative value and is commonly accepted in the conduct of a reasonable person. The SCC shall not consider and may exclude irrelevant, immaterial, and unduly repetitious evidence. The SCC shall recognize as privileged communications between a student and member of the professional staff,

Counseling Center, or the Office of the Vice President of Student and Academic Services where such communications were made in the course of performance of official duties and when the matters discussed were understood by the staff member and the student to be confidential, as well as those communications which are privileged by law. Committee members may freely question witnesses.

2. A student is presumed innocent until the Vice President of Student and Academic Services has proved a violation by clear and convincing evidence.

3. All evidence offered during the hearing shall be made a part of the hearing record. Documentary evidence may be included in the form of copies, extracts or abstracts, or by incorporation by reference. Real evidence may be photographed or described.

f. Record

1. The hearing record shall include the student's written notice of appeal, the complaint, all tangible evidence admitted at the hearing, written motions, pleas, and any other materials considered by the Committee and the Committee's written findings, decisions, and determinations, a transcript if prepared by a certified court reporter, and an electronic recording of the proceedings if the same is delivered to the Chairperson upon the termination of the hearing.

2. If notice of appeal is timely given as hereinafter provided, the Chairperson of the SCC shall deliver the record to the President, with a copy to the student and a copy to the Vice President of Student and Academic Services on or before the tenth class day after the notice of appeal is received.

F. Appeal to President

a. Right of Appeal

1. In those cases in which the disciplinary penalty imposed was as prescribed in IV, C through K, the student may appeal the decision of the Student Conduct Committee in an interim action to the President. Disciplinary actions taken under IV A and B cannot be appealed beyond the Student Conduct Committee. A student appeals by giving written notice to the Chairperson of the SCC on or before the third class day after the day the decision or action is announced. This notice shall contain the student's name, the date of the decision or action, the name of his/her legal counsel, if any, and a simple request for appeal.

2. Notice of appeal timely given suspends the imposition of penalty until the appeal is finally decided.

b. Consideration of Appeal

1. The President shall consider each appeal on the record of the hearing before the Student Conduct Committee. For good cause shown, the President may remand to the SCC to consider and hear newly discovered evidence.

2. The President shall give written notice to the student and the Vice President of Student and Academic Services of the time, date, and place of

the hearing which shall be held not more than 10 days after receipt of the notice of appeal, unless for good cause shown another date sooner is selected.

3. The President may hear oral argument and will accept written briefs from the student and the Vice President of Student and Academic Services.

4. The President may modify or set aside the finding of violation, penalty, or both, if the substantive rights of the student were prejudiced because the SCC's finding of facts, conclusions or decisions were:

a. In violation of federal, state or local law, Board of College policy or regulation or this code.

b. Clearly erroneous in view of the evidence contained in the record from the hearing before the SCC.

5. The President may not increase a penalty assessed by the SCC.

IV. Penalties

The Vice President of Student and Academic Services or the Student Conduct Committee, or the President may impose one or more of the following penalties for a violation:

A. Warning- A written reprimand to the student to whom it is addressed.

B. Warning Probation- A warning indicating that further violations may result in suspension. Warning probation may be imposed for any length of time up to one calendar year and the student shall be automatically removed from probation when the imposed period expires.

C. Disciplinary Probation- A warning indicating that further violations may result in suspension. Disciplinary probation may be imposed for any length of time up to one year and the student shall be automatically removed from probation when the imposed period expires. Students will be placed on disciplinary probation for engaging in activities such as but not limited to the following: being convicted of public intoxication or simulated intoxication, misuse of student identification (minor violation) card, creating a disturbance in or on campus facilities, and illegal gambling.

D. Withholding of Transcript or Degree- Imposed upon a student who fails to pay a debt owed the College or who has a disciplinary case pending final disposition. The penalty terminates on payments of the debt or final disposition of the case.

E. Bar Against Readmission- Imposed on a student who has left the College on enforced withdrawal or disciplinary reasons.

F. Restitution- Reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensation for damages.

G. Suspension of Rights and Privileges- An elastic penalty which may impose limitations or restrictions to fit the particular case.

H. Suspension of Eligibility for Official Nonathletic Extracurricular Activities- Prohibits, during the period of suspension, the student on whom it is imposed from joining a registered student organization; taking part in a registered student organization's activities, or attending its meetings or functions; and from participating in an official nonathletic extracurricular activity. Such suspension may be imposed for any length of time up to one calendar year. This disciplinary action will be imposed for engaging in

activities such as the following: possessing or using alcoholic beverages on College property or while representing the College as a part of an off campus function in violation of College rules; destroying College property or a student's personal property; giving false information in response to requests from the College; instigating a disturbance or riot; theft; possession, use, sale, or purchase of illegal drugs on or off campus; an attempt to incur personal bodily injury which includes taking an overdose of pills or any other act where emergency medical attention is required; and conviction of any act which is classified as a serious misdemeanor, aggravated misdemeanor, or felony under state or federal law.

