

TABLE OF CONTENTS

PLAN FOR CRIME AWARENESS & CAMPUS SECURITY	1
NORTHLAND PIONEER COLLEGE EMERGENCY PROCEDURES	6
Active Threat/Shooter	7
Campus Center/Closure	7
Civil Disturbance	8
Evacuations	8
Bomb Threat	9
Fire	11
Natural Gas/Propane Leaks	11
Hazardous Material Event	12
Individuals with Disabilities	12
Lockdown/Lockout	13
Medical/Serious Injury	14
Shelter in Place	15
Students	15
Suspicious Package	16
Weather Emergencies/Tornado	17
RESPONSE TO WEATHER EMERGENCIES	18
REPORTING EMERGENCIES	19
STUDENT NOTIFICATION	20
DRUG-FREE STUDENT ENVIRONMENT	20
WEAPONS ON CAMPUS	21
SMOKE-FREE WORKPLACE & STUDENT ENVIRONMENT	22
VISITORS AND CHILDREN IN/ON NPC FACILITIES	23
EMERGENCY FACILITY CLOSURES	24
EMERGENCY RESPONSE	25
HAZING PREVENTION	27
REGISTERED SEX OFFENDERS	30
DRUG-FREE WORKPLACE	32
COMMUNICABLE DISEASES	35
TITLE IX PROTECTING AGAINST DISCRIMINATION, HARASSMENT, RETALIATION	36
Policy 1102 Equal Opportunity, Harassment and Nondiscrimination	37
NPC CRIME STATISTICS-Clery Act 2022	97
RESOURCE	108

PLAN FOR CRIME AWARENESS & CAMPUS SECURITY

Procedure 2555

Northland Pioneer College shall comply with all federal and state laws concerning crime awareness and campus security. Northland Pioneer College's plan for compliance is set forth in this Procedure.

A. Reporting Crimes and Emergencies Occurring On or Next to Campus

Employees, students, and all other persons are to report criminal actions or other emergencies occurring on campuses or centers in Navajo and Apache counties by taking the following steps:

1. Dial 911. Use pay or public telephones at the campus/center as appropriate. Pay/public telephone availability is as follows:
 - Hopi Center: Pay phone in student lounge
 - Kayenta Center: Public phone in center office
 - Little Colorado Campus: Public phones in Student Lounge and Learning Center lobby
 - Painted Desert Campus: Pay phone in Student Center Lounge.
 - Silver Creek Campus: Public phones in Student Center office, Learning Center lobby, Performing Arts Center lobby
 - St. Johns Center: Public phone in center office
 - Springerville/Eagar Center: Public phone in center office
 - White Mountain Campus: Public phones in Aspen Center hallway, Aspen Center office, Learning Center lobby, Goldwater hallway, Ponderosa lobby
 - Whiteriver Center: Public phone in center office and pay phone in student lounge
2. Report the criminal action or emergency to the appropriate campus or center manager. The reporting individual should complete a Campus Security Incident Report Form and Cover Sheet. The campus/center manager will forward copies of the Campus Security Incident Report Form and Cover Sheet to the Vice President of Learning and Student Services, the Vice President for Administrative Services, and, as needed, local law enforcement. Northland Pioneer College allows anonymous reporting on the Campus Security Incident Report Form provided by the College and delivered to the Campus/Center Manager or the Vice President of Learning and Student Services.
3. Should campus/center manager or staff be unavailable, the reporting individual should contact the Vice President of Learning and Student Services (928-536-6217) or his assistant (928-532-6216). Reporting individuals may also notify any college employee of any criminal action or emergency. The college employee should then make official notification to the college of the criminal action or emergency by completing step 2 as noted above.
4. All students are encouraged to preserve evidence of sexual assaults. Some evidence is perishable and prompt action must be taken to ensure a viable prosecution of the perpetrator. All students and employees are encouraged to report any sexual assault to the authorities by

following the procedure outlined in subsection "A" including calling 911 and reporting any incident using the Campus Security Incident Report Form and Cover Sheet. Should a student desire assistance in contacting local law enforcement authorities, NPC staff shall promptly provide such assistance. See also Northland Pioneer College Procedure 2762.

5. Northland Pioneer College does not maintain a campus police department or a campus security department at this time.

B. Security and Access to Campus Facilities

Northland Pioneer College personnel shall ensure that all classroom facilities remain locked when not in use, and only those persons authorized to attend classes or to utilize college facilities, i.e. students, faculty, staff, and those authorized through an approved facility request form to utilize specific facilities, shall have access to college facilities.

The college does not have any on-campus residence halls at the time of adoption of this Procedure. If the college obtains on-campus residence halls in the future, the security of on-campus residence halls on Northland Pioneer College shall be the responsibility of the housing administrator and residence hall head residents. Off-campus contract residence hall security shall be the responsibility of the contract provider and the individual students. On and off-campus residence hall students are encouraged to keep their individual rooms locked at all times and are not to keep items of excessive value in their rooms. In addition, all residence hall students are to receive a copy of the residence hall contract that deals specifically with safety and security considerations while living in campus housing.

C. Campus Law Enforcement

The college shall work closely with local law enforcement agencies to ensure that proper investigations are conducted and reported to the college. The college will encourage and seek the prosecution of all criminals. Northland Pioneer College designated liaison personnel shall maintain an ongoing working relationship with state and local police agencies. Northland Pioneer College designated liaison personnel shall gather from local law enforcement and maintain statistics concerning the occurrence of criminal activity of students at off-campus locations involving student organizations.

Northland Pioneer College students, staff and faculty are encouraged to report to the proper police jurisdiction agency, any and all crimes. If the crime occurs on campus/center locations, it should be reported to the campus/center managers pursuant to subsection A of this Procedure.

Any student, staff, or faculty member who becomes aware of a crime, or who is the victim of a crime should make an accurate and prompt report of that crime, in order to ensure successful police action. Pastoral or ecclesiastical leaders are encouraged to suggest voluntary confidential reporting by victims of crimes as set forth in this procedure.

D. Crime Prevention Awareness and Education

1. The annual disclosure of crime statistics.

The Vice President for Learning and Student Services shall prepare and disseminate as required by law and Northland Pioneer College Policy and Procedure the annual disclosure required. The terms of this Procedure shall be included in the annual report. Northland Pioneer College personnel will gather and maintain statistics for the calendar year in which crimes are reported concerning the occurrence of

criminal activity for each and all campuses/centers sites for the following criminal offenses reported to either college personnel or local law enforcement agencies:

- Murder and Non negligent manslaughter
- Negligent manslaughter
- Forcible sex offenses
- Nonforcible sex offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson

Northland Pioneer College personnel will also gather statistics concerning on-campus arrests and campus disciplinary action for:

2. liquor law violations
3. drug law violations and
4. illegal weapons possessions

Crimes shall be reported by category of prejudice, and by location based on the following breakdown:

- On-campus;
- Of the crimes on-campus, the number of crimes that took place in dormitories or other residential facilities for students on-campus;
- In or on a non-campus building or property; and
- On public property.

No statistical report shall contain any information that would identify a victim. The report need not contain any reports from pastoral or ecclesiastical leaders unless the report is made voluntarily and includes permission to include the report in the statistics.

Northland Pioneer College shall gather from local law enforcement and maintain statistics concerning the occurrence of criminal activity of students at off-campus locations involving student organizations. Off-campus student organizations are those student organizations officially approved and regulated by Northland Pioneer College.

The college will request, through local law enforcement agencies, copies of any and all police reports, concerning incidents or crimes that occur at off-campus student organization locations, which involve students or staff from Northland Pioneer College. College personnel and/or designated liaison personnel shall be responsible to monitor and keep record of all such reports.

All students and employees shall be given the opportunity to learn how to contact appropriate law enforcement officials, the practices and procedures which are used by college officials in the reporting of crimes, and encouraged to be responsible for their own safety and the security of others by being notified of this Procedure and the yearly Internet publication of the "Crime Awareness and Campus Security" report (see <http://www.npc.edu/Crime-Statistics>). Students shall be informed of the Report and of the importance of security concerns through information provided in the College Catalog and at

any orientation for students. Employee security training shall be included at least annually in employee training and in new employee orientation. Any programs provided by local law enforcement shall be advertised in such training and orientations.

A letter informing local ecclesiastical leaders of the availability of confidential crime reporting at the College shall be sent annually to such local leaders.

2. Warning reports to members of the campus community.

NPC will immediately and without delay notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff on campus (as defined in the Clery Act). Please note that, should such a warning compromise efforts to contain the emergency, they may be withheld by NPC in accordance with the Act.

If the immediate dissemination would facilitate safety and security because the crimes are considered to represent a threat to students and employees, the College shall disseminate information relating to the crimes indicated in subsection "D" of this procedure on a case by case basis through campus information systems, newsletters, bulletin boards or other informational systems and methods that will facilitate prevention of similar crimes. The college will not disseminate information obtained from reports to pastoral or ecclesiastical leaders unless the victim agrees to voluntarily release the information. No report or informational statement made under this subsection shall include any identifying information about a victim or the accused.

The Residence Hall Administrator, or if the college has no on-campus housing at the time the Vice President for Learning and Student Services, shall hold regular meetings to inform students of the continued need for security practices, including the protection of their personal property.

3. College Community Notification Process - Emergency Notification

Each event will be evaluated to determine the notification method. They may include:

- Community Alert System
- Email
- Text messaging

NPC will test the emergency response and evacuation procedures annually. Testing may be pre-announced or not and will be documented on the NPC website.

4. Rape, acquaintance rape, and other forcible and nonforcible sex offenses

NPC provides information about sexual harassment, rape, acquaintance rape and other forcible and nonforcible sex offenses through its dissemination of its procedure against sexual harassment in the College Catalog, the Employee Handbook and student and employee orientation and training.

The following services exist for assistance of victims of sexual assaults: Navajo County or Apache County Attorney Victim Services and Navajo County or Apache County Crime Victim's Compensation Fund; Community Counseling Center. Contact information for these services is available at the Vice President of Learning and Student Services office. No on-campus counseling is available.

NPC Procedures 2762 and 2625 provide for discipline up to and including termination or expulsion for violations of the college's policy against sexual harassment and assault. In accordance with Northland Pioneer College Procedure 2762 NPC provides appropriate action including but not limited to changes in a victim's academic and living situations (for NPC affiliated housing) if requested by a victim and they are reasonably available.

Notwithstanding any other college procedure, an alleged victim of a forcible or non-forcible sexual assault is entitled to have representation at any hearing or proceeding involving the incident on the same basis as the accused, and both the accuser and the accused shall be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offense.

Arizona sex offender registration information can be found at the current Arizona Department of Public Safety Sex Offender Information Site. At the time of revision of this procedure found at <https://www.azdps.gov/services/public/sex-offender>. Some sex offender information is only disseminated locally. The local agency for disseminating sex offender information is the Navajo County Sheriff's Office. Their contact information is PO Box 668, Holbrook AZ 86025, phone 928-524-4300.

