



Annual Security & Fire Safety Report

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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 College Equity Officers, Chief Academic Officer (CAO), Chief Financial Officer (CFO), or the Sheldon Police Department.

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 Chief Financial Officer (CFO) 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 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.

Definitions 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 addiction (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 or 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 2023, 2024, and 2025 comparative reputable crime rates were as follows:

Total crimes reported for:	On-campus buildings and properties						Non-campus building or property (total)			Public property (total)			Unfounded (total)		
	On-campus student housing			On-campus total*			2023	2024	2025	2023	2024	2025	2023	2024	2025
Offense type: (includes attempts)	2023	2024	2025	2023	2024	2025									
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hate crimes: (by prejudices)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual orientation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gender identity	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National origin	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons law violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arrest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary actions	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arrest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary actions	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor law violations	0	12	0	0	12	0	0	0	0	0	0	0	0	0	0
Arrest	0	12	0	0	12	0	0	0	0	0	0	0	0	0	0
Disciplinary actions	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
*Includes on-campus student housing															

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 intuitions 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 proving 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 9.

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.

Sexual Harassment Procedures

The following procedures and processes shall be followed in cases of Sexual Harassment, as defined under Board Policies 477 and 577.

Confidentiality

The College is committed to creating an environment in which those who have experienced Sexual Harassment are encouraged to come forward, while also protecting the privacy of all involved in an investigation. It is important that those reporting Sexual Harassment understand the limits on confidentiality of the individual who they may contact for such assistance. Different people, depending on their positions, have different obligations with regard to confidentiality. Under Iowa law, communications with some individuals are confidential. Those who want to maintain confidentiality should always confirm whether confidentiality applies to the communication before they make the communication. Generally, confidentiality applies when seeking outside services from the following persons:

- Trained and statutorily certified victim's advocates;
- Licensed psychological counselors or health care providers;
- A personal attorney representing the victim; and/or a
- Religious/spiritual counselor.

The College will keep confidential the identity of any individual who has made a report or complaint of sexual harassment, or has been identified as the perpetrator or respondent to any such report or complaint, or is a witness to any complaint or investigation, except as required to carry out the purposes of this Policy (including the conduct of any investigation, hearing, or judicial proceeding), applicable law, or as permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. § 1232g.

However, complaints about violations of this Policy will be handled in strict confidence, with personally identifiable information protected and information made available only to those who need to know in order for the College to promptly and thoroughly investigate and resolve the matter. The College must balance the needs of individual students with its obligation to protect the safety and well-being of the community at large.

The College will also keep personally identifiable information out of public recordkeeping, including the College's Annual Security Report of Crime Statistics under the Clery Act.

Medical Attention and Evidence Preservation

After an occurrence of Sexual Assault/Abuse or other violence, a victim should consider seeking medical attention as soon as possible. Prompt medical attention is important both for physical/mental well-being and to preserve medical and physical evidence. Local medical attention is available at any of the following hospitals or clinics:

Sanford Sheldon Medical Center
118 N. 7th Avenue
Sheldon, IA 51201
1-712-324-5041 or toll-free 1-800-568-4320

Sanford Sheldon Clinic
800 Oak Street
Sheldon, IA 51201
1-712-324-5356 or toll-free 1-800-568-4332

Additionally, a free, confidential medical examination from a Sexual Assault Nurse Examiner (SANE) can be obtained. The SANE can conduct a sexual assault evidence collection kit to preserve forensic evidence of the assault within 120 hours after its occurrence. Bathing, douching, smoking, changing clothing and cleaning the scene of the assault is discouraged before seeking medical attention.

Preserve other evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents. This evidence could be useful to the College and/or law enforcement if you choose to pursue the matter within the College and/or in court.

Victim Advocacy and Counseling

Victims of sexual harassment may also want to contact an advocacy group for information and assistance, or seek mental health counseling. The following is a list of such resources on or accessible in the area:

On Campus:

NCC makes counseling referrals to outside agencies when needed. If you feel that you might need counseling, please contact Student Services.

Off-Campus (both confidential resources):

Iowa Domestic Violence Hotline
1-800-942-0333
www.cf Iowa.org

National Domestic Violence Hotline
1-800-799-SAFE (7233)
1-800-787-3224 (TTY)

Interim Protective Measures/Accommodations

After receiving a report or complaint of sexual harassment, the Title IX Coordinator will promptly contact the complainant to discuss the availability of interim supportive measures and consider the Complainant's wishes with supportive measures, whether or not law enforcement is contacted or a formal complaint is filed. The College will also implement interim or protective action for both parties during an investigation, or when requested by the complainant (when reasonably available). Such protective measures may include:

- Transfer of class sections;
- Assistance in exploring incompletes, leave or withdrawal;
- Changes in living, transportation, or working arrangements;
- Referral to counseling and health resources, and assistance with notifying law enforcement;
- Providing a campus no-contact agreement or order.

The College will keep any protective measures confidential, to the extent confidentiality does not impair the College's ability to provide the measures.

Supportive measures will be individualized, provided without fee or charge, are non-disciplinary in nature, and will not unreasonably burden either party. When putting supportive measures in place, the College will consider individually each situation and the circumstances presented.

Individuals may also pursue other civil or criminal no-contact/protective orders through the court system. 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, or another court in your county of residence.

If an individual obtains an order of protection from a court in Iowa, the Title IX Coordinator should receive a copy to be aware of any limitations or restrictions and to develop a plan to abide by the court order. This plan may include, for example: escorts, special parking arrangements, changing classroom location, allowing a student to complete assignments from home, etc. The College cannot enforce a violation of a court order, but can assist an individual in contacting law enforcement to report a violation. If any terms of a court order are unclear in their application to the campus environment, it is up to the parties to seek clarification through the court—the College cannot render a legal opinion or give advice other than to develop a plan to reasonably prevent violations of the order.

Interim Suspension or Administrative Leave

The College may make a non-disciplinary interim suspension of a student Respondent on an emergency basis. Prior to suspending a student, the College will conduct an individualized safety and risk analysis and determine whether there is an immediate threat to the physical health or safety of any individual. Any student so suspended will be provided with notice and an

opportunity to challenge this action immediately following the removal. The College may, in its discretion and consistent with applicable policies, procedures, and/or agreements, place an employee Respondent on administrative leave pending the outcome of a resolution process.

Amnesty for Complainants and Participants in Investigations

The College will not pursue disciplinary action for improper use of alcohol or other drugs against a student who reports or makes a complaint, in good faith, concerning an incident of Sexual Harassment, or who participates, in good faith, in an investigation into an incident of Sexual Harassment.

Reporting Violations

To the College:

A victim, the College, or a member of the College community may report or file an institutional complaint of Sexual Harassment, whether or not it occurred on campus. To make a report and/or receive information regarding filing a complaint or to do so, contact:

Title IX/Equity Coordinator (for employees)

Linette Heatherly

Phone: 712-324-5061, Ext. 113

Email: lheatherly@nwicc.edu

Title IX/Equity Coordinator (for students)

Sarah Breems-Diekevers

Phone: 712-324-5061, Ext. 137

Email: sbreems-diekevers@nwicc.edu

Any nonconfidential employee of the College who has the authority to institute corrective measures on behalf of the College must immediately report any known instances of sexual harassment to the Title IX Coordinator. Otherwise, the College strongly encourages all students, employees, or anyone with knowledge to report incidents of sexual harassment.

Law Enforcement:

The College encourages victims to report instances of Sexual Harassment which constitute a crime to local law enforcement, but it is a victim's right to choose whether to make a report or decline law enforcement involvement. In any emergency situation, law enforcement can always be reached by dialing 911. The Sheldon Police Department can also be reached at their non-emergency phone number, 712-324-2525. The College's Title IX/Equity Coordinator can assist a victim with making a report to law enforcement.