- I. Denial of Degree- Imposed on a student found guilty of scholastic dishonesty and may be imposed for any length of time, including permanently.
- J. Suspension from the College-Prohibits, during the period of suspension, the student on whom it is imposed from being initiated into an honorary or service organization; from entering College property except in response to a request of the College; and from registering either for credit or for noncredit, for scholastic work at or throughout the College.
- K. Expulsion from the College

V. Miscellaneous

- A. A. In the event any portion of this policy conflicts with the laws of Iowa or of the United States, those laws shall be followed.
- B. All disciplinary proceedings will become a permanent part of the student's records maintained by the College.
- C. Evidence discovered as the result of an illegal search or seizure shall not be considered in determining whether a violation has occurred.
- D. Words and phrases herein shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.

Safety Exercises and Drills

To ensure the College's emergency management plans remain current and procedurally applicable, NCC may conduct an emergency exercise or drill as conditions and facility usage allows.

These exercises/drills may include tabletop exercises, emergency evacuation/lockdown drills or full-scale emergency response exercises. The College conducts after-action reviews of all emergency drills and exercises.

In conjunction with an emergency management exercise, NCC will notify College personnel of the exercise.

NCC EMERGENCY RESPONSE CONTACTS

Emergency Response **9-911 or 911**
Campus Support Dial 0 Front Desk or Ext 114

Incident Coordinators

Mark Brown Work: 712-324-5061, Ext. 154
 VP, Operations & Finance College Cell: 712-301-5874

Mike Oldenkamp Work: 712-324-5061, Ext. 284
 Director of Technology & Information Services College Cell: 712-251-7588

Dr. Jan Snyder..... Work: 712-324-5061, Ext. 125
 Vice President-Institutional Advancement & External Affairs College Cell: 712-301-1797

Dr. Alethea Stubbe Work: 712-324-5066, Ext. 166
 President College Cell: 712-301-2431

Dr. John Hartog Work: 712-324-5066, Ext. 309
 VP of Student and Academic Services Cell: 712-540-9791

Steve Waldstein Work: 324-5066, Ext. 165
 Dean of Trade and Technology Cell: 712-253-0060

Doug Rodger..... Work: 712-324-5066, Ext. 247
 Director Physical Facilities College Cell: 712-251-1932

Nate Voss..... College Cell: 712-301-7605
 Evening Custodial Supervisor

Sandy Bruns Work: 712-324-5061, Ext. 113
 Equity Officer

Beth Frankenstein..... Work: 712-324-5061, Ext. 242
 Equity Officer

COMMUNITY EMERGENCY RESPONSE CONTACTS

Sheldon Police Department.....	911 or 712-324-2525
Fire Department	911 or 712-324-2525
Hospital Sanford Sheldon.....	712-324-5041
MidAmerican Energy (electricity and gas).....	Emergency Line 866-851-4261
Key Account Manager	John Rexwinkel Cell – 712-251-3481
Sheldon Location	712-324-2538
Public Works Department (water and sewer)	712-324-4444
O’Brien County Sheriff.....	911 or 712-757-3415
Sioux County Sheriff	911 or 712-737-2280

NOTIFICATION METHODS

Fire Alarm

All buildings are equipped with a pull station fire alarm system. This system can be activated by pulling one of many pull stations (typically located near exits) or by the activation of one of many different sensors, including smoke and heat detectors.



Once the fire alarm system has been activated everyone should evacuate the building and wait for official notification to re-enter (see Fire).

You are required to follow the directions of college officials and emergency personnel during an emergency event.



The fire alarm signal is a constant tone and can be heard from a fire horn. Most fire horns are equipped with a white flashing light to indicate the fire alarm has been activated.

If the fire alarm signal stops before you get out of the building continue to evacuate and encourage those around you to do the same. Do not reenter the building until officially notified that it is safe to do so.

Tornado Alarm

The College has an outdoor tornado siren that is linked with the City of Sheldon's warning system.

Once the alarm has been activated you should seek shelter in the closest designated location. You should not stay in our office or classroom, even if it appears safe to do so. In the unlikely event that a tornado does destroy the buildings emergency personnel will concentrate rescue efforts on the designated shelters. An announcement may be made following the activation of the tornado alarm instructing you to seek shelter.