E. Use and Sale of Alcoholic Beverages and Illegal Drugs

See Northland Pioneer College Procedures 2624, 2625, 2750 and Policy 1560. Northland Pioneer College students are expected and required to report to school in appropriate mental and physical condition. It is the College's intent and obligation to provide a drug and alcohol free, healthful, safe, and secure environment.

Bystander

Bystander Intervention: All students have the right to a safe environment while at Northland Pioneer College campus/center and/or while participating in a related educational activity. Everyone who is a part of the college community has an obligation to ensure that others are safe from the risk of harm or from experiencing sexual misconduct. Bystander intervention can be a key means by which others are kept safe from harm. Below are a short-animated video and a written summary of steps you can take when you are a bystander and you witness someone who is potentially in a harmful situation.

1) Animated bystander intervention video:

<https://www.youtube.com/watch?v=s4X1D83Srf4>

NORTHLAND PIONEER COLLEGE EMERGENCY PROCEDURES

For emergency help – DIAL 911

Non-emergencies – Dial “0” on campus/center phones to reach the front office desk

Emergencies, disasters, accidents, injuries and crime can occur without warning at any time. Being physically and psychologically prepared to handle unexpected emergencies is an individual as well as organizational responsibility.

This Emergency Procedures Flipchart has been developed to assist in minimizing the negative effects from such events. Please read this guide thoroughly before an emergency occurs, become acquainted with the contents, and keep this flipchart available in your office for immediate reference. Do not file this document! Once you are familiar with the information enclosed, you will be better prepared to protect yourself and your co-workers.

In the event of an emergency at any of the campus/center locations, Northland Pioneer College officials will activate the District Wide Emergency Notification system. The notification system will give information regarding the emergency along with any instructions.

If you are off campus and experiencing an emergency, you can call local police by dialing 911.

Holbrook Campus	Holbrook Police Department	928-524-3991
Hopi Center	Office of Law Enforcement Services	928-738-2233
Kayenta Center	Kayenta Police Department	928-697-5600
Show Low Campus	Show Low Police Department	928-537-5091
Silver Creek Campus	Snowflake/Taylor Police Department	928-536-7500
Springerville Center	Springerville Police Department	928-333-4020
St. Johns Center	St. Johns Police Department	928-337-2440
Whiteriver Center	White Mountain Apache Police Department	928-338-4942
Winslow Campus	Winslow Police Department	928-289-2431

ACTIVE THREAT/SHOOTER

An active shooter is a person who appears to be actively engaged in killing or attempting to kill people in a populated area. In most cases active shooters use firearms, but other weapons could be used and there is no pattern or method to their selection of victims.

In case of an Active Shooter, quickly determine the most reasonable way to protect your own life. Students, employees and visitors are likely to follow the directions of instructors, supervisors and administrators during an active shooter event. Quickly determine the most reasonable way to protect your own life.

RUN

- Have an escape route and plan in mind
- Leave your belongings behind
- Show your hands to responding law enforcement officials

HIDE

- A. Hide in an area out of the active shooters view
- B. Block entry to your hiding place and lock the doors
- C. Silence cell phones

FIGHT

1. As a LAST resort and only when your life is in imminent danger, attempt to incapacitate the active shooter
2. Act with physical aggression and throw items at the shooter.
3. Commit to your actions, your life could depend on it

Information you should provide to law enforcement and 9-1-1

1. Location of the active shooter/s
2. Number of shooters incident scene
3. Physical description of the shooter/s
4. Number and type of weapons possessed by the shooter/s
5. Number of potential victims and their locations at the incident scene
6. Your location if you are hiding and unable to evacuate

How to respond when law enforcement arrives

- a. Remain calm, and follow officer's instructions
- b. Immediately raise hands and spread fingers when instructed by officers
- c. Always keep your hands visible
- d. Avoid making quick movements towards officers such as attempting to go for them for safety
- e. Avoid pointing, screaming or yelling
- f. Don't stop to ask officers for help or direction when evacuating
- g. Proceed to the safest close exit or towards the location designated by 9-1-1 or the officers

CAMPUS/CENTER CLOSURE

Any campus/center location may have a need to close and evacuate the campus/center. The decision to close a campus/center location comes from the Northland Pioneer College President or designee. Notification of campus closure and evacuation will go out by our emergency notification alert system, desktop alerting system, local

media and social media. Once the notification occurs, cancel class immediately and dismiss students, shut down offices and leave campus/center.

Please note that a situation might occur with a decision to close a single NPC location but not all locations. That will be relayed in the notification. Decisions to close Northland Pioneer College might come from a situation on that particular campus/center or due to a condition in the immediate area of that campus/center.

CIVIL DISTURBANCE

Civil disturbances include riots, threatening individuals, crime in progress, or assemblies that have become significantly disruptive. If a gathering becomes disruptive, threatening, and violent or blocks your entrance or egress from a classroom or building, call 911.

IN CASE OF CIVIL DISTURBANCE:

Outside the building/classroom:

- Notify local police department by calling 9-1-1.
- Wait for responding officer.
- Describe the incident to the responding officer.

Inside the building/classroom:

- The employee/instructor should immediately contact campus/center front desk by calling "0" from any NPC phone, or call 911 if it is an imminent threat of physical injury.
- Front desk notifies local Police Department. The employee/instructor should calmly address the situation with the disruptive person to defuse the incident.
- Wait for responding officer.
- Describe the incident to the responding officer.
- Classroom: Prepare and forward a "STUDENT CONDUCT DISRUPTION/DISCIPLINE REPORT"

EVACUATIONS

Evacuation is called to move students and staff from one location to another; Safe areas may change depending on the emergency.

- Leave all backpacks and personal items.
- Evacuate in an orderly fashion. Students form a single file
- Follow instructions of first responders if on site. (may use different evacuation methods i.e. run, crawl, cover mouth and nose, etc.)
- Maintain a calm environment.
- Teachers should account for all students after arriving in the safe area
- All persons must remain in areas until notified by the Campus Center Manager or their designee and/or emergency responders with the all clear code alerting you that the evacuation is over.
- Campus Managers or their designee will announce an "All-clear" once the threat has passed.**

Teachers:

- Evacuate as instructed per the campus/center manager or their designee or the Incident Commander in charge.
- Take classroom roster
- Close classroom doors and turn out lights.
- When outside building, account for all students. Inform Campus Manager or their designee or Incident Commander immediately of missing student(s).
- If students are evacuated, stay with class unless relieved by another faculty member. Take roll again when you arrive at the relocation center.

In the event of an offsite evacuation:

- Evacuate as instructed per the campus/center manager or their designee or the Incident Commander in charge.
- Incident Commander determines if students and staff should be evacuated outside of building or to relocation center.

BOMB THREAT

Bomb threats are managed on a case-by-case basis, based on the characteristics of the situation. Anonymous bomb calls sometimes lead to threats other than a bomb. There are cases where such calls were a device to lead evacuees to real danger: a bomb in a meet up location or an active shooter.

The decision to evacuate or secure a place is determined based on where individuals will be safest. A threat is not assumed inside a building. Evacuation is not always the safest response to a bomb threat. Do not attempt to evacuate the building without authorization or assistance of emergency personnel. Current emergency management guidelines caution against automatic evacuation. In most cases, people are likely to be more secure in their offices, classrooms, or other building facilities than in hallways that have not been searched or outdoors where an actual threat may be more likely to exist.

- Complete the checklist asking questions and listening closely to caller's voice and speech patterns and to noises in background.
- Notify the Campus/Center Front office by dialing "0" from any NPC phone.
- Evacuation of all persons inside campus building(s) with usual fire drill procedures.
- Notify police (911) and the Campus Center Manager.

BOMB THREAT CHECKLIST

QUESTIONS TO ASK:

1. When is bomb going to explode?
2. Where is it right now?
3. What does it look like?
4. What kind of bomb is it?
5. What will cause it to explode?
6. Did you place the bomb?
7. Why?
8. What is your address?
9. What is your name?

EXACT WORDING OF THE THREAT:

Sex of caller: ___ Race: ___ Age: ___ Length of call: _____

Date of Call: _____ Time of Call: _____ Reported By: _____

Number at which call is received: _____

CALLER'S VOICE:

___ Calm ___ Nasal ___ Angry ___ Stutter ___ Excited ___ Lisp ___ Slow ___ Raspy ___ Rapid ___ Deep ___ Soft
___ Ragged ___ Loud ___ Clearing throat ___ Laughter ___ Deep breathing ___ Crying ___ Cracking voice ___ Normal
___ Disguise ___ Distinct ___ Accent ___ Slurred ___ Familiar

If voice is familiar, who did it sound like?

BACKGROUND SOUNDS:

___ Street noises ___ Factory machinery ___ Crockery ___ Animal noises ___ Voices ___ Clear
___ PA System ___ Static ___ Music ___ Local ___ House noise ___ Long distance ___ Motor ___ Booth
___ Office machinery ___ Other _____

THREAT LANGUAGE:

___ Well-spoken ___ Incoherent ___ (educated) ___ Taped ___ Foul ___ Message read
___ Irrational by threat maker

FIRE

Response to Fire or Suspected Fire:

- If a burning odor or smoke is present, pull a fire alarm to activate the fire alarm system.
- If you can control the fire without personal danger and have received training, take action with available fire extinguisher. If not, leave the area.
- Never allow the fire to come between you and an exit.
- Leave the building, checking as you leave to make sure everyone has left the immediate area. Close the doors behind you to confine the fire.
- Once you have evacuated the building, call 911.

Response to Audible Fire Alarms:

- If the audible fire alarm sounds, before exiting into the hallway, check to see if there is any visible smoke or flames can be seen. The reason for this is that Active Shooters have been known to now pull fire alarms to get everyone into the hallways before shooting into the crowd.
- If no flames or smoke are showing, secure your classroom door until given further information by campus/center staff.
- If flames or smoke is showing, leave immediately; do not delay to locate personal items.
- Call 911
- Assist persons with special needs
- Notify fire personnel if you suspect someone is trapped in the building.
- Gather outside. Do not attempt to reenter the building until instructed to do so.

NATURAL GAS/PROPANE LEAKS

Natural Gas/Propane lines exist throughout the various Northland Pioneer College campus/centers to provide fuel to a variety of sources. While natural gas/propane is colorless and odorless, an additive is added to give it a distinct odor when released into the atmosphere.

It should be noted that not all “gas” smell or leak events require fire or police response. The Maintenance Department should be one of the first people contacted. Most of the “gas” events are people smelling what they think is “natural gas” leaking from one of NPC buildings, but it is either one of the furnaces pulling in a little exhaust from the roof heaters or one of the gas meters “burping”, which is normal. The maintenance department should have the opportunity to determine the extent of the event before emergency persons are called.

If gas odor has been detected in the building:

- Notify the front office in person, do not use the telephone or any other electrical device.
- Campus/Center Manager or designee notifies Director of Facilities to see if a maintenance person is available to respond and check out the odor within a reasonable time period.
- If no maintenance person is available, call 911 to report the gas odor.
- Campus/Center Manager or designee determines whether to shelter in place or evacuate. Fire personnel will assist with decision.
- Do NOT turn off the lights, equipment or use a cell phone.

- Do NOT operate any electric switches or appliances.
- Do NOT use the phone inside the building.
- Do NOT use matches, cigarettes, or possible sources of ignition.
- No one may re-enter building(s) until fire or police personnel declare entire building(s) safe.
- Resume normal operations.

If gas odor has been detected outside the building:

- Campus/Center Manager or designee notifies Director of Facilities to see if a maintenance person is available to check out the odor.
- If no maintenance person is available, call 911 to report the gas odor
- Campus/Center Manager or designee determines whether to shelter in place or evacuate. Fire personnel will assist with decision.
- No one may re-enter building(s) until fire or police personnel declare entire building(s) safe.
- Resume normal operations.

HAZARDOUS MATERIAL EVENT

Incident occurred on campus:

- Determine the location of spill and isolate and secure the area.
- Call 911
- Notify Campus/Center Front Office by calling "0" from any NPC phone who will activate evacuation or shelter in place.
- Seal off area of leak/spill and all heater/air conditioning equipment is turned off in the campus building.
- Take charge of area until fire personnel contain incident.
- Fire officer in charge will recommend shelter or evacuation actions.
- Follow procedures for sheltering or evacuation.
- Resume normal operations after consulting with fire officials.

Incident occurred near campus property:

- Fire, city or county safety officials, or police will notify Campus/Center Manager or designee.
- Fire officer in charge of scene will recommend shelter or evacuation actions.
- Teachers immediately shut down heater/air conditioning equipment and close windows.
- Follow procedures for sheltering or evacuation.
- Resume normal operations after consulting with fire officials.

INDIVIDUALS WITH DISABILITIES

Please note, these are general steps that should be taken.

Northland Pioneer College is committed to ensuring that all its students are provided equal access to a quality education and complies with all federal regulations about nondiscrimination of persons with

disabilities. Eligible students with properly documented disabilities will be provided reasonable and appropriate accommodations to instruction and services that are also made available to the general student population.

Students seeking accommodations are required to contact the office of Disability Resource and Access (DRA) at [928-536-6246](tel:928-536-6246) as early in the registration process as possible. Failure to do so may result in a delay or limitations of services. Visit <http://www.npc.edu/dra-policies-procedures> for additional information.

In emergencies, individuals with disabilities may need assistance to evacuate.

- Help the individual relocate to a safe location.
- Notify emergency personnel of individuals who are unable to evacuate the building.
- Communicate in sign language or handwriting emergency response actions with individuals who are Deaf or hard of hearing.
- Inquire about or know the individual's medical and/or health needs.
- Do not use elevators.
- Allow the person to take your arm below the elbow and instruct him/her to follow you.
- Let the person with the disability set the pace if they are limited in physical mobility.
- Do not ever separate a service animal from the person with the disability.
- When you have arrived at the designated meeting location, advise the individual of the location and stay with him/her until no further help is needed.
- Do not re-enter the building until the "all-clear" has been given by authorities.

LOCKDOWN/LOCKOUT

Locks, Lights, Out of Sight

Lock-down procedures may be issued in situations involving dangerous intruders or other incidents that may result in harm to persons inside a campus building.

- Campus/Center Manager or their designee will issue lock-down order by announcing a warning, "Teachers secure your classrooms." The office door will be locked with a sign on the door, "The campus is in lockdown. We cannot answer the door."
- Campus/Center Manager or their designee notifies College President when safe to do so.
- Direct all students, staff and visitors into classrooms or secure rooms.
- Lock classroom doors and turn off lights.
- If possible, cover windows of classrooms and close the blinds.
- Move all persons out of sight and all persons on the floor in a safe corner.
- Silence all radios, cell phones, etc.
- Cease instruction and maintain a calm and silent environment.
- If gunshots are heard, everyone lay flat on the floor behind desks and heavy objects.
- Allow no one outside of classrooms until the Campus/Center Manager or their designee or a law enforcement official gives the all-clear signal.
- Do not answer the door! An emergency responder will open the door if needed or will present you will proper identification to get you to open the door.

- Campus/Center Managers or their designee or a law enforcement official will issue an “All-clear” once the threat has passed**

LOCKOUT

A Lockout is called when there is a threat or hazard outside of the campus building. Whether it is due to violence or criminal activity in the immediate neighborhood, or a dangerous animal on campus, Lockout uses the security of the physical facility to act as protection. “Lockout! Secure the perimeter” will be broadcast over the campus phone paging system. The perimeter doors will then be secured. Lockout is called by a college official or their designee. Staff is to notify the office of a threat directly observed outside the building. Lockout might be called when: a dangerous animal is on the campus ground, criminal activity in the area, civil disobedience, etc.

- All students are quickly brought into the main building and all outside access points are locked.
- Lock doors and windows. Cover windows.
- All classroom activities continue uninterrupted. Outside classes will return to the building and continue classes inside. (Students will not go outside even to change classes during a Lockout.)
- Continue Lockout conditions until the all clear by the office.
- If the fire alarm sounds during the lockout, ensure students are in danger of fire before releasing the students. Students may have to use alternate routes.

MEDICAL/SERIOUS INJURY

If incident occurred on campus:

- Call 911
- Notify Campus/Center Front Office by dialing “0” from any NPC phone.
- If possible, isolate affected student/staff member.
- Secure scene until arrival of law enforcement
- Determine method of notifying students, staff and parents.

If incident occurred outside of campus:

- A. Notify appropriate personnel (Faculty/Dean/Vice President/President).
- B. Notify staff before normal operating hours.
- C. Determine method of notifying students. Announce availability of counseling services for those who need assistance.

Post-crisis intervention:

- A. Meet with campus counseling staff to determine level of intervention for staff and students.
 - A. Designate rooms as private counseling areas.
 - B. Escort affected students, siblings, close friends, and other “highly stressed” students to counselors.
 - C. Debrief all students and staff.
 - D. Assess stress level of all students and staff.

- E. Recommend counseling to overly stressed students and staff.
- F. Follow-up with students and staff who received counseling.
- G. Designate staff person(s) to attend funeral.
- H. Allow for changes in normal routines or test schedules to address injury or death

SHELTER IN PLACE

Sheltering provides refuge for students, staff and public within campus building during an emergency. Shelters are located in areas that maximize the safety of inhabitants. Safe areas may change depending on the emergency.

SHELTER IN PLACE PROCEDURES:

- Campus/Center Manager or their designee identifies safe areas in each campus building.
- Incident Commander warns students and staff to assemble in safe areas. Bring all persons inside building(s) with the instructions to “shelter in place” and a notification will be placed on the main doors of the campus. Campus doors will be locked to outside access and sealed until the shelter in place is over.
- Close all exterior doors and windows.
- Turn off any ventilation leading outdoors.
- If advised, seal doors, windows, and vents with plastic sheets and duct tape.
- If advised, cover mouth and nose with handkerchief, cloth, paper towels or tissues.
- Teachers should account for all students.
 - Under no circumstances is anyone to leave or enter the sealed room.**
 - Office personnel must contact each teacher/classroom for a headcount.
- All persons must remain in safe areas until notified by Incident Commander or emergency responders that the shelter in place is over.

STUDENTS

Assault/Fighting:

- Call or have someone else call 911 immediately.
- Approach in a calm manner and direct combatants to stop fighting, if safe to do so.
- DO NOT attempt to separate combatants during a physical altercation.
- Try to keep combatants isolated from others, if possible, until Police arrive.
- If trained, and the scene is safe, be prepared to initiate first aid for any injured staff, faculty, students and visitors.

Medical Emergency:

- In case of an injured person immediately call 911. Calmly state: - Name of Caller - Name of Injured - Nature of Injury - Location of Injured - Phone number at the scene - Listen for Instructions from the 911 dispatcher
- Do not move an injured person unless their life will be in danger.

- Administer first aid if possible, to the injured person. If possible, ask someone to find an individual who is trained in first aid.
- If the victim is in a life-threatening condition and you are trained in emergency first aid, provide immediate care (e.g. rescue breathing, CPR, AED, etc.), if possible.
- Stay with the injured person until the First Responders arrive.
- Contact the Campus/Center manager to fill out the necessary NPC forms for documentation.

Weapon on Campus (gun, knife, mace, etc.):

- If threatened:**
 - Call or have someone else call 911 immediately and notify the front office staff.
 - Take note of the person's description/behavior/weapons and report the details to the 911 operator.
 - Implement LOCKDOWN procedure if required.
 - Remain in LOCKDOWN until an all clear command.
- If not threatened:**
 - Advise student of NPC's "No weapons allowed on campus" policy.
 - Ask student to remove weapon from classroom.
 - Notify the front office staff for documentation purposes.

SUSPICIOUS PACKAGE

Please note, these are general steps that should be taken.

Suspicious Packages:

Suspicious packages are any items capable of concealing or containing harmful substances that has been left unattended and/or visibly shows indicators of posing a potential threat.

Characteristics:

- Excessive postage
- Handwritten or poorly typed addresses
- Misspellings of common words
- Strange return address or no return address
- Incorrect titles or title without a name
- Not addressed to a specific person
- Marked with restrictions, such as "Personal," "Confidential," or "Do not x-ray"
- Marked with any threatening language
- Postmarked from a city or state that does not match the return address.

Key Appearances:

- Oily stains
- Discolorations

- Odor
- Excessive packaging material
- Excessive weight
- Ticking sound and/or protruding wires or aluminum foil
- Additionally, items such as briefcase, gym bag, suitcase, etc. may be deemed suspicious solely because it is discovered unattended in a public place or near a sensitive facility.

What to Do with a Suspicious Package, Letter or Container:

- Do not panic. It is important for all of your actions to be careful & deliberate.
- Protect yourself and others from an exposure to an unknown material. Do not touch, move or attempt to clean up the unknown material.
- Isolate the area and evacuate all personnel from the immediate area.
- Contact the local Police Dept and your supervisor as soon as possible.
- Do not use radios or cell phones.
- All personnel who may have had contact with the unknown material should wash their hands with soap and warm water and shower with soap and warm water as soon as possible.
- Do not use bleach or other disinfectants.
- Make a list of names and contact information for all personnel who have come into contact with the unknown material.
- Provide this information to law enforcement and health officials.
- Carefully follow the instructions provided by law enforcement and health officials.

WEATHER EMERGENCIES/TORNADO

Severe Thunderstorm/Lightning:

- Severe thunderstorm/lightning can occur without notice or warning and can create dangerous situations.
- Stay indoors and do not go outside unless absolutely necessary.
- Avoid water using electrical appliances and landline telephones.
- Stay away from open doors and windows.
- Save all work and turn off computers (if possible). Power surges from lightening may damage them.
- If the power goes out, please see “Utility Outage” information for guidance.
- In the event of an injury or life- threatening situation, contact 911 immediately and notify your Campus/Center manager or their designee and/or one of the Executive team members.

Winter Storms and Extreme Cold:

- Be prepared by listening to local news and weather reports from organizations like the [National Weather Service](#)
- Be aware of winter storm warnings: storms occurring within 12 to 24 hours.
- Be aware of winter storm watch advisories: storms occurring within 12 to 48 hours.
- Stay indoors during the storm.
- If you must go outside, walk carefully on snowy, icy, walkways.
- Drive only if it is absolutely necessary. If you must drive: travel in the day; don’t travel alone; keep others informed of your schedule; stay on main roads and avoid back road shortcuts.

- If the power goes out, please see “Utility Outage” information for guidance.
- In the event of an injury or life- threatening situation, contact 911 immediately and notify your Campus/Center manager or their designee and/or one of the Executive team members.

Tornado Watches and Warnings:

Tornadoes are nature’s most violent storms. Spawned from powerful thunderstorms, tornadoes can cause fatalities and devastate a neighborhood in seconds. A tornado appears as a rotating, funnel-shaped cloud that extends from a thunderstorm to the ground with whirling winds that can reach 300 miles per hour. Damage paths can be in excess of one mile wide and 50 miles long. Every state is at some risk from this hazard.

If a tornado warning has been issued and you are inside:

- Stay Inside
- Stay away from outside walls, windows, mirrors, glass, overhead fixtures, and unsecured objects such as filing cabinets or bookcases.
- If possible, move to an interior corridor, or room or office without windows and crouch low with your hands covering the back of your head and neck.
- Do not leave the shelter until the storm is over.
- Continue to monitor the weather via radio or television until the tornado warning has been lifted for your area.

If a tornado warning has been issued and you are outside:

- If you are in your car, get out of it. Never try to outrun a tornado.
- Look for a nearby safe structure in which to take shelter.
- If there is no shelter, lie down flat in a low area such as a ditch away from trees with your hands covering the back of your head and neck.

RESPONSE TO WEATHER EMERGENCIES

Procedure 2517

General Principles

Short of a two-county disaster area being declared, the college as a whole never closes because of weather. If such a disaster occurs, the decision to close will be made by the college President.

In the event of a very severe weather situation, an individual campus or center might be closed for a period of time. If such a situation occurs, a decision to close a center or campus will be made by the Vice President for Learning. If the Vice President for Learning and Student Services is not available, a designee will make the decision.

In the event of severe weather conditions, classes may be canceled for a period of time at a specific center or campus. Any decision to cancel classes at a specific location will be made by the Vice President for Learning. If the Vice President for Learning and Student Services is not available, a designee will make the decision.

As a general rule, classes will not be canceled, so faculty and students need to exercise judgment regarding travel to campuses and centers for classes in severe weather conditions. If a faculty/staff member is unable to travel safely to a designated instructional/service location due to weather conditions, the faculty/staff person will contact his/her immediate supervisor. The supervisor, in conjunction with the campus coordinator or center manager, will coordinate contact of affected students, and provide cancellation notification.

If a class is missed because of weather conditions, it needs to be made up.

Process for Closing/Cancellation at a Center/Campus

In the event of severe weather conditions, individual campus operations coordinators or center managers will call the Vice President for Learning and Student Services as early as possible to discuss the local situation. The coordinators/managers will attempt to determine road conditions by contacting the local law enforcement agency and whether area schools have closed as a result of the weather conditions. If a campus coordinator does not live close enough to be aware of campus conditions early in the morning, then another person will be designated to initiate a call to the Vice President for Learning and Student Services in the event of severe weather conditions.

If classes are to be canceled at a center or campus for a period of time, a decision to do so should be made, if possible:

1. By 6 a.m. for morning classes
2. By 10 a.m. for afternoon classes
3. By 3 p.m. for evening classes

If a decision to cancel classes at a center or campus has been made, the Vice President for Learning and Student Services will notify the Director of Marketing and Public Relations (or the Media Relations Coordinator) as soon as possible. A public announcement will be prepared in the MPR department and disseminated as appropriate.

If a decision is made to cancel classes at a center or campus, the Vice President for Learning and Student Services will contact the appropriate center/campus coordinator. The center/campus coordinator will initiate communications with others affected by the cancellation; which includes notification to other center/campus locations that originating audio/video broadcasts will not be available. Affected audio/video students will be notified through local coordination of center/campus coordinators.

If the campus is closed for safety reasons due to weather, all personnel must leave the campus. (Exception: Maintenance personnel who are working clearing the snow.)

REPORTING EMERGENCIES

Procedure 2510

Students, employees and others must report all emergencies occurring on College facilities to the campus or center office.

In emergency situations, 9-1-1 may be called first followed by an immediate notification to the campus operations coordinators and center managers.

Campus operations coordinators and center managers are responsible to post emergency contact information and procedures at designated campus and center locations.

Campus operations coordinators and center managers are responsible to collect and report information pertinent to the emergency to the President, or designee.

STUDENT NOTIFICATION

Procedure 2615

The campus and center office is authorized to make notifications to students that are of an emergency nature only.

Campus and center office personnel are responsible to screen each request.

DRUG-FREE STUDENT ENVIRONMENT

Procedure 2624

It is the intent and policy of the college to maintain a drug and alcohol-free environment for its students.

- Students are expected and required to report to school in appropriate mental and physical condition. It is our intent and obligation to provide a drug and alcohol free, healthful, safe, and secure environment.
- Students, as a condition of enrollment, shall at least once each year sign a statement acknowledging receipt in writing for careful consideration, information provided by the district detailing:
- Standards of conduct related to the possession, use or distribution of drugs and alcohol by students on the institutions' property or as any part of the institution's activities;
- A description of applicable legal sanctions under local, state, and federal law for unlawful possession, use, or distribution of illicit drugs and alcohol;
- A description of the health risks associated with use of illicit drugs and the abuse of alcohol, and
- A description of any drug and alcohol counseling treatment, or rehabilitation or reentry programs that are available to students.
- The college prohibits the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances and alcohol on college premises or while participating in any college activity.
- Violations will be referred to the Vice President for Learning and Student Services office for action in accordance with Procedure #2625 (Student Code of Conduct). Disciplinary sanctions will be imposed, consistent with local, state and federal law. Violations may result in probation,

suspension from school or expulsion. Disciplinary sanctions may also include the completion of an appropriate rehabilitation program.

- The college recognizes drug and/or alcohol dependency as illnesses and major health problems. The college also recognizes drug and alcohol abuses as potential health, safety, and security problems. Students needing help in dealing with such problems are encouraged to seek it either through their own resources or by requesting help or referral through an academic advising office. Conscientious efforts to seek help will not jeopardize the student's enrollment.
- Serious violations will result in students being reported to local law enforcement officials for appropriate local, state, or federal action. Prosecution can result in fine, prison terms, or both.
- The college will conduct a biennial review of its Program to Prevent Illicit Use of Drugs and Abuse of Alcohol by Employees and Students to determine its effectiveness, implement needed changes, and ensure that disciplinary sanctions are consistently enforced.

WEAPONS ON CAMPUS

Procedure 2560

All persons: who attend classes offered by the College; who are employed by the College; who are visiting College or leased premises (whether managed by the College or by any other entity); who are using College vehicles; who are in attendance at any College-sponsored events and activities; or who otherwise have business within the property of Northland Pioneer College, are prohibited from carrying, displaying, storing, or otherwise possessing weapons either on their person, in College owned or operated vehicles, or concealed within their immediate control, except as provided in Arizona Revised Statutes §12-781, and in accordance with A.R.S. §13-3102(A)(1), (A)(2), and (A)(10).

For the purposes of College Policies and Procedures, “weapon” is defined as any type of object or substance designed to or reasonably expected to inflict injury, incapacitate, or cause death, including (without limitation) all firearms (whether loaded or unloaded), edged weapons (including knives of any kind with a blade length greater than three inches), martial arts weapons, bows and arrows, devices which expel projectiles (such as BB guns, air guns, and pellet guns), as defined in A.R.S. §13-105(15) & (19), and A.R.S. §13-3101, but excluding normally available over-the counter self-defense chemical repellents available to the general public. “Weapon” is also defined as including any type of explosive, fireworks (including fire crackers, sparklers, rockets, or any propellant activated device), or explosive devices (including nitroglycerin, dynamite, black powder, plastic explosives, or any similar devices) as defined in A.R.S. §13-3101 and §13-3104.

All College employees and students are required to report violations and suspected violations of this Procedure to College administration immediately.

Persons excluded from this policy:

1. Any certified peace officer, currently employed by a law enforcement agency and performing his or her official duties.

2. Upon the approval of the president or designee, any person possessing a weapon for the purpose of teaching firearm safety, hunter safety, martial arts, law enforcement procedures or related course.
3. Upon approval of the president or designee, any person possessing a weapon for the purpose of demonstrating for educational purposes, any of the above stated weapons.
4. Any person, otherwise approved by the president or designee.
5. Any firearm that is lawfully stored and locked in a personally owned (not College-owned) motor vehicle or compartment of a motorcycle and which is not visible from the outside of the motor vehicle or motorcycle in accordance with A.R.S. §12-781.

Sanctions for Violations

Failure to comply with this policy, may result in, but is not limited to:

- a. Sanctions available under applicable laws.
- b. Sanctions available under the College Student Code of Conduct and/or the College Policies and Procedures, as applicable.
- c. Removal or ejection from the property of the institution at which the violation occurs by public peace officers and/or authorized representatives of the concerned institution;
- d. Utilization of the processes of law under A.R.S. §13-2911 regarding interference with the peaceful conduct of educational institutions.

SMOKE-FREE WORKPLACE & STUDENT ENVIRONMENT

Procedure 2545

Smoking is prohibited in all college-owned, or leased facilities, including a distance of 20 feet from any entrances, windows and ventilation systems so that persons entering or leaving buildings shall not be subjected to breathing tobacco smoke and so that tobacco smoke does not enter the building through entrances, windows, ventilation systems or any other means.

Smoking shall be defined as inhaling, exhaling, burning, or carrying or possessing any lighted tobacco product, including cigars, cigarettes, pipe tobacco and any other lighted tobacco product.

Smoking is prohibited in all college vehicles including vans, trucks, automobiles, and leased vehicles.

Smoking is permitted on all outdoor patios so long as tobacco smoke does not enter areas where smoking is prohibited.

"No smoking" signs or the international "no smoking" symbol shall be clearly and conspicuously posted identifying where smoking is prohibited. A notice informing individuals where complaints regarding violations of the "no smoking" procedure may be registered shall be included with all "No smoking" signs or symbols.

A conspicuous sign clearly stating that smoking is prohibited. will be placed at all entrances of all buildings and in all vehicles. All ashtrays shall be removed from any area where smoking is prohibited.

Any person who is smoking in violation of the Smoke-free Arizona act shall be informed that smoking is illegal and shall be requested immediately stop smoking. A person who smokes where smoking is prohibited is guilty of a petty offense and associated fines.

If a student is found to be in violation of this procedure, the violation will be referred to the Vice President for Student Services office for action in accordance with Procedure #2625 (Student Code of Conduct). Violations can result in probation or permanent suspension from school.

If an employee is found to be in violation of this procedure, the violation will be referred to the appropriate vice president for action in accordance with due process procedures. Violations may result in disciplinary action. The prohibition on smoking shall be communicated to all existing employees by April 30, 2007 and to all prospective employees upon their application for employment.

An employee will not be discharged or retaliated against because that employee exercises any rights afforded by Arizona State law or reports or attempts to prosecute a violation of the Smoke-free Arizona act.

VISITORS AND CHILDREN IN/ON NPC FACILITIES

Procedure 2508

1.0 Scope This procedure applies to all individuals or organizations engaging in or conducting activities associated with NPC, including students and employees

2.0 Purpose Northland Pioneer College (NPC) welcomes visitors, including children, to all NPC facilities. The purpose of this procedure is to promote the health, safety, and well-being of all NPC visitors.

3.0 Definitions

3.1 Children means individuals under the age of 18.

3.2 Facilities means NPC campuses and centers (buildings and grounds), and all properties owned and operated by, or leased by NPC.

3.3 Visitors means individuals at NPC facilities who are neither enrolled nor employed by NPC.

4.0 Procedure

4.1 Visitors are welcome at all public meetings and public activities held at NPC facilities, provided they do not interfere with the conduct of classes, student or NPC activities, or NPC business. Visitors may be invited to attend activities intended for students, faculty or staff at the discretion of the faculty or staff member organizing the activity.

Visitors will be held to the standard of conduct described in Article III.B of **Procedure #2625 - Student Codes of Conduct** and **ARS §13-2911**. Visitors violating one or more of these articles

or **ARS §13-2911** are subject to a written warning, removal from the property, and/or may lose NPC visiting privileges. Such action may be taken by the President or designee.

4.2 Children on Campus Children visiting NPC facilities must be under the immediate supervision of an adult at all times, unless they are enrolled in classes or participating in other NPC sponsored activities intended for students.

Individuals who bring children to NPC facilities, unless as described above, are solely responsible for their supervision. Employees, students, and other adults maintain the sole responsibility for the safety of any child they bring to NPC. Leaving children unattended is prohibited.

4.3 Children of Employees and Students NPC employees may bring their child(ren) to NPC facilities for limited periods of time while the employee is engaged in work activities, with the approval of their supervisor. Students may bring their child(ren) to NPC facilities for limited periods of time while the students are engaged in learning or other NPC activities, with approval of the classroom instructor or activity sponsor.

4.4 Assumption of Risk Bringing children to NPC facilities and events carries inherent risks that cannot be eliminated regardless of the care taken to avoid injury or harm. These risks include exposure to hazardous materials and/or chemicals, property damage, bodily injury, illness, or death from slips, trips, falls, contact with another person, being struck, any possible source of danger on or near the road that could lead to a vehicle crash, heat exhaustion, heat stroke, and hyperthermia. In consideration of bringing children to NPC facilities, parents and legal guardians agree to release and indemnify NPC against any claim for any losses, damages or injuries arising out of or in connection with bringing child(ren) to NPC facilities.

4.5 Revocation Allowing employees and students to bring children to NPC facilities and events as described is a privilege and may be revoked at the discretion of the President or designee if the provisions of this procedure are violated or the privilege is abused. NPC may also prohibit an employee or student from bringing children to campus if other students or employees are directly impacted and reasonably object.

An impacted employee or student for whom the presence of children in their work or educational setting is causing a disruption should advise their supervisor or the classroom instructor. If there is no resolution through contact with the supervisor or instructor, the issue can be escalated to the next supervisory level.

EMERGENCY FACILITY CLOSURES

Procedure 2515

The College recognizes that campus facilities may be unable to be used on a scheduled or unscheduled basis during emergencies and provides these guidelines for use during facility closure.

1. The Vice President for Administrative Services will notify other College officers and employees of any scheduled building closures as soon as possible. An officer of the College will determine when buildings are unusable.
2. Supervisors will have the responsibility for rescheduling the work of employees under their direction for completion at a different site, if possible.
3. Officers of the College will work together to provide alternate work sites and/or alternate work assignments for employees who are in buildings scheduled to be closed.
4. When the loss of utilities or other unscheduled event makes the workplace intolerable, the immediate supervisor may select another place for employees to continue assigned work.
5. If it is not possible for the employee to perform their regular job functions at another site, the employee may be reassigned to assist employees in another building.
6. If an employee is unable to be given a suitable alternate assignment and is unable to provide services to other campus departments, that employee may appropriately be released from duties without any deduction from accrued leave.
7. If an employee is unwilling to accept an alternate assignment, that employee may elect to use accrued leave.
8. When the assigned work site is open, as an employer, the College maintains a reasonable expectation that employees will attend their place of work for scheduled work hours.
9. If an employee is unable to attend their place of work because of inclement weather or a natural disaster when the employee's work site is open, the employee must notify his/her direct supervisor. In exceptional circumstances, and taking into consideration the needs of the institution, consultation with the supervisor may conclude that the employee is not required that day, in which case the employee may further arrange with the supervisor to claim a leave day. The arrangement must be confirmed in writing with the supervisor as soon as possible upon return to work.

EMERGENCY RESPONSE

Procedure 2150

A. PURPOSE

In the case of an emergency, it is important for Northland Pioneer College (NPC) employees to be as fully prepared as possible to ensure the safest outcome for everyone affected. Safety preparation is an important part of our responsibility to our students and fellow employees. Employees are encouraged to read and be familiar with the NPC Emergency Response Plan and supporting documents; which are available on the MyNPC website or at the front office of any campus upon request.

In all cases, fire and/or police agencies will be in command of an emergency occurring at, or affecting, any NPC facility. The designated emergency responder from NPC will be the Campus/Center Manager or designee as deemed necessary by the Northland Pioneer College President (President) or designee. This does not negate the responsibilities of other college officials.

B. DEFINITIONS

Disaster – A regional or state event as declared by local, county, state, or federal officials. Including but not limited to; The National Weather Center (NWC), United States Forest Service (USFS), Navajo County Sheriff's Office (NCSO), Apache County Sheriff's Office (ACSO), Arizona Department of Public Safety (DPS), Arizona Governor's Office (AGO).

Electronic Notification – Email or Text Message.

Emergency – An unexpected or dangerous situation that disrupts the regular function of NPC services or activities, or poses a safety risk to any persons or infrastructure.

Events – Short term natural occurrences such as lightning, snow, and wildfires as issued by NWC or USFS.

Incident – An isolated situation, sufficiently short in duration or minimal in scope as to not warrant classification as an Emergency.

C. OBJECTIVES

1. To save lives and avoid injuries
2. To promote environments that foster safety and preparedness for all students, employees, visitors, and others present on College property or at college-sponsored activities
3. To promote a fast, effective reaction in coping with emergencies
4. To communicate with emergency response personnel, news media, the community, and other audiences
5. To ensure students and staff understand the procedures that are in place to ensure their safety
6. To help the college community review, know, and practice emergency response drills
7. To safeguard college property and records
8. To help the college restore conditions back to normal with minimal confusion as promptly as possible after an emergency while supporting faculty, students and staff.

D. RESPONSIBILITY AND CONTROL

The Emergency Response Plan is under the control of the College President/designee. In the event of an emergency, the President or designee will implement the necessary plan(s) to limit injuries, damages, or disruption of services and preserve the peace and order, which may include, but is not limited to, emergencies that:

- Suspend regular academic activities
- Restrict access to any NPC facility
- Call for resources from NPC or outside organizations

The President or designee will be responsible for concluding the Emergency Response Plan and the resumption of normal activities.

E. DELEGATION OF AUTHORITY

The President has the primary responsibility for overseeing development and implementation of NPC's procedures related to emergencies. The President may delegate all or a portion of responsibility before

or during an emergency situation. Any delegation of responsibility should be done in writing. If an existing emergency does not allow for a written delegation, an electronic notification will be sent until such time as a written delegation can be completed. The office receiving the designation will maintain the letter of delegation.

F. RESPONSE REVIEW

After the conclusion of an emergency and the return to normal college schedules/activities; The President will commission a review of the emergency. This review should be completed within 90 days. The review should cover:

- NPC procedure efficiency
- Communication/coordination efficiency
- Injuries or Damages
- Post-incident support for persons affected

The purpose of the review is to find ways to improve NPC's response to emergencies and support those affected by them. If applicable, the review should make recommendations on how to make such improvements. Once completed the review shall be retained by the VPAS office.

HAZING PREVENTION

Policy 1431

Northland Pioneer College (NPC) seeks to promote a safe learning environment. Hazing is antithetical to that goal. Hazing by organizations, groups or individuals is strictly prohibited at NPC. All students, faculty, and staff shall take reasonable measures within the scope of their individual authority to prevent violations of the Hazing Prevention Procedure, including reporting incidents of hazing when they occur.

I. Definitions "Hazing" means any intentional, knowing or reckless act committed by a student, faculty, or staff whether individually or in concert with other persons, against another student, and in which both of the following apply:

- The act was committed in connection with an initiation into, an affiliation with or the maintenance of membership in any organization that is affiliated with an educational institution.
- The act contributes to a substantial risk of potential physical injury, mental harm or degradation or causes physical injury, mental harm or personal degradation.

A partial list of examples of hazing includes:

- paddling in any form
- physical or psychological shocks
- late work sessions that interfere with scholastic activities
- advocating or promoting alcohol or substance abuse
- tests of endurance

- submission of members or prospective members to potentially dangerous or hazardous circumstances or activities which have a foreseeable potential for resulting in personal injury
- any activity which by its nature may have the potential to cause mental distress, panic, human degradation, or embarrassment.

2. "Organization" means an athletic team, association, order, society, corps, cooperative, club or other similar group that is affiliated with an educational institution and whose membership consists primarily of students enrolled at that educational institution.

3. "Student" means, for purposes of this procedure, any person who is enrolled at NPC, any person who has been accepted for enrollment at NPC or any person who intends to enroll at NPC within the next twelve (12) calendar months. A person who meets the definition of a student for purposes of this paragraph shall continue to be defined as a student for purposes of this procedure until the person graduates, transfers, or withdraws from NPC.

II. Prohibited Conduct

- Hazing is prohibited at NPC.
- Any solicitation to engage in hazing is prohibited.
- Aiding and abetting another person who is engaged in hazing is prohibited.
- It is not a defense to a violation of the hazing prevention procedure if the hazing victim consented to or acquiesced in the hazing activity.
- All students, faculty and staff shall take reasonable measures within the scope of their individual authority to prevent violations of the hazing prevention procedure.

III. Complaints and Reports

Duty to Report. Any employee or student who witnesses, becomes aware of, or is the victim of hazing shall immediately report the incident to the Director of Student Services (DofSS). If an employee is involved or a victim of hazing the employee should report the incident to their direct supervisor or Chief Human Resource Officer (CHRO). If the DofSS is unavailable, a report to the DofSS would involve a conflict of interest, or the DofSS is the accused the employee or student shall report the hazing to the Vice President for Learning and Student Services. Report directly to the CHRO or DofSS:

Employees involved in or victim of hazing:

Name: Nicole Ulibarri

Title IX Deputy Coordinator - Employees

EEO and ADA/504 Coordinator

Office of Human Resources

Tiponi Community Center, Human Resources Room 302, Painted Desert Campus, Holbrook

(928) 524-7471

Email: nicole.ulibbarri@npc.edu

Student involved in or victim of hazing:

Name: Josh Rogers

Title IX Deputy Coordinator - Students

Office of Student Services
Student Center, Room 109, Silver Creek Campus, Snowflake
(928) 536-6227
Email: joshua.rogers@npc.edu

Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address listed above.

Report online, using the reporting form posted at: www.npc.edu/report-it

1. Investigation. All complaints or reports of hazing shall be promptly and thoroughly investigated. To the extent possible, a hazing complaint will be treated as confidential; however, the College has a responsibility to all employees and students to investigate hazing charges, which may include interviewing the offenders and any possible witnesses. If the hazing incident that has been reported falls under the definition of Sexual Harassment as defined in our Equal Opportunity, Harassment, and Nondiscrimination Policy (Policy 1102), the Title IX Coordinator will follow the procedure as outlined in Procedure 2110, Process A, Section 14. If not, or if no formal complaint is filed under Process A, The Director of Student Services will follow the procedure as outlined in Procedure 2110, Process B, Section 6. Both Process A and Process B include an appeals process.

2. Sanctions. Violations of this procedure shall be considered a grave violation of the Student Conduct Code (Procedure 2625) and will subject a student to discipline up to and including dismissal. Any employee who knowingly permitted, authorized or condoned the hazing activity in violation of this Procedure shall be considered cause for discipline up to and including dismissal. In addition to these consequences, an Organization as defined in this Procedure may be disciplined by the revocation or suspension of an organization's permission to conduct operations at NPC if the organization knowingly permitted, authorized or condoned the hazing activity. Other sanctions against an Organization may include:

- loss of campus privileges for the student organization.
- restitution for damages that may have resulted from the incident.
- a statement of warning.
- a probationary period.

Reinstatement of the Organization may be conditioned on compliance with any of the foregoing or any other reasonable conditions imposed by NPC. An Organization shall be afforded a pre-suspension hearing before the president or his designee to afford it an opportunity to rebut the allegations against it. Any substantiated hazing activity that involves a violation of criminal law by any person shall be reported to local law enforcement personnel.

IV. Retaliation. Students and employees are prohibited from retaliation, intimidation, threats, coercion or other discrimination against any individual for exercising that individual's rights or responsibilities under this procedure. Any such acts of retaliation should be reported to the Director of Student Services in the case of students or to the Chief Human Resource Officer in the case of employees.

V. Intention. This Procedure is not intended to prohibit:

- Customary athletic events, contests or competitions that are sponsored by an educational institution.
- Any activity or conduct that furthers the goals of a legitimate educational curriculum, a legitimate extracurricular program or a legitimate military training program.

REGISTERED SEX OFFENDERS

Procedure 2623

1.0 Scope This procedure applies to all persons who apply to Northland Pioneer College (NPC) for admission or are enrolled in NPC and are identified as registered sex offenders and required to register pursuant to [Section §13-3821](#) of the Arizona Revised Statutes.

2.0 Purpose To address the admission and continued enrollment of registered sex offenders at NPC.

3.0 Definitions

3.1 Registered sex offender: A person required to register as defined and provided in A.R.S. [§13-3821](#).

3.2 NPC Campus Assessment, Response, and Education (CARE) Team: A team composed of faculty, staff, and administrators appointed by the president of NPC. The CARE Team will determine if the registered sex offender presents a threat or a potential danger to the NPC's community.

3.3 Administrative Withdrawal: The withdrawal of a student from a course by the Vice President for Learning and Student Services (VPLSS), the Registrar, Faculty, or other authorized NPC-personnel.

4.0 Procedure

4.1 Policy NPC reserves the right to deny or revoke admission of registered sex offenders in accordance with [Policy #1290](#).

4.2 Responsibilities NPC reserves the right to deny or revoke admission of a registered sex offender upon notification by local authority as required in [Section §13-3825](#) of the Arizona Revised Statutes. NPC reserves the right to evaluate and document special cases and to refuse admission if it is determined that the registered sex offender is a threat or a potential danger to the NPC's community or if such refusal is considered to be in the best interest of NPC. Students whose admission is suspended after enrollment must be notified of their right to an appeal process and must be provided with due process.

4.3 Procedures

a) A registered sex offender shall identify themselves to the office of the VPLSS. If another NPC employee is notified, the NPC employee shall notify the office of the VPLSS.

b) When NPC learns that an applicant or enrolled student is a registered sex offender, the applicant or student will not be allowed to register for classes.

c) If the registered sex offender is an applicant, written notification will be sent via certified mail by the VPLSS to the home address listed in the student information system that admission to NPC has been postponed based on his or her listing on the sex offender registry and pending completion of an appeal process. The applicant must initiate the appeal process within ten (10) college-business days of the date on the notification sent by NPC. Failure by the applicant to initiate the appeal process within ten (10) college-business days of notification from NPC will forfeit his or her right to appeal.

d) If the registered sex offender is an enrolled student, written notification will be sent via certified mail to the mailing address listed in the student information system. The written notification will require the student to initiate the appeals process within ten (10) college-business days of the date on the notification sent by NPC in order to receive consideration to remain enrolled. The individual will remain provisionally enrolled pending the outcome of the appeal process. Failure by the student to initiate the appeal process within ten (10) college-business days of the date on the notification from NPC will result in written notice of administrative withdrawal from all current and future semesters, and forfeiture of the individual's right to appeal.

e) Appeal process for denial of admission or withdrawal for registered sex offender:

The applicant or withdrawn student shall be given notice that explains the appeal procedure and requests the following information within ten (10) college-business days following the date of such notice:

- i. Formal request for an appeal
- ii. Disclosure of the nature of the offense for which the person has been convicted;
- iii. Justification for consideration of admission, reinstatement, or continued enrollment; and
- iv. Statement acknowledging the individual's understanding that his or her identity and status as a registered sex offender will be publicized within the NPC community in accordance with federal and state law if admitted or reinstated.

f) Upon receipt of a request for appeal within the required ten (10) college-business days of notification, the VPLSS will convene the CARE Team for a hearing of the

registered sex offender's appeal. The purpose of the hearing will be to determine if the registered sex offender is a threat or a potential danger to the NPC's community. The CARE Team will review the information submitted and make a recommendation by a simple majority vote within fourteen (14) college-business days of receiving the letter of appeal. The Co-Chairs of CARE Team will serve as co-chairs of the panel. The VPLSS will review the recommendation, make a final decision, and inform the registered sex offender in writing of the decision. If the VPLSS determines that the registered sex offender presents a threat or potential danger to the NPC's community, denial of admission to NPC will be permanent. If the registered sex offender is currently enrolled, and the VPLSS determines that the individual is a threat or potential danger to the NPC's community, he or she will be administratively withdrawn from classes, will receive a 100% refund, and will be denied future admission/enrollment to NPC. The resolution of the appeal by the VPLSS shall be final.

4.4 Waiver If a student or applicant fails to comply with the terms of this procedure, he or she will forfeit the right to appeal the denial of admission or enrollment at NPC.

4.5 Notice In accordance with the Federal Campus Sex Crimes Prevention Act, NPC will inform the college community of any known sex offenders attending NPC. The following site may be accessed to obtain information on registered sex offenders: azdps.gov/Services/Sex_Offender/.

4.6 Interpretation Authority for interpretation of this procedure rests with the VPLSS.

DRUG-FREE WORKPLACE

Procedure 2750

Section 1: Purpose and Goal. Northland Pioneer College is committed to protecting the safety, health and well-being of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our goals. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment.

Northland Pioneer College encourages employees to voluntarily seek help with drug and alcohol problems.

The purpose of this policy is to ensure that no employee under any circumstances comes to work under the influence of drugs or alcohol and to ensure all employees abide by the laws pertaining to alcohol and drug use while at work. No person may consume or be under the influence of drugs or alcohol while attending classes, at any official meetings, or while fulfilling employment responsibilities. Employees must conduct themselves in a responsible and professional manner at all times.

Covered Workers Any individual who conducts business for the college, is applying for a position or is conducting business on the college's property is covered by our drug-free workplace policy. Our policy

includes, but is not limited to the President, executive staff, managers, supervisors, full-time employees, part-time employees, off-site employees, contractors, volunteers, interns, and applicants.

Applicability Our drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the college. Therefore, this policy applies during all working hours, whenever conducting business or representing the college, while on call, paid standby, while on college property, at college-sponsored events, and while attending classes and field trips. Exceptions to this policy for special events may be granted with prior permission.

Prohibited Behavior The college strictly prohibits the unlawful manufacture, distribution, dispensing, possession or use of controlled substances and alcohol on college premises or while participating in any college activity. Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her job. If the use of a medication could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to use appropriate human resource procedures (*e.g.*, call in sick, use leave, request change of duty, notify supervisor, notify Human Resources Department) to avoid unsafe workplace practices.

The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of our drug-free workplace policy to intentionally misuse and/or abuse prescription medications. Appropriate disciplinary action will be taken if job performance deterioration and/or other accidents occur.

Notification of Convictions Any employee who is convicted of a criminal drug or alcohol violation must notify the college in writing within five calendar days of the conviction. The college will take appropriate action within 30 days of notification. Local, state, and federal contracting agencies will be notified when appropriate.

Searches Entering the college's property constitutes consent to searches and inspections. If an individual is suspected of violating the drug-free workplace policy, he or she may be asked to submit to a search or inspection at any time. Searches can be conducted of college property.

Drug Testing To ensure the accuracy and fairness of our testing program, all testing will be conducted according to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines where applicable and will include a comprehensive screening test; a confirmation test; the opportunity for a split sample; review by a Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody.

All drug-testing information will be maintained in separate confidential records.

Each employee, as a condition of employment, will be required to participate in post-accident or reasonable suspicion testing upon selection or request of management. Pre-employment testing may be required for employees in safety-sensitive areas related to certification or agency requirements.

Prescreening testing may include but is not limited to such substances as amphetamines, cocaine, opiates, alcohol, and barbiturates. Testing for the presence of alcohol may be conducted by breath or blood analysis. Testing for the presence of the metabolites of drugs may be conducted by the urinalysis. Post-accident and reasonable suspicion testing will include a comprehensive analysis.

Any employee who tests positive will be immediately removed from duty, referred to a substance abuse professional for assessment and recommendations, required to successfully complete recommended rehabilitation including continuing care. The employee will be required to pass a fitness-for-duty examination and sign a Return-to-Work Agreement. Upon learning of allegations of non-compliance that may constitute cause, the President may initiate Due Process Procedure 2755.

An employee will be subject to the same consequences of a positive test if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test.

Consequences One of the goals of our drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious.

In the case of applicants, if he or she violates the drug-free workplace policy, the offer of employment can be withdrawn. The applicant may reapply after one year and must successfully pass a pre-employment drug test if they are applying for a safety sensitive position.

If an employee violates the policy, he or she may be subject to disciplinary action and may be required to enter rehabilitation. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

Return-to-Work Agreements Following a violation of the drug-free workplace policy, an employee may be offered an opportunity to participate in rehabilitation. In such cases, the employee must sign and abide by the terms set forth in a Return-to-Work Agreement as a condition of continued employment.

Assistance Northland Pioneer College recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug-free workplace policy:

- Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- Ensures the availability of a current list of community professionals.
- Offers all employees and their family members assistance with alcohol and drug problems through the Employee Assistance Program (EAP).
- Allows the use of accrued paid leave while seeking treatment for alcohol and other drug problems.

Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

Confidentiality All information received by the college through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

Shared Responsibility A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and supervisors have important roles to play.

All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.

In addition, employees and supervisors are encouraged to:

- Be concerned about working in a safe environment.
- Support fellow workers in seeking help.
- Use the Employee Assistance Program.
- Report dangerous behavior to their supervisor.

Communication Communicating our drug-free workplace policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting our drug-free workplace program:

- All employees have access to the policy.
- The policy will be reviewed in orientation sessions with new employees

COMMUNICABLE DISEASES

Procedure 2751

Prevention and Control

“Communicable disease” means an infectious disease that is spread from person to person through casual contact, exposure to body fluids, or respiratory droplets. Examples of communicable diseases include, but are not limited to: tuberculosis (TB), measles, German measles (rubella), hepatitis, meningitis, influenza, Severe Acute Respiratory Syndrome (SARS), norovirus, human immunodeficiency virus infection and acquired immunodeficiency syndrome (HIV/AIDS) and exotic pathogens (e.g., Ebola and certain strains of influenza).

Students with communicable diseases may pose a threat to the health and safety of students and staff. In responding to such threats, the college will strive to maintain a balance between the need to control communicable diseases and the need to protect students’ legal rights. No student or employee shall knowingly expose students or other employees to a communicable disease.

Decisions regarding the educational status of students with communicable diseases generally will be made on a case-by-case basis in accordance with this policy and its administrative regulation. For all designated communicable diseases, the college will fully comply with all reporting, exclusion, and contact control measures required by the Arizona Department of Health Services and the Navajo and Apache County Health Departments.

When college officials have sufficient reason to believe that a student or employee has contracted a communicable disease and that through transmission, there is potential harm and/or risk to other students and employees, the student or employee will be required to be evaluated by medical professionals at their expense within a designated time frame. Should the student or employee not follow through with a medical evaluation within the designated time frame, they will be removed from all college activities/responsibilities until medical evaluation is attained.

Students or employees who have a communicable disease shall be excluded from the college only if he or she presents a direct threat to the health or safety of others as determined by a medical evaluation, as recommended by the Centers for Disease Control and Prevention, and as required by the Arizona Department of Health Services and the Navajo and Apache County Health Departments. Reasonable accommodation will be utilized when there is medical justification that the transmission of the disease is highly doubtful and/or the risk of further exposure or injury to other students and employees is improbable.

The right to privacy and confidentiality of any student or employee who has contracted a communicable disease will be respected. Employees and students must maintain the confidentiality of medical records and medical information pursuant to state and federal law. Disclosure of medical condition will only occur to the extent required to minimize the health risks to other students and employees. The President or designee will determine appropriate disclosure of information.

TITLE IX

PROTECTING AGAINST DISCRIMINATION, HARASSMENT, RETALIATION

Preventing Sexual Harassment at Northland Pioneer College

This site is a resource for students, employees, and third parties to learn more about NPC's Title IX Equal Opportunity, Harassment & Nondiscrimination Policy and the protections under the 2020 Title IX regulatory changes. If you have experienced or witnessed an act of sexual harassment, discrimination, or dating/partner violence, you are encouraged to report the incident to your college's Title IX Coordinator.

Immediate Assistance

If you are in an emergency situation, make sure you are in a safe place and call 911. For non-emergencies, contact your college's Title IX Coordinator or local law enforcement.

Sexual Harassment and Discrimination Policy

The policy of Northland Pioneer College (NPC) is to provide an educational, employment, and business environment free of sexual violence, unwelcome sexual advances, requests for sexual favors, and other

verbal or physical conduct or communications constituting Sexual Harassment as prohibited by state and federal law. Discrimination under this Policy is an unequal treatment of a student based on the student's actual or perceived gender, sexual orientation, or pregnancy. This Policy prohibits Sexual Harassment and Discrimination in any college education program or activity, which means all academic, educational, extracurricular, athletic, and other programs.

Sexual Harassment: The 2020 Title IX Regulations define sexual harassment broadly to include any of three types of misconduct that—on the basis of sex—jeopardize the equal access to education and the educational programs/activities that Title IX is designed to protect. These three types of misconduct are:

- Any instance of quid pro quo harassment by a school's employee;
- Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access;
- Any instance of sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA). For definitions of sexual assault, dating/domestic violence, and stalking, please see the Policy 1102 - Equal Opportunity, Harassment & Nondiscrimination.

Policy 1102 Equal Opportunity, Harassment and Nondiscrimination

1.0 Scope

Northland Pioneer College community. This community includes, but is not limited to, students, student organizations, faculty, administrators, staff, and third parties such as guests, visitors, volunteers, and invitees.

2.0 Purpose

Northland Pioneer College is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from discrimination, harassment, and retaliation. To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, Northland Pioneer College has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of protected class status, and for allegations of retaliation. Northland Pioneer College values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all those involved.

3.0 Definitions

3.1 *Advisor* means a person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct cross-examination for the party at the hearing, if any.

3.2 *Complainant* means an individual who is alleged to be the victim of conduct that could constitute harassment or discrimination based on a protected class; or retaliation for engaging in a protected activity.

3.3 *Complaint (formal)* means a document filed/signed by a Complainant or signed by the Title IX Coordinator alleging harassment or discrimination based on a protected class or retaliation for engaging in a protected activity against a Respondent and requesting that Northland Pioneer College investigate the allegation.

3.4 *Confidential Resource* means an employee who is not a Mandated Reporter of notice of the harassment, discrimination, and/or retaliation (irrespective of Clery Act Campus Security Authority status).

3.5 *Day* means a business day when Northland Pioneer College is in normal operation.

3.6 *Education program or activity* means locations, events, or circumstances where Northland Pioneer College exercises substantial control over both the Respondent and the context in which the sexual harassment or discrimination occurs and also includes any building owned or controlled by a student organization that is officially recognized by Northland Pioneer College.

3.7 *Final Determination*: A conclusion by the standard of proof that the alleged conduct occurred and whether it did or did not violate policy.

3.8 *Finding*: A conclusion by the standard of proof that the conduct did or did not occur as alleged.

3.9 *Formal Grievance Process* means "Process A," a method of formal resolution designated by Northland Pioneer College to address conduct that falls within the policies included below, and which complies with the requirements of 34 CFR Part 106.45.

3.10 *Grievance Process Pool* includes any investigators, hearing officers, appeal officers, and Advisors who may perform any or all of these roles (though not at the same time or with respect to the same case).

3.11 *Hearing Decision Maker or Panel* refers to those who have decision-making and sanctioning authority within Northland Pioneer College's Formal Grievance process.

3.12 *Investigator* means the person or persons charged by Northland Pioneer College with gathering facts about an alleged violation of this Policy, assessing relevance and credibility, synthesizing the evidence, and compiling this information into an investigation report and file of directly related evidence.

3.13 *Mandated Reporter* means an employee of Northland Pioneer College who is obligated by policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Title IX Coordinator and/or their supervisor.

3.14 *Notice* means that an employee, student, or third-party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.

3.15 *Official with Authority (OWA)* means an employee of Northland Pioneer College explicitly vested with the responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of Northland Pioneer College.

3.16 *Parties* include the Complainant(s) and Respondent(s), collectively.

3.17 *Process A* means the Formal Grievance Process detailed below and defined above.

3.18 *Process B* means the informal alternative resolution procedure.

3.19 *Recipient* means a postsecondary education program that is a recipient of federal funding.

3.20 *Remedies* are post-finding actions directed to the Complainant and/or the community as mechanisms to address safety, prevent a recurrence, and restore access to Northland Pioneer College's educational program.

3.21 *Respondent* means an individual who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination based on a protected class; or retaliation for engaging in a protected activity.

3.22 *Resolution* means the result of an informal or Formal Grievance Process.

3.23 *Sanction* means a consequence imposed by Northland Pioneer College on a Respondent who is found to have violated this policy.

3.24 *Sexual Harassment* is the umbrella category including the offenses of sexual harassment, sexual assault, stalking, dating violence, and domestic violence. **See Section 17.b.**, for greater detail.

3.25 **Title IX Coordinator** is at least one official designated by Northland Pioneer College to ensure compliance with Title IX and Northland Pioneer College's Title IX program. References to the Coordinator throughout this policy may also encompass a designee of the Coordinator for specific tasks.

3.26 *Title IX Team* refers to the Title IX Coordinator, any deputy coordinators, and any member of the Grievance Process Pool.

4.0 Procedure

INTERIM RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF THE POLICY ON EQUAL OPPORTUNITY, HARASSMENT, AND NONDISCRIMINATION (KNOWN AS PROCESS "A")

4.1 Overview

Northland Pioneer College will act on any formal notice/complaint of a violation of the policy on Equal Opportunity, Harassment, and Nondiscrimination ("Policy") that is received by the Title IX Coordinator or any other Official with Authority by applying these procedures, known as "Process A."

The procedures below apply to all allegations of harassment or discrimination on the basis of protected class status involving students, staff, administrators, or faculty members. A set of technical dismissal requirements within the Title IX regulations may apply as described below, but when a technical dismissal under the Title IX regulations is required, any remaining allegations may proceed using these same grievance procedures, clarifying which Policy provisions from Policy 1102 are applicable. Although the effect of the Title IX regulations can be confusing, these grievance procedures apply to all **Policy 1102** offenses.

If other Policy definitions are invoked, such as protected class harassment or discrimination, as defined in **Policy 1102**, please see “Process B” below for a description of the processes applicable to the resolution of such offenses.

Process B can also apply to sexual harassment (including sexual assault, dating violence, domestic violence, and stalking, as defined above) when jurisdiction does not fall within Process A, as determined by the Title IX Coordinator.

The processes below may be used to address collateral misconduct arising from the investigation of or occurring in conjunction with reported misconduct (e.g., vandalism, physical abuse of another) when alleged violations of the Policy are being addressed at the same time. All other allegations of misconduct unrelated to incidents covered by the Policy will be addressed through procedures described in the student, faculty, and staff handbooks.

4.2 Notice/Complaint

Upon receipt of a complaint or notice to the Title IX Coordinator of an alleged violation of **Policy 1102**, the Title IX Coordinator initiates a prompt initial assessment to determine the next steps Northland Pioneer College needs to take.

The Title IX Coordinator will initiate at least one of three responses:

- Offering supportive measures (as outlined in **Policy 1102**) because the Complainant does not want to file a formal complaint; and/or
- An informal resolution (upon submission of a formal complaint); and/or
- A Formal Grievance Process including an investigation and a hearing (upon submission of a formal complaint).
- Northland Pioneer College uses the Formal Grievance Process to determine whether or not the policy has been violated. If so, Northland Pioneer College will promptly implement effective remedies designed to ensure that it is addressing harassment or discrimination, their potential recurrence, and/or their effects. **The Title IX formal grievance process differs from the college’s employee grievance process which is covered in Procedure 2760.**

4.3 Initial Assessment

Following receipt of notice or a complaint of an alleged violation of **Policy 1102**, the Title IX Coordinator [2] engages in an initial assessment, typically within one to five (1 to 5) college business days during in duration. The steps in an initial assessment can include:

- a) The Title IX Coordinator seeks to determine if the person impacted wishes to make a formal complaint, and will assist them to do so, if desired.
 - i. If they do not wish to do so, the Title IX Coordinator determines whether to initiate a complaint themselves because a violence risk assessment indicates a compelling threat to health and/or safety.
- If a formal complaint is received, the Title IX Coordinator assesses its sufficiency and works with the Complainant to make sure it is correctly completed.

- The Title IX Coordinator shall offer the Complainant supportive measures (as outlined in **Policy 1102**).
- The Title IX Coordinator works with the Complainant to ensure they are aware of the right to have an Advisor.

b) The Title IX Coordinator works with the Complainant to determine whether the Complainant prefers a supportive and remedial response, an informal resolution option, or a formal investigation and grievance process.

i. If a supportive and remedial response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes, assesses their request(s), and implements accordingly. No Formal Grievance Process is initiated, though the Complainant can elect to initiate one later, if desired.

ii. If an informal resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution, which informal mechanism may serve the situation best or is available and may seek to determine if the Respondent is also willing to engage in informal resolution.

iii. If a Formal Grievance Process is preferred by the Complainant, the Title IX Coordinator determines if the misconduct alleged falls within the scope of the 2020 Title IX regulations:

- If it does, the Title IX Coordinator will initiate the formal investigation and grievance process, directing the investigation to address:
 - an incident, and/or
 - a pattern of alleged misconduct, and/or
 - a culture/climate issue, based on the nature of the complaint.
- If alleged misconduct does not fall within the scope of the 2020 Title IX regulations, the Title IX Coordinator determines that the regulations do not apply (and will “dismiss” that aspect of the complaint, if any), assesses which policies may apply, and will refer the matter accordingly, including referring the matter for resolution under Process B, if applicable. Please note that dismissing a complaint under the 2020 Title IX regulations is solely a procedural requirement under Title IX, which does not limit Northland Pioneer College’s authority to address a complaint with an appropriate process and remedies.

c) Violence Risk Assessment

i. In some cases, the Title IX Coordinator may determine that a Violence Risk Assessment (VRA) should be conducted by the CARE Team as part of the initial assessment. A VRA can aid in ten critical and/or required determinations, including:

ii. Emergency removal of a Respondent on the basis of immediate threat to an individual or the community’s physical health/safety;

iii. Whether the Title IX Coordinator should pursue/sign a formal complaint absent a willing/able Complainant;

- iv. Whether the scope of the investigation should include an incident, and/or pattern of misconduct, and/or climate of hostility/harassment;
- v. To help identify potential predatory conduct;
- vi. To help assess/identify grooming behaviors;
- vii. Whether it is reasonable to try to resolve a complaint through informal resolution, and is so what approach may be most successful;
- viii. Whether to permit a voluntary withdrawal by the Respondent;
- ix. Whether to impose transcript notation or communicate with a transfer Recipient about a Respondent;
- x. Assessment of appropriate sanctions/remedies (to be applied post-hearing); and/or
- xi. Whether a Clery Act Timely Warning/Trespass order/Persona-non-grata is needed.

Threat assessment is the process of evaluating the actionability of violence by an individual against another person or group following the issuance of a direct or conditional threat. A VRA is a broader term used to assess any potential violence or danger, regardless of the presence of a vague, conditional, or direct threat.

VRAs require specific training and are typically conducted by psychologists, clinical counselors, social workers, case managers, law enforcement officers, student conduct officers, or other CARE TEAM members. A VRA authorized by the Title IX Coordinator should occur in collaboration with the CARE TEAM or threat assessment team. Where a VRA is required by the Title IX Coordinator, a Respondent refusing to cooperate may result in a charge of failure to comply within the appropriate student or employee conduct process.

A VRA is not an evaluation for an involuntary behavioral health hospitalization, nor is it a psychological or mental health assessment. A VRA assesses the risk of actionable violence, often with a focus on targeted/predatory escalations, and is supported by research from the fields of law enforcement, criminology, human resources, and psychology.

More about Northland Pioneer College's process for VRA can be found below in Appendix D.

- Dismissal (Mandatory and Discretionary)

Northland Pioneer College must dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

- The conduct alleged in the formal complaint would not constitute sexual harassment as defined in Policy 1102, even if proved; and/or
- The conduct did not occur in an educational program or activity controlled by Northland Pioneer College (including buildings or property controlled by recognized student organizations), and/or Northland Pioneer College does not have control of the Respondent; and/or
- The conduct did not occur against a person in the United States; and/or

- At the time of filing a formal complaint, a Complainant is not participating in or attempting to participate in the education program or activity of Northland Pioneer College.

Northland Pioneer College may dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:

- A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; or
- The Respondent is no longer enrolled in or employed by Northland Pioneer College; or
- Specific circumstances prevent Northland Pioneer College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
- A Complainant who decides to withdraw a complaint may later request to reinstate it or refile it.

Upon any dismissal, Northland Pioneer College will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.

This dismissal decision is appealable by any party under the process for appeal below, Section 37, Appeals. The decision not to dismiss is also appealable by any party claiming that a dismissal is required or appropriate.

4.4 Counterclaims

Northland Pioneer College is obligated to ensure that the grievance process is not abused for retaliatory purposes. Northland Pioneer College permits the filing of counterclaims but conducts an initial assessment, described above in Section 3, Initial Assessment, to assess whether the allegations in the counterclaim are made in good faith. Counterclaims by a Respondent may be made in good faith, but are on occasion made for purposes of retaliation, instead. Counterclaims made with retaliatory intent will not be permitted.

Counterclaims determined to have been reported in good faith after the initial assessment will be processed using the grievance procedures below. Investigation of such claims may take place after resolution of the underlying initial allegation, in which case a delay may occur.

Counterclaims may also be resolved through the same investigation as the underlying allegation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this policy, **Policy 1102**.

4.5 Right to an Advisor

The parties may each have an Advisor [3] of their choice present with them for all meetings, interviews, and hearings within the resolution process, if they so choose. The parties may select whoever they wish to serve as their Advisor as long as the Advisor is eligible and available. [4]

Choosing an Advisor who is also a witness in the process creates potential for bias and conflict-of-interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision Maker(s). See Section 7, Grievance Process Pool, below for more information on the various roles, responsibilities, and training.

Northland Pioneer College may permit parties to have more than one Advisor upon special request to the Title IX Coordinator. The decision to grant this request is at the sole discretion of the Title IX Coordinator and will be granted equitably to all parties.

- a. Who Can Serve as an Advisor

The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The parties may choose Advisors from inside or outside of the Northland Pioneer College community.

The Title IX Coordinator will also offer to assign a trained Advisor to any party if the party so chooses. If the parties choose an Advisor from the pool available from Northland Pioneer College, the Advisor will have been trained by Northland Pioneer College and be familiar with Northland Pioneer College's resolution process.

If the parties choose an Advisor from outside the pool of those identified by Northland Pioneer College, the Advisor may not have been trained by Northland Pioneer College and may not be familiar with Northland Pioneer College policies and procedures.

Parties also have the right to choose not to have an Advisor in the initial stages of the resolution process, prior to a hearing.

- b. Advisor Role in Meetings and Interviews

The parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

Northland Pioneer College cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not or cannot afford an attorney, Northland Pioneer College is not obligated to provide an attorney.

Where applicable under state law or Northland Pioneer College policy, Advisors or attorneys are permitted to fully represent their advisees or clients in resolution proceedings, including all meetings, interviews, and hearings. Although Northland Pioneer College prefers to hear from parties directly, in these cases, parties are entitled to have evidence provided by their chosen representatives

- c. Advisors in Hearings/Northland Pioneer College-Appointed Advisor

Under U.S. Department of Education regulations for Title IX, a form of indirect questioning is required during the hearing but must be conducted by the parties' Advisors. The parties are not permitted to directly question each other or any witnesses. If a party does not have an Advisor for a hearing, Northland Pioneer College will appoint a trained Advisor for the limited purpose of conducting any questioning of the other party(ies) and witnesses.

- d. Pre-Interview Meeting

Advisors and their advisees may request to meet with the investigators conducting interviews/meetings in advance of these interviews or meetings. This pre-meeting allows Advisors to clarify and understand their role and Northland Pioneer College's policies and procedures.

- e. Advisor Violations of Northland Pioneer College Policy

All Advisors are subject to the same Northland Pioneer College policies and procedures, whether they are attorneys or not, and whether they are selected by a party or assigned by Northland Pioneer College. Advisors are expected to advise their advisees without disrupting proceedings. Advisors should not address Northland Pioneer College officials or investigators in a meeting or interview unless invited to do so (e.g., asking procedural questions). The Advisor may not make a presentation or represent their advisee during