Timeframe for Reporting

The College encourages individuals to come forward as soon as possible to share concerns of sexual harassment so that a timely and effective review and response can occur. There is no time limit for a reports or complaints under the Policy, although the College's ability to investigate

and respond fully may be limited with the passage of time. However, formal complaints of sexual harassment will only be adjudicated under the procedure below when the misconduct is reported to the institution while the Complainant is actively affiliated with the College.

If at the time of the report a Respondent is no longer affiliated with the College (e.g., a report is made after a student has left or graduated or an employee no longer works for the College), the College can still provide reasonably available supportive measures, assist the Complainant in identifying external reporting options, and may take other appropriate action depending on the circumstances presented. In all cases, the College will conduct a fair, prompt, and equitable investigation of allegations of sexual harassment. Generally, the College will attempt to complete the process within 60 days. However, the time frames set forth in these procedures are meant to provide guidance, and the College may, as appropriate, alter or extend time frames for good cause, with written notice to the parties. The time it takes to complete the resolution of a sexual harassment complaint may vary based on the complexity of the investigation and the severity and extent of the alleged conduct, as well as on whether there is a parallel criminal investigation, or if school breaks occur during the process.

PROCEDURES FOR RESPONDING TO REPORTS OF SEXUAL HARASSMENT

Initiating a Formal Complaint

When the College learns of potential sexual harassment, in most cases outreach will be done with the Complainant to identify reporting options (discussed earlier) within and outside the College and to offer supportive measures. The Title IX Coordinator is available to meet to discuss those reporting options with the Complainant or answer questions from the Respondent.

A Complainant who proceeds with a formal complaint must do so in writing, and by filing a complaint with the Title IX Coordinator by hard copy, email, or any other writing evidencing a physical or digital signature, or otherwise verifying the Complainant is filing the complaint. If the Title IX Coordinator signs a formal complaint, the Title IX Coordinator will not become a party or Complainant for purposes of the processes below.

Dismissal and Consolidation of Formal Complaints

If, at any point of the resolution process, it becomes apparent that the allegations contained within a formal complaint of sexual harassment, even if true, would not meet the scope and/or definitions in the Policy, the College will dismiss the complaint for purposes of processing under these procedures, but may proceed under a different policy or process for adjudication as the circumstances warrant. Additionally, the College may, in its sole discretion, elect to dismiss any formal complaint of sexual harassment under the following circumstances:

- The complainant requests, in writing, the withdrawal of the formal complaint,
- The respondent is no longer employed or enrolled as a student at the institution, or

- Specific circumstances prevent the College from gathering evidence sufficient to reach a determination or satisfy its own burden of proof in investigating and adjudicating a formal complaint of sexual harassment.

If the College elects to dismiss a formal complaint, all parties will be notified in writing of the decision, and will be given the opportunity to appeal the decision under Section I(10) below. The College may choose, at its sole discretion, to consolidate formal complaints where more than one Complainant and/or more than one Respondent is involved so long as the allegations of sexual harassment arise out of the same facts/circumstances. In such cases, the College may also choose to issue a single investigation report.

Notice of Investigation

Upon the filing of a formal complaint, the Title IX Coordinator or designee will provide a written Notice of Investigation simultaneously to both parties notifying the parties of:

- the identities of the parties involved in the incident;
- the conduct alleged;
- the date and location of the incident;
- Respondent's entitlement to a presumption of innocence;
- The parties' rights to have an advisor of their choice at the party's expense, who may be an attorney; and
- The parties' rights to review and comment on investigative evidence.
- The rights of both parties to a mutually agreed upon resolution.

The written notice of investigation shall notify the parties that making false statements or knowingly submitting false information during the resolution process is prohibited by the College and may constitute an independent basis for disciplinary sanctions, up to and including suspension or expulsion of a student or termination of an employee's employment. The Notice will also include, if available, the name of the investigator(s) and a copy or link to the applicable Policy.

The notice shall be provided prior to the initial interview of any party, and within a sufficient amount of time to prepare. Parties will be also be provided advance notice in writing of the date, time, location, participants, and purpose of any interview, hearing, or meeting in the investigation and resolution process.

If, during the course of investigation, the College determines that additional allegations will be investigated as part of the pending complaint, the Title IX Coordinator or designee will provide written notice of the additional allegations to any identified Complainant(s) or Respondent(s).

Right to an Advisor

Both a Complainant and a Respondent are given the opportunity to have support or advice through the reporting and if applicable, investigative and disciplinary processes. Either the Complainant or the Respondent may have an individual accompany them at their own expense to

any meetings, interviews, or hearings related to the matter – these individuals are called “advisors.” The advisor may be a friend, victim advocate, lawyer, employee, family member, or other person chosen by the Complainant or Respondent. The roles and expectations of a person serving as an advisor are explained as follows:

- The advisor will keep private the information shared during meetings and throughout the investigation and adjudication process and will not disclose in any manner information shared or learned in the College process.
- It is up to the Complainant and Respondent to present their information in meetings, interviews, or hearings. Advisors cannot speak for an individual and do not have an active role during any meetings, interviews, or hearings, with the exception of conducting cross-examination on behalf of a party in a live hearing.
- The College’s communication during the process will be primarily with the Complainant and Respondent, not with the advisor directly.
- A Complainant or Respondent may use different a different advisor at various stages in the process, especially if their chosen individual cannot be available for a scheduled meeting, interview, or hearing. The College will work to reasonably accommodate the advisors’ schedules, but will not unnecessarily delay the process due to the advisors’ conflicts.
- The College may remove an advisor if they unreasonably delay the process, or their presence is disruptive, obstructive, or otherwise interferes with the College’s handling of the matter. In such a case, the College will notify the Complainant or Respondent, who may seek another advisor.
- College policy prohibits retaliation against any individuals for filing a complaint or participating in the investigation of the complaint. An advisor is also protected by and subject to this retaliation prohibition. This means an advisor may not retaliate against any person participating in this process, nor may anyone retaliate against an advisor.
- The College will provide any party who does not have an advisor present to assist with cross-examination during any hearing during which the party has the right to engage in cross-examination with a College appointed advisor for the duration of that hearing, the selection of which is in the College’s sole discretion.

The Investigation

The College will select an investigator or investigators who have received annual training to investigate campus matters of sexual harassment and in conducting a prompt, equitable, and fair investigation. The investigation team may be composed of internal College employees, external professionals, or a combination of both. Either the Complainant or Respondent may request in writing that an investigator be recused because of an identified conflict of interest. The Title IX Coordinator will determine if a conflict exists.

The burden of proof and the burden of gathering sufficient evidence to reach a determination of responsibility rests with the College and not with the parties. The investigation may include, but is not limited to, interviews with the Complainant, the Respondent, any witnesses identified by the parties or by the investigator as having information relevant to the complaint, and collecting and reviewing any relevant documents, communications, or physical evidence if possible.

- The investigator(s) will interview the Complainant and Respondents separately. Each party will be asked to participate in an initial interview and may be asked to participate in a follow-up interview(s) as needed.
- Each party may offer witnesses and other information, documents or other evidence relevant to the complaint, both inculpatory and exculpatory. Information, documents or other evidence provided by the parties and witnesses may be shared with both parties during the investigation.
- The order of the interviews will be determined by the investigator(s) based on the circumstances of each complaint.
- The investigator(s) will make a good faith effort to contact and interview relevant witnesses.
- In the event Complainant or Respondent request reasonable accommodations during the investigation process due to a disability, the investigator(s) will consult with the Title IX Coordinator.

Neither party will be restricted in their ability to discuss the allegations or to gather and present relevant evidence; provided, however, that such communications shall not constitute harassment of or retaliation against any party.

The investigator(s) will evaluate all relevant evidence, both inculpatory and exculpatory. The investigator(s) will only access, consider, disclose, or otherwise use a party's treatment records made or maintained by a health care provider, or other records protected under a legally recognized privilege, if the party provides the investigator(s) with voluntary, written consent to do so.

Inspection and Review of Evidence Directly Related to Allegations and the Investigation Report

Complainant and Respondent and, unless directed otherwise by the respective parties, their advisor, will be provided the opportunity to inspect all evidence directly related to the allegations of the formal complaint, including both inculpatory and exculpatory evidence, and evidence that the College does not intend to rely on in reaching a determination. This evidence will not include privileged medical information (unless the institution has the voluntary, written consent of the party concerned to use that information in the investigation) and prior sexual history (with the limited exception of evidence offered to prove someone other than the respondent committed the alleged misconduct or evidence of prior sexual behavior between the parties offered to prove consent). The College may require both parties and their advisors to enter into a written agreement prohibiting the use or dissemination of evidence for any purpose other than those directly related to the parties' participation in resolution process.

Complainant and Respondent will be given at least ten days to inspect and review the evidence collected during the College's investigation and to submit a written response the investigator(s) will consider in preparing a final investigation report. The final investigation report will summarize the information and include any documents gathered. The investigative report will not include determination of responsibility for the complaint itself.

Additionally, Complainant and Respondent will be given at least an additional ten days after receiving a copy of the College's final investigation report to respond to the investigation report, in writing. In their written response to the investigation report, Complainant and Respondent may provide written comments regarding the relevance of the evidence included in or excluded from the investigation report, provide factual or other corrections to the report, and otherwise provide context for the report.

The final investigation report will be distributed, concurrently, to both of the parties and the Title IX Coordinator at least ten (10) calendar days prior to a hearing to determine responsibility.

Live Hearing and Cross-Examination

For purposes of adjudication of formal complaints of sexual harassment under the Policy's scope, regardless of the identity of the parties involved, the College will conduct a live hearing prior to the issuance of a written decision report in accordance with the procedures below:

Appointment of Decision-Maker(s)

The College shall appoint one or more Decision-Maker(s) who are either internal or external to the College, but have been trained on the matters set forth in the Policy and procedures. If there is more than one Decision-Maker, one of the Decision-Makers shall be designated to serve as Hearing Officer during the hearing. The Hearing Officer will preside over the hearing and determine whether information or questions of parties is relevant. All procedural questions, including the decision to accept evidence and/or statements, will be made by the sole Decision-Maker or Hearing Officer, in their sole discretion.

Notice of Hearing

No less than ten (10) calendar days before the hearing, the Title IX Coordinator will prepare and send the parties a written notice of the time and date of the hearing, as well as the identities of the Decision-Maker(s). Within five (5) calendar days either the Complainant or Respondent may request, in writing to the Title IX Coordinator, that the Decision-Maker(s) be recused because of an identified conflict of interest. The Title IX Coordinator will determine if a conflict exists. If a party requests, the entire hearing will be conducted with the parties in separate rooms with technology enabling the Decision-maker(s) and parties to simultaneously see and hear the witness answering questions.

Notice of Witnesses

At least five (5) calendar days before the hearing, the Decision-Maker(s) will notify the parties in advance which witnesses (including Complainant or Respondent) they would like to be present at the hearing. The Decision-Maker(s) or designee will notify these witnesses of the hearing date and time and that their presence has been requested. Any witness called by the Decision-Maker(s) will also be expected to answer questions from the parties. When notifying the parties

of these witnesses, the Decision-Maker(s) will also request the parties identify any additional witnesses they wish to have present at the hearing for cross-examination.

The Decision-Maker(s) or designee will notify relevant witnesses of the hearing date and time and that their presence has been requested by the party for cross-examination.

Proceedings

The hearing is closed to the general public. The parties and their advisor will be allowed to attend the entire portion of the hearing at which information is received (excluding deliberations). Admission of any other person to the hearing will be at the discretion of the Decision-Maker(s). There shall be no formal pleadings, legal memorandum, or motions filed in the hearing process. The Decision-Maker(s) will advise the parties if opening statement or closing statements are permissible.

The College will record and/or create a transcript of all live hearings and will make that recording and/or transcript available to all parties for inspection or review.

The Complainant and Respondent are permitted and encouraged to attend and participate in the hearing with an advisor of their choice.

The College will make all evidence subject to inspection by all parties available at any hearing and will give each party equal opportunity to refer to that evidence at the hearing, including as part of cross-examination.

Presentation of Evidence

The hearing is not a second investigation of the allegations. In the hearing, the parties will be asked if they have any additional evidence they wish the Decision-Maker(s) consider, and if the parties wish to comment on the Investigation Report and evidence. Any new evidence presented by a party, if admitted as relevant, will be provided to the other party to provide comment on; Parties will be allowed, through their advisors, to cross-exam all other parties and any witnesses, including fact and expert witnesses, and to ask all relevant questions and follow-up questions including those challenging party or witness credibility, directly, orally and in-real time. Any party without an advisor will be appointed an advisor by the College, with selection of the advisor being at the sole discretion of the College; Only relevant questions may be asked of a party or witness. Before a party or witness answers a question the decision-maker will articulate whether the question is relevant and will explain the decision to exclude any question as irrelevant. Questions about prior sexual history will generally be deemed irrelevant with limited exceptions.

The Decision-Maker(s) may ask questions, at any time, of the parties and of the witnesses.

Standard of Proof

The determination of whether or not sexual harassment occurred will be made on the basis of whether it is more likely than not that the Respondent violated the Policy. This standard is more formally referred to as the “preponderance of evidence” standard.

In making its determination, the Decision-Maker(s) will carefully consider all of the evidence presented and follow the procedures stated in the Policy and any other applicable policies, procedures, rules, or handbook provisions in order to ensure as fair a hearing as possible for all parties.

Written Decisions

The College Decision-Maker(s) will independently evaluate the evidence gathered. Written decisions will be provided simultaneously to the parties and include the following information:

1. allegations of sexual harassment,
2. procedural history (including specifics about notifications of hearings, meetings and interviews, methods used to gather evidence and hearings held),
3. findings of fact supporting the decision,
4. conclusions regarding application of policy to the facts,
5. rationale for the decision/finding of responsibility as it applies to each allegation,
6. disciplinary sanctions imposed on respondent, if any,
7. whether (but not the nature of) remedies designed to restore/preserve equal access to any or all education programs or activities that will be provided to the Complainant, and
8. procedure and permissible bases for appeal.

Decisions, including the imposition of any sanctions, will become final upon written notification to the parties of the outcome of an appeal or, if there is no appeal, the date on which an appeal would no longer be considered timely. The Title IX Coordinator will be responsible for coordinating the effective implementation of remedies, as well as any non-punitive or non-disciplinary supportive measures imposed.

Appeals

The written decision of the Decision-Maker(s) shall be subject to appeal by both Complainant and Respondent. All parties have an equal right to appeal any final decision on the following bases so long as the bases of the appeal is significant enough to be reasonably expected to affect the outcome of the decision:

- A procedural irregularity within the investigation or adjudication process;
- New evidence not reasonably available when determination of responsibility was made;
- A conflict of interest or the bias of the Title IX Coordinator, investigator or a decision-maker.

The College will notify all parties upon receipt of an appeal by any party alleging one of the bases for appeal above. Both parties will be given an opportunity to submit a written statement in

support of, or challenging, the written determination. Written statements must be submitted within five (5) business days.

The Appeal Decision-Maker(s) will determine if the decision and/or sanctions imposed will be stayed pending the outcome of the appellate decision. Except as required to explain the basis of new information, an appeal will be limited to a review of the verbatim record of the hearing and supporting documents.

The Appeal Decision-Maker(s) may affirm, reverse, or modify the decision regarding the violation and/or sanctions imposed. A written decision will be issued simultaneously to the parties describing the result of the appeal and the rationale therefor. The written appeal decision is the final decision of the College, and no further appeals are permitted under the Policy or these procedures.

Sanctions

For students, sanctions include, but are not limited to, an educational sanction, reprimand, probation, restitution, fine, denial of privileges, no-contact order, housing transfer or removal, suspension, and/or expulsion or termination, as set forth in the College's Student Conduct Code.

For faculty and staff, sanctions could range from warning, reprimand, suspension with or without pay, demotion, or termination of employment, and may include such other forms of disciplinary action as appropriate under applicable College procedures, handbooks/manuals, or contracts. If a final decision imposes disciplinary action which constitutes termination of college personnel entitled to the hearing/judicial review procedures of Iowa Code chapter 279, such procedures shall be followed as required by law.

Sanctions may also include supportive measures regarding the complainant. The College will also consider providing remedies for the broader campus community, as may be necessary to remedy the effects of the Sexual Harassment.

Informal Resolution

After the filing of a formal complaint, the College may facilitate an informal resolution between the parties, and at any time prior to the Decision-Maker's determination of responsibility via the issuance of a written decision.

The Title IX Coordinator will assess the severity of the alleged harassment and the potential risk of a hostile environment for others in the community to determine whether informal resolution may be appropriate. Informal Resolution will not be available to resolve allegations involving an employee sexually harassing a student.

The College will not require the parties to participate in the Informal Resolution process as a condition of enrollment, continuing enrollment, or employment or continuing employment, or of any other right conferred by the College.

The Title IX Coordinator will provide the parties with a written notice setting for the allegations, the requirements of the informal resolution process set forth in this Policy, the right of any party to withdraw from the informal process and proceed with the formal complaint resolution process above, at any time prior to agreeing to a resolution; and any consequences resulting from the participation in the informal process, including the records that will be maintained or could be shared by the College. Both parties must voluntarily consent in writing to participation in the informal resolution process.

The Title IX Coordinator will attempt to aid the parties in finding a mutually acceptable resolution to the complaint. This resolution will be reduced to writing and must be signed by the Complainant and the Respondent. Once both parties have voluntarily signed the written resolution, the written resolution becomes final and neither party can initiate the formal complaint resolution process above to resolve the allegations in the formal complaint. The written resolution is not subject to appeal.

Advisors

The Complainant and the Respondent each may be assisted by an advisor throughout the Informal Resolution process. Advisors are assigned and subject to the same restrictions set forth for advisors as set forth above.

Election of Formal Resolution

Either party may, at any time prior to signing an informal resolution agreement, elect to end the informal resolution process and initiate formal resolution instead. In such cases, statements or disclosures made by the parties in the course of the informal resolution will not be considered in the subsequent formal resolution.

Privacy of Informal Resolution

In order to promote honest, direct, communication, information disclosed during informal resolution must remain private while the informal resolution is pending, except where disclosure may be required by law or authorized in connection with duties on behalf of the College.

Complainant Does Not Wish to Pursue Resolution or Requests Confidentiality

If the Complainant does not wish to pursue formal or informal resolution and/or requests that their report remain confidential, the Title IX Coordinator will inform the Complainant that the College's ability to respond may be limited. The Title IX Coordinator or designee may conduct a preliminary investigation into the alleged sexual harassment and may weigh the Complainant's request against the following factors:

- The seriousness of the alleged sexual harassment,
- Whether there have been other complainants of sexual harassment against the same Respondent, and
- The Respondent's right to receive information about the allegations, including the name of the complainant.

The Title IX Coordinator will only initiate a formal complaint against the wishes of the Complainant where doing so is not clearly unreasonable based on known circumstances, based on the potential impact to the College community if the allegations were true.

The Title IX Coordinator or designee will inform the Complainant if the College cannot ensure confidentiality. Even if the College cannot take disciplinary action against the Respondent because the Complainant insists on confidentiality or that the complaint not be resolved, the College reserves the authority to undertake an appropriate inquiry, and/or take other reasonably necessary supportive measures to promote a safe learning environment for the Complainant and/or the entire College community.

Sexual Harassment Outside the Policy's Scope and Definitions

If a formal complaint is filed which alleges sexual harassment which falls outside the scope of the Policy and is dismissed, the Title IX Coordinator will refer the complaint as appropriate for adjudication under another policy or process, such as the Discriminatory Harassment Policy or Student Conduct Code, as long as doing so would not interfere with any right or privilege provided to a party under Title IX. To the extent the complaint alleges dating violence, domestic violence, domestic violence, or sexual assault which fall outside the scope of the Policy (e.g., the alleged conduct occurred outside the United States or without substantial control over the respondent and the context in which the conduct occurred), the College shall nonetheless provide the following procedural rights to the parties in the applicable adjudication process:

1. The parties will each have the opportunity to participate in the investigatory and disciplinary process which is overseen by properly trained individuals;
2. The parties will each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or hearing. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing, except as expressly provided for in applicable procedures;
3. Decisions will be based on the preponderance of evidence standard. In other words, the investigator or adjudicator will determine if it more likely than not that the respondent violated the applicable policy;
4. The parties will be notified simultaneously in writing of the outcome of any disciplinary proceeding, as well as any changes to those results or disciplinary actions prior to the time that such results become final; and
5. If there is a right to appeal, the right is granted co-equally to the parties and the right will be explained in the applicable procedures. The parties will be notified simultaneously in writing of the final outcome of an appeal, if applicable.

College sanctions for such misconduct could include the range of sanctions detailed above.

Interplay with Criminal Proceedings

College disciplinary proceedings may be instituted against an individual charged with Sexual Harassment that potentially violates both the criminal law and the College's Sexual Harassment Policy (that is, if both possible violations result from the same factual situation) without regard to

the pendency of civil or criminal litigation in court or criminal arrest and prosecution. College proceedings may be carried out prior to, simultaneously with, or following civil or criminal proceedings at the discretion of the Title IX Coordinator.

Determinations made or sanctions imposed under this Policy will not be subject to change because criminal charges arising out of the same facts giving rise to violation of college rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant. College conduct proceedings are separate from criminal or civil litigation. Formal rules of process, procedure, and/or technical rules of evidence, such as those applied in criminal or civil court, are not used by the College.

Title IX/Equity Coordinator

The College's Title IX/Equity Coordinator or his/her designee ("Title IX Coordinator") coordinates the College's response to reports of Sexual Harassment under this policy. The Title IX Coordinator does not serve as an advocate for either the complainant or the respondent. The Title IX Coordinator will explain to both parties the informal and formal processes and the provisions of confidentiality. Where appropriate, the Title IX Coordinator will provide to both parties information on options for obtaining advocacy, medical and counseling services, and making criminal reports, and will assist with providing information on other resources. The Title IX Coordinator will coordinate with other campus officials to take appropriate interim actions such as no contact orders and academic accommodations. The Title IX Coordinator is trained and knowledgeable about enforcement, compliance, communication, and implementation of the College's anti-harassment and anti-discrimination policy.

The Title IX Coordinators' contact information is as follows:

Title IX/Equity Coordinator (for employees)

Linette Heatherly

Phone: 712-324-5061, Ext. 113

Email: lheatherly@nwicc.edu

Title IX/Equity Coordinator (for students)

Sarah Breems-Diekevers

Phone: 712-324-5061, Ext. 137

Email: sbreems-diekevers@nwicc.edu

College Reporting Requirements

The Jeanne Clery Disclosure of Security Policy and Campus Crime Statistics Act ("Clery Act") requires the College to report certain crime statistics and disclose security-related information. The annual security report issued by the College in compliance with the Clery Act will include, in addition to other required information, statistics regarding any incidents of sexual assault, domestic violence, dating violence, or stalking that have occurred within the locations governed by the Clery Act and that have been reported to a local law enforcement agency or a campus security authority. For purposes of these reporting requirements, the foregoing crimes shall be

defined as stated herein (however, if the definitions in this Policy and the definitions in the Clery Act are ever in conflict, the definitions in the Clery Act control). The annual security report will also include, under the “hate crimes” category of reportable offenses, statistics regarding incidents motivated by the victim’s actual or perceived national origin or gender identity. For all annual and interim reports, the College will withhold as confidential, to the extent permitted by law, the names of all victims.

Written Notification

The College will provide written notification to College students, faculty, and staff about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims of domestic violence, dating violence, sexual assault, and stalking, both within the institution and in the community. The College will also provide written notification to victims of domestic violence, dating violence, sexual assault, and stalking about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures by providing them a copy of the Title IX Sexual Harassment Policy (Board Policies 477 and 577) and these Procedures. The College will also provide a copy of the Title IX Sexual Harassment Policy (Board Policies 477 and 577) and these Procedures to a student or employee who reports to the College that the student or employee has been a victim of Title IX Sexual Harassment (whether the offense occurred on or off campus), as a written explanation of the student or employee’s rights and options.

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.

Investigators, adjudicators and other personnel involved in the process of investigating, responding, coordinating or otherwise assisting in the adjudication of complaints of sexual harassment will receive training as required on the topics of 1) impartiality, 2) avoiding

prejudgment of facts at issue, 3) conflicts of interest and bias, 4) the College's resolution processes, 5) issues of relevance and evidence, 6) the scope of the College's educational programs and activities, and 7) types of sexual harassment. College investigators will also be trained in writing investigation reports and decision-makers will be trained in conducting hearings, writing decisions and the technology used in hearings. The training materials used to perform these trainings will be published on the College's website and will ensure that relevant personnel are trained on issues related to sexual harassment and are taught how to conduct an investigation and hearing process that protects the rights, well-being, and safety of the parties, provides an equitable process for all parties involved, and promotes accountability.

Discriminatory Harassment and Accommodation Complaint Procedures

The following procedures and processes shall be followed in cases of Discriminatory Harassment, as defined under Board Policies 478 and 578. In addition, these procedures shall apply to complaints regarding a failure to accommodate.

Reporting Violations

Any member of the College faculty, staff or student body who believes he/she may have been subjected to discriminatory harassment or knows someone who may have been subjected to discriminatory harassment may report a violation to the College.

Individuals who feel that they have been harassed should first communicate to the harasser that the individual expects the behavior to stop, if the individual is comfortable doing so. Offensive conduct may have been thoughtless or based on a mistaken belief that it was welcome. If the individual wants assistance communicating with the harasser, the individual can contact the College's Equity Coordinator for assistance.

Complaints

If the harassment does not stop, or the individual does not feel comfortable confronting the harasser, the individual should promptly report the behavior to an Equity Coordinator, Director of Human Resources, or other College administrator. The College is committed to preventing discriminatory harassment, but cannot do anything to remedy the problem if it is unaware that a problem exists. Any student who believes he/she may have been unlawfully denied accommodations may report a violation to the College's Equity Coordinator or other College administrator.

Investigation

If an individual complains of discriminatory harassment or of denied accommodations, the complaint will be investigated. An investigation may be commenced in the absence of a written

complaint. If any of the parties feel that the assigned investigator has a conflict of interest, they should inform an Equity Coordinator, Director of Human Resources, or other College administrator, as early as possible. If the investigator is a witness to the incident, an alternate investigator shall investigate. The investigator of a complaint of denied accommodations shall not be a person involved in the alleged denial of accommodations.

For complaints against students or student organizations, the College's Student Conduct Code will govern the investigation and adjudication process.

For complaints against faculty or staff, the following procedures will govern the investigation and adjudicatory process:

The investigator will reasonably and promptly commence the investigation upon receipt of the complaint. The investigator will interview the complainant and the respondent. The respondent may file a written statement in response to the complaint. The investigator may also interview witnesses as deemed appropriate.

Upon completion of the investigation, the investigator will make written findings and conclusions as to each allegation of harassment and report the findings and conclusions to the Director of Human Resources or designee. The investigator will provide a copy of the findings of the investigation to the Director of Human Resources or designee.

Following receipt of the investigator's report, the Director of Human Resources or designee may investigate further, if deemed necessary, including interviewing the complainant and the respondent. The Director of Human Resources or designee will make a determination of any appropriate additional steps, which may include discipline. The Director of Human Resources or designee will file a written report and documenting any disciplinary action taken, or any other action taken, in response to the complaint. The complainant, respondent, and the investigator will receive notice as to the conclusion of the investigation.

The Director of Human Resources or designee's decision may be appealed to the President within five (5) business days of receiving notice of the determination. Such appeals will be in writing and delivered to the President's Office. If an appeal is timely filed, the President's Office will send written notification to the parties stating the appeal has been filed and that they have the opportunity to submit additional relevant information and/or statements for review within five (5) business days. The President or designee will then review the record on appeal, and may affirm, reverse, or modify the decision regarding the violation and/or discipline imposed. A written decision of the President or designee shall be provided to the parties and the Director of Human Resources. The written appeals decision shall be completed within twenty (20) days of the date of appeal, or longer for good cause. The decision of the President or designee shall be final.

Evidence uncovered in the investigation will be treated as confidential, subject to applicable law.

Information received during the investigation is kept confidential to the extent possible. Absent extenuating circumstances, the investigation and resolution of the complaint will generally be concluded within sixty (60) days.

If the results of an investigation show that the complainant knowingly filed false accusations of discriminatory harassment, or that a witness gave false statements, such individuals will be subject to appropriate disciplinary action. A finding for the respondent does not constitute a finding that the complaint was made in bad faith.

Retaliation Prohibited

Retaliation of any kind against anyone seeking guidance, filing a complaint or participating in an investigation for discriminatory harassment is prohibited. Further, the College prohibits retaliation for requesting or using disability accommodations and the College will impose consequences up to and including termination of employment of any instructor who engages in retaliation. Examples of retaliation include, but are not limited to, any action that has an adverse impact on employment, compensation or work assignments, or, in the case of students, grades, class selection or any other matter pertaining to student status.

Services to Students

Student IDs

You will receive a Northwest Iowa Community College photo identification card when you begin classes. Your ID card entitles you to special discounts at local movies, health clubs, and other selected businesses, as well as free admission to selected NCC functions. The ID card is your library card, your identification for the Business Office, TRIO Office, Student Success Center, Thunder Café Meal plan card, and your key to get into the Residence Halls if you live on-campus.

Replacement cards will cost the student \$10 per regular card or \$25 per housing card.

College Switchboard

The College telephone switchboard is accessible during the hours of 8:00 a.m. to 4:30 p.m. Monday through Friday. Dial 712-324-5061.

E-Mail Access

All NCC students are assigned a network and email account. It is the student's responsibility to check his/her account on a regular basis and comply with established policies. Faculty and staff reach students regarding their classes, activities on campus, and other important information through this student account. Student email and other student services can be accessed from any

computer via the internet through the NCC website by logging into “My Place”. If students are unsure of their user name and password, they should contact Student Services.

Public Transportation

Public bus service is available to Sheldon residents. A fee will be charged. For information, call the Regional Transit Authority at 1-800-358-5037.

Food Service

The Thunder Cafe, located in Building A, is open seven days a week during the academic year. Individuals may purchase a meal plan or individual meals. This service is available to all students, staff, families, and the general public.

Child Care

The local public licensed daycare provider is Children’s World of Sheldon. Nursery, child care and preschool services are available by calling 324-4837.

Title IX/Pregnancy Procedure

Title IX of the Education Amendments of 1972 is a Federal civil rights law that prohibits discrimination on the basis of sex (including pregnancy and parental status) in educational programs and activities. If a student has any questions or concerns regarding discrimination based on sex, they are asked to contact the Equity Coordinators, Linette Heatherly (Director of Human Resources) or Sarah Breems-Diekevers (Associate Dean of Arts, Science, Business and Transitions).

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 Coordinator of Residence Life if a student has been missing for 24 hours. The Coordinator of Residence Life shall immediately notify the Dean of Student Services/Registrar 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 Dean of Student Services/Registrar 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 Dean of Student Services/Registrar 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.

Emergency Telephones

Emergency telephones for 911 calls are located:
East side of Parking Lot 1
South side of Parking Lot 5

Local Agencies

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

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

Department of Human Services (Cherokee)
866-536-2749

Division of Vocational Rehabilitation Services
712-324-4864

Iowa WORKS Spencer
Phone is 712-262-1971

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
800-242-5101 (24 hr. crisis line)
712-324-3263 for appointment

Planned Parenthood of Greater Iowa
712-262-1545

Rosecrance Jackson Centers (Cherokee)
Drug and Alcohol Treatment:
815-853-1959

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 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 Chief Academic Officer (CAO) or designee.

Smoking and Tobacco Policy

Reference Board Policy 776

The Board of Trustees is committed to providing a safe and healthy environment for students, employees and visitors. It is, therefore, a policy of the college that smoking and tobacco use are prohibited in all facilities and areas of the Northwest Iowa Community College campus with no exception. This includes, but is not limited to, all buildings, indoor and outdoor areas and properties, and any vehicle located on college grounds. Indoor areas and properties include, but are not limited to, all common work areas, elevators, student housing, hallways, college-owned or -leased vehicles, garages, restrooms, cafeterias or dining areas, employee lounges, conference and meeting rooms, and all other enclosed areas on the college campus. Outdoor areas include, but are not limited to, parking lots, grounds, rooftops, plazas, courtyards, entrance and exit ways, and any other areas of the college campus. This policy applies to all students, faculty, staff, consultants, contractors, and visitors. This policy is consistent with the Iowa Smokefree Air Act.

For purposes of this policy, “smoking” means inhaling, exhaling, burning, carrying or possessing any lighted tobacco product, including cigarettes, cigars, pipe tobacco, and any other lit tobacco products in any manner or in any form.

For purposes of this policy, “vaping” is defined as inhaling and exhaling vapor produced by a device designed for this purpose.

For purposes of this policy, “tobacco use” means the personal use of any tobacco product, whether intended to be lit or not. This includes smoking, as defined above, as well as the use of an electronic cigarette or any other device intended to simulate smoking. Also prohibited is the use of smokeless tobacco, including snuff, chewing tobacco, smokeless pouches, any other form of looseleaf smokeless tobacco, and the use of unlit cigarettes, cigars, and pipe tobacco.

Any person who violates this policy may incur a college penalty and/or a civil penalty under Iowa law.

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: www.nwicc.edu and look for the RAVE sign-up button at the bottom of the page.

Late start and early closures will be announced by RAVE. Late start announcements will be posted by 5:15 AM. Alerts issued by NCC via RAVE will be brief and to the point.

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>

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. To this end, students are expected to adhere to the following Student Conduct Code.

II. Definitions

In this Code, unless the context otherwise requires:

- I. “Class day” means a day on which classes are regularly scheduled.
- II. “College property” or “College facilities” mean property, real or personal, owned, leased, controlled or managed by the College.
- III. “Complainant” means the person who submits a report or complaint alleging that a student violated this Student Conduct Code. If another member of the College community submits the report or charge on behalf of a student who believes that s/he has been a victim of another student’s misconduct, the student who believes s/he has been a victim will also be considered the “Complainant” for purposes of any rights afforded to a complainant under this Student Conduct Code.
- IV. “CAO” means the Chief Academic Officer, and/or his/her delegate, designee, representative, or agent.
- V. “CFO” means the Chief Financial Officer, and/or his/her delegate, designee, representative, or agent.
- VI. “Faculty” means instructional employees, or who is otherwise considered by the College to be a member of its faculty.
- VII. “Student” means any person enrolled in the College, whether on a part-time or full-time basis. A person who withdraws after allegedly violating the Student Conduct Code, who is not officially enrolled for a particular term but who have a continuing relationship with the College, or who has been notified of acceptance for admission are considered a “Student” for purposes of this Student Conduct Code.
- VIII. “Preponderance of the Evidence” means supported by the greater weight of the evidence. In other words, whether it is more likely than not that something occurred.
- IX. “President” means the President of the College, and/or his/her delegate, designee, representative, or agent.
- X. “Respondent” means the student accused of violating this Student Conduct Code.

III. Jurisdiction of the Student Conduct Code

This Student Conduct Code applies equally to all students and to conduct that occurs on College property or in College facilities, at College-sponsored activities, and to off-campus conduct that adversely affects the College community and/or the pursuit of its objectives. Through voluntary admission and entrance to the College, each student indicates their willingness to be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, including conduct before classes begin, after classes end, during the academic year, or between terms of actual enrollment (even if violations are not discovered until after a degree is awarded). The Student Conduct Code applies to a student’s conduct even if the student withdraws from school while a disciplinary matter is pending.

Consistent with its mission to provide a safe and productive learning environment, the College prohibits any Student from committing sex discrimination in the form of sexual harassment, which includes “quid pro quo” sexual harassment, hostile environment sexual harassment, sexual assault, dating violence, domestic violence, and stalking. The College protects its students from sexual harassment under Title IX under its Title IX Sexual Harassment Policy, Board Policy 477. The Title IX Sexual Harassment Policy and procedures will apply to allegations and incidents of sexual harassment under the scope and definitions of that Policy and its procedures, including reporting, discipline, and appeal procedures. Instances of alleged sexual harassment which fall outside of the scope and definitions of the Title IX Sexual Harassment Policy and procedures may be addressed under applicable policy, including this Student Conduct Code.

IV. Violation of Law and College Discipline

College disciplinary proceedings may be instituted against a student for misconduct that potentially violates both the criminal law and this Student Conduct Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Conduct Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus. Determinations made or sanctions imposed under this Student Conduct Code will not be subject to change because criminal charges arising out of the same facts giving rise to violation of College rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

College conduct proceedings under the Student Conduct Code are separate from criminal or civil litigation. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in the Student Conduct proceedings.

V. Standards

Any student who commits, attempts to commit, or incites/aids another to carry out violations of this Student Conduct Code may be subject to the disciplinary procedures and sanctions as outlined in this Code. A “violation” or “violations” of the Student Conduct Code is any one or more of the following acts, although this is not an exhaustive list of all acts that may constitute violations:

- A. Improper Use of College Facilities or Property Failing to comply with established rules, policies, and procedures in using College facilities or property. This includes unauthorized use of College facilities or property, and/or damage to College property or facilities.
- B. Willful disruption of College-sponsored, supported, and supervised activities, including lectures, classroom instruction, presentations, or performances.
- C. 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 under this Code and/or any applicable procedures of the course, discipline, or program of study. The following activities would constitute academic dishonesty or cheating:
 - 1. Turning in written essays, assignments, and computer programs produced by someone else when the expectation was to do one’s own work.
 - 2. Collaborating on a written assignment without the specific approval of the instructor.

3. Plagiarism, including borrowing materials from any source—professional or amateur—and turning it in as original, and/or failing to acknowledge through appropriate citations any words, ideas, research, graphics, etc., produced by someone other than the person claiming authorship.
 4. Copying from another person's tests or assignments.
 5. Using unauthorized test aids such as notes, drawings, books, etc., during an examination.
 6. Aiding another student in dishonesty such as producing written work or sharing information during a test period.
 7. Fabricating research or source materials.
 8. Stealing, buying or somehow obtaining a test from an instructor's work area or computer files.
- D. Acts of Dishonesty (other than academic dishonesty or cheating), including:
1. Knowingly furnishing false information to the College, forgery, alteration, or misuse of College documents or records; or
 2. Furnishing false information to any College official, faculty member, or College office.
 3. Failure or refusal to timely pay a debt owed Northwest Iowa Community College.
 4. Presentation or delivery of any check, draft, or order to Northwest Iowa Community College, with intent to defraud.
 5. 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.
- A. Abuse, Assault, or Harassment: Threatening, harassing, physically abusing, assaulting, willfully injuring, or endangering in any manner the physical or mental health and safety of any person on College property or in College facilities;
- B. 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;
- C. Hazing: An act which endangers the mental or physical health or safety of a student or other person, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a student or fraternal group or organization. The apathy, acquiescence, or express or implied consent of the victim does not take an act out of the definition of "Hazing."
- D. 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;
- E. 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;
- F. Illegal possession or use of any firearms, explosive, dangerous chemical or other weapon;
- G. Disorderly conduct, including:
1. Engaging in fighting or violent behavior in the College or at College functions.
 2. Willfully making loud and raucous noise in the vicinity of the College or at College functions which disrupts College activities and events.
 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. 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.

- A. L. Trespass: Violating a College no-trespass directive, or committing any act of trespass prohibited by law.
- B. M. Laws: Other acts in violation of any federal, state, or local law.
- C. N. Policies: Other acts in violation of College policies, rules, or procedures published in hard copy or available electronically on the College website.
- D. O. Discrimination and Discriminatory Harassment, as defined under the College's Discriminatory Harassment Policy.

VI. Disciplinary Proceedings

- A. Complaints, Investigations, and Hearings
 - 1. Any member of the College community may file a complaint against a student for violations of the Student Conduct Code. A complaint concerning (a) financial issues of the College or the parties involved or (b) facilities of the College should be directed to the CFO. All other complaints should be directed to the CAO. All complaints shall be prepared in writing and directed to the CFO/CAO as soon as possible after the event takes place or issue occurs. A complaint that is not in writing may still be investigated in the discretion of the CFO/CAO.
 - 2. The CFO/CAO will conduct a preliminary investigation into the complaint to determine if the charges have merit and/or sufficiently allege one or more violations such that the complaint should be processed under this Policy.
 - 3. Informal Resolution/Resolution by Mutual Consent
 - a. The CFO/CAO may determine the matter can be disposed of informally/administratively by mutual consent of the parties involved on a basis acceptable to the CFO/CAO. If charges are not admitted and/or cannot be disposed of, the case will proceed to the formal procedures as set forth below. If the respondent admits violating institutional rules, but sanctions are not agreed to, the case will proceed to the formal procedures as set forth below, which shall be limited to determining the appropriate sanction(s).
 - b. Any case disposed of by informal resolution/resolution by mutual consent shall be final and there shall be no subsequent proceedings.
 - 4. Formal Resolution for Violations
 - a. The CFO/CAO will conduct an administrative hearing as follows:
 - i. The respondent shall be provided with written notice of the alleged misconduct, and the date, time, and place of the hearing. The written notice shall indicate whether the College is seeking suspension or expulsion as one of the possible sanctions. The respondent shall also be given the opportunity to review any documents the CFO/CAO has in their possession pertaining to the charges (except respondent shall not have the right to review any document prohibited from disclosure or production by law, any document constituting work product or any attorney-client communication).
 - ii. The administrative hearing will be scheduled no less than five (5) nor more than thirty (30) business days after the respondent has been notified. Maximum time limits for scheduling of an administrative hearing may be extended at the discretion of the CFO/CAO.
 - iii. During the administrative hearing, the respondent will have an opportunity to respond to the charges and to present evidence or witnesses contesting the

charges. The respondent has the right to have up to two advisors of respondent's choice, at respondent's own expense, including legal counsel, present at the administrative hearing. However, as the administrative hearing is not quasi-judicial, the advisors may not actively participate in the administrative hearing in lieu of or on behalf of the respondent but may advise the respondent.

- iv. Hearings are closed to the public. Admission of any other person to the administrative hearing other than the respondent and the respondent's advisors will be at the discretion of the CFO/CAO. Provided, however, witnesses designated by the respondent at least two (2) class days prior to the administrative hearing will be allowed to appear for that portion of the hearing when the witness is called.
- v. There shall be a single verbatim record, such as a tape recording, of all administrative hearings. The record will be the property of the College.
- vi. If a respondent, after receiving notice, does not appear for the hearing, the information in support of the charges will be considered if the respondent is not present.
- vii. Within ten (10) business days of the completion of the administrative hearing, or longer for good cause, the CFO/CAO shall issue a written decision determining whether a violation occurred based on a preponderance of the evidence and any sanctions imposed. The written decision shall also inform the respondent of the right to appeal the decision according to this Policy, if applicable.

viii. Appeal to President

- A. Only decisions which result in the sanctions of suspension or expulsion may be appealed. All other decisions are final and not subject to appeal.
- B. If the decision from which an appeal may be taken was made by the CFO/CAO, the decision shall be appealed to the President. Any appeal must be made within five (5) business days of the decision. Such appeals will be in writing and will be delivered to the President's office.
- C. The written request for an appeal shall include the reason for the appeal and any additional relevant information and/or statements.
- D. An appeal will be limited to a review of the verbatim record of the hearing, documents submitted during the hearing, and additional relevant documents/statements submitted by the parties during the appeal for one or more of the following purposes:
 - a. To determine whether the hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
 - b. To determine whether the decision was supported by substantial evidence.
 - c. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Conduct Code which the respondent was found to have committed.

- d. To consider new information, sufficient to alter a decision, not brought out in the original hearing because such information and/or facts were not known at the time of the original hearing.
 - E. The President may affirm, reverse, or modify the decision of the CFO/CAO.
 - F. The President shall issue a written decision to the respondent within twenty (20) days of the date the appeal was submitted. The twenty (20) day deadline can be extended for good cause by the President. The written decision shall be the final decision.
- ix. Records
 - A. The written decision(s), the written notes, tape recordings, and any other record of the disciplinary hearing proceedings will be maintained in the office of the CFO/CAO who conducted the administrative hearing.
 - B. The records will be available to the respondent during the appeal period, to be viewed in the CFO's/CAO's office.
 - C. Applicable law, and College rules and policies, which govern release of education records govern the dissemination of disciplinary records.

B. Sanctions

The following sanctions may be imposed upon any student found to have violated the Student Conduct Code, and more than one sanction may be imposed for a single violation:

1. Warning: Verbal or written.
2. Reprimand: Verbal or written.
3. Probation: Probation is for a designed period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period.
4. Loss of Privileges: Denial of specified privileges for a designated period of time.
5. Fines: Previously established and published fines may be imposed.
6. Restitution: Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
7. Discretionary Sanctions: Work assignments, essays, service to the College, or other related discretionary assignments.
8. Suspension: Separation of the student from the College for a definite period of time, after which the Student is eligible to return. Conditions for readmission may be specified.
9. Expulsion: Permanent separation of the student from the College.
10. Revocation of Admission: Admission to the College may be revoked for fraud, misrepresentation, or acts of misconduct under the Student Conduct Code.
11. Withholding Degree: The College may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any.
12. Removal of the Student from a course in progress.

VII. Student Groups, Organizations, and Clubs

Any student group, organization, or club may be subject to the same disciplinary proceedings for a charge of misconduct as a student respondent under Section VI of this Student Conduct Code. Sanctions for a student group, organization, or club can include warnings, reprimands, probation,

loss of selected or all rights and privileges for a specified period of time or indefinitely, fines, restitution, discretionary sanctions, or deactivation.

VIII. Interim Suspension.

- A. Significant Danger to Safety. The CAO may impose an interim suspension prior to the disposition of a Student Conduct proceeding as follows:
 - 1. Causes:
 - a. To ensure the safety and well-being of members of the College community or preservation of College property or facilities;
 - b. To ensure the student's own physical or emotional safety and well-being;
 - c. If the student poses an ongoing threat of disruption of, or interference with, the normal operations of the College; or
 - d. In other good cause identified in writing by the CAO.
 - 2. The student will be notified in writing of this action and the reasons for the interim suspension. The notice will include the time, date, and place of a subsequent administrative hearing at which the student may show cause why his or her continued presence on the campus does not constitute a threat (and at which they may contest whether a campus rule was violated).
 - 3. During the interim suspension, a student will be denied access to the campus (including classes) and/or all other College activities or privileges for which the student might otherwise be eligible, as the CAO may determine to be appropriate.
 - 4. The interim suspension does not replace the regular Student Conduct Code disciplinary process, which will proceed on the normal schedule.
- B. Instructors/Deans
 - 1. Instructors and/or a Dean have the authority to suspend a student from their class, up to one (1) class day for violation of student conduct standards. An incident report will be written by the instructor within three (3) working days. This report will be sent to the CAO's office, with a copy to the Dean as applicable.
 - 2. Upon recommendation of the CAO, a student may be suspended further for up to a total of three (3) days for a violation of student conduct standards.

IX. Miscellaneous

- 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. 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

Incident Coordinators

Emergency Response 8-911 or 911

Campus Support.....Dial 0 Front Desk or ext 114

Dr. John Hartog
President

Work: 712 324-5061, Ext 309
Cell: 712-540-9791

Jessica Williams Executive Director, College Operations & Finance	Work: 712 324-5061, Ext 142 Cell: 712-344-0348
Randy Baartman Director, Physical Facilities	Work: 712 324-5061, Ext 247 Cell: 712-251-1932
Mike Oldenkamp Director, Information and Technology Services	Work: 712 324-5061, Ext 284 Cell: 712-251-7588
Leah Murphy Executive Dean, Student & Academic Services	Work: 712 324-5061, Ext 118 Cell: 712-898-0652
Kristin Kollbaum Director, Marketing & Communications	Work: 712 324-5061, Ext 105 Cell: 712-221-9119
Sawyer Wieseler Interim Director, Economic Development & Workforce Training	Work: 712 324-5061, Ext 232 Cell: XXX-XXX-XXXX
Linette Heatherly Equity Officer	Work: 712 324-5061, Ext 113
Sarah Breems-Diekevers Equity Officer	Work: 712 324-5061, Ext 137
Nicholas Wyatt Coordinator, Residence Life & Student Activities	Work: 712 324-5061, Ext 226 Cell: 712-251-7479
Residence Hall Assistant Traveling Phone	Cell: 712-301-7899

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, Daniel Dana	712-253-3283
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.

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, which can be identified by the campus maps in the classrooms/EAP. You should not stay in your 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 NCC central paging system is used primarily for communication of priority, emergency, and College business messages to major segments of the College population. Examples of priority and emergency messages include warnings of a severe weather condition, warnings of an

impending natural disaster, or evacuation instructions.

Messages dealing with emergencies will be announced in all areas of all buildings.

The Information Technologies department manages the central paging system.

Dial **200** from any phone to access the campus PA system.

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.

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, O'Brien, and Osceola Halls 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 resident hall through a fire exit that appears to be the safest available option. In case of a fire evacuation all residence hall students should report to the Lifelong Learning and Recreation Center to be reunified with family.

For the protection of residents, 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, truck 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 will be 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	2023	0	0	N/A	0	0	0
	2024	0	0	N/A	0	0	0
	2025	0	0	N/A	0	0	0
Lyon	2023	0	0	N/A	0	0	0
	2024	0	0	N/A	0	0	0
	2025	0	0	N/A	0	0	0
O'Brien	2023	0	0	N/A	0	0	0
	2024	0	0	N/A	0	0	0
	2025	0	0	N/A	0	0	0
Osceola	2023	0	0	N/A	0	0	0
	2024	0	0	N/A	0	0	0
	2025	0	0	N/A	0	0	0
Sioux	2023	N/A	N/A	N/A	N/A	N/A	N/A
	2024	0	0	N/A	0	0	0
	2025	0	0	N/A	0	0	0

STUDENT HAZING REPORT

Understanding Hazing

Hazing includes any intentional, knowing, or reckless act—regardless of a person’s willingness to participate—that:

- Endangers mental or physical health,
- Causes humiliation, degradation, or undue stress,
- Is a condition of joining or remaining in a student organization.
- Involves criminal violations or poses significant psychological harm.

Examples include: physical abuse, forced consumption of alcohol or drugs, coerced sexual acts, sleep deprivation, criminal behavior, or any activity that creates fear or serious emotional or physical risk.

These guidelines apply to all student organizations—whether formally recognized by NCC or not—including clubs, athletic teams, student government, fraternities, sororities, and more.

Education and Prevention

All students in campus organizations, clubs, or athletics must complete annual hazing prevention training. More information will be provided via the organization. Student leaders and advisors will receive additional education on recognizing and preventing hazing. Faculty and staff working with student groups will receive additional resources and training on identifying, preventing, and reporting hazing.

Mandatory Reporting

All NCC employees—including faculty, staff, coaches, and student workers—are considered mandatory reporters under the Stop Campus Hazing Act and are required to report any knowledge or reasonable suspicion of hazing. Reports can be made anonymously and must be submitted through one of the following channels:

- The Report Hazing Incident form (on MyPlace and [NCC website](#)),
- Dean of Student Services
- Title IX Coordinators

Failure to report hazing may result in disciplinary consequences, in accordance with state and federal mandates.

Transparency and Accountability

In accordance with federal law, NCC will:

- Maintain a public record of hazing violations from the past five years, updated annually,
- Include hazing violations in the Annual Safety and Fire Report (ASR),
- Investigate all reports through our Student Code of Conduct processes and enforce appropriate sanctions.

Shared Responsibility and Commitment

Hazing is incompatible with our values as an academic community. We are committed to:

- Supporting survivors through confidential counseling and advocacy services,
- Encouraging healthy, inclusive traditions in student life,
- Empowering every student to speak out and seek help.
- Fostering a campus culture rooted in respect, safety, and belonging.

The following data represents reported hazing incidents for Northwest Iowa Community College over the last five years.

Year	Total reported hazing incidents
2021	Not reported
2022	Not reported

2023	Not reported
2024	Not reported*
2025	none

* New hazing rules took effect in 2025 so nothing was reported in 2021-2024

NON-DISCRIMINATION STATEMENT

It is the policy of Northwest Iowa Community College not to discriminate in its programs, activities, or employment on the basis of race, color, national origin, sex, disability, age, sexual orientation, creed, religion, and actual or potential family, parental or marital status.

If you have questions or complaints related to compliance with this policy, please contact one of the Equity Coordinators at Northwest Iowa Community College, 603 West Park Street, Sheldon, Iowa, room D403b or room A101D, email equity@nwicc.edu, phone number 712-324-5061, extension 113 or extension 137; or the Director of the Office for Civil Rights, U.S. Department of Education, Cesar E. Chavez Memorial Building, 1244 Speer Boulevard, Suite 310, Denver, CO 80204-3582, Telephone: (303) 844-5695 FAX: (303) 844-4303, TDD 800-877-8339 Email: OCR.Denver@ed.gov.