You are required to follow the directions of college officials and emergency personnel during an emergency event.

When it is safe to do so an announcement will be made over the PA system that it is safe to leave your shelter.

PA Announcement

The PA will be used in the event of a campus emergency requiring special instruction to the entire campus community including evacuation. In the event of a weather emergency or an emergency requiring you to secure your area, an announcement will be made over the PA system.



Once you hear an announcement with instructions on what to do please follow those instructions without delay.

You are required to follow the directions of college officials and emergency personnel during an emergency event.

Further instructions will be made over the PA as the situation warrants.

Campus Alert System



In the event of an emergency on campus, administrators will broadcast urgent messages via RAVE text messaging using the Campus Alert system to those who have registered their cell phone numbers and/or email addresses. The message will contain a brief description of the situation and how to proceed. Due to character limitations the message will be very short. To sign up for RAVE go to <https://www.getrave.com/login/nwicc>.

Website Announcements

The College will post all announcements on the www.nwicc.edu website as soon as possible. This would include weather related announcements as well as emergency related updates.

Local News Media

The College will utilize the local news media to alert students, faculty and staff of the status of the campus during certain events, such as a weather related closing of the campus. Stay tuned to local radio and television in the event of the threat of a closure for the latest update.

Timely Warnings-Crime Alerts

In an effort to provide timely notice to the campus community in the event of a Clery Act crime that may pose a serious or ongoing threat to members of the community, a college designated official will issue crime alerts. These alerts will be posted through a variety of ways, including but not limited to emails, texts, and RAVE messages. These alerts will be issued when the following criteria are met: (1) a crime is committed; (2) the perpetrator has not been apprehended; and (3) there is a substantial risk to the physical safety of other members of the campus community because of this crime.

Residence Halls Fire Safety Report

Residence Hall Fire Safety System & Evacuation Procedures

Each residence hall is equipped with fire exits, fire alarms, and fire extinguishers. Lyon and O'Brien Hall are equipped with sprinkler systems. Residence Hall coordinators are responsible for assisting residents in locating fire exits, fire alarms, and fire extinguisher in their residence hall. In case of a fire emergency, students should evacuate the residence hall through a fire exit that appears to be the safest available option. In case of a fire evacuation all residence hall student should report to the Lifelong Learning and Recreation Center and to be reunified with family.

For the protection of resident, the units are equipped with smoke and fire detection and prevention devices. Tampering with the smoke detectors, alarm system, or fire extinguishers is a college and residence hall offense, as well as a violation of the fire code. Stairwell and hallway doors may not be propped open or the door hardware tampered with. Hallways must be kept clear at all times. Furniture and personal belongings such as bicycles, trucks boxes, and drying racks may not be placed in hallways. Any items left in residence halls common rooms, halls, stairwells, or where they obstruct exits will be discarded and fines may be assessed. Ceiling hangings or any description are not permissible as they interfere with the proper function of the fire/smoke detection and prevention devices. Do not hang anything on the sprinkler heads.

Residence Hall Fire Drills

During each academic year, Northwest Iowa Community College completes two mandatory fire drills – one during the fall semester and one during the spring semester. These drills were completed by the director of housing, residence hall coordinators, and the director of facilities.

Residence Hall Policies Related to Smoking

Northwest Iowa Community College is a smoke/tobacco-free campus. In accordance with House File 2212, which enacted by the General Assembly of the State of Iowa and signed by Iowa Governor Chet Culver, NCC became a smoke-free/tobacco free campus on July 1, 2008. Smoking/chewing tobacco is prohibited on all college owned property and 50 feet beyond the perimeter of campus.

Fire Safety & Education Training

Students will be made aware during housing orientation college expectation for fire safety in college residence halls. Campus residents will be instructed of fire drill procedures during housing orientation at the start of the academic year.

Residence Hall Fire Reporting & Statistics

Students should report occurrences of fire in the residence halls immediately to the Coordinator of Residential Life and Student Activities.

The following data represents residence hall fire statistics for Northwest Iowa Community College's on-campus housing.

	Year	Total Number of Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Requires Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damaged Caused by Fire
Cherokee	2013	0	0	N/A	0	0	0
	2014	0	0	N/A	0	0	0
	2015	0	0	N/A	0	0	0
Lyon	2013	0	0	N/A	0	0	0
	2014	0	0	N/A	0	0	0
	2015	0	0	N/A	0	0	0
O'Brien	2013	0	0	N/A	0	0	0
	2014	0	0	N/A	0	0	0
	2015	0	0	N/A	0	0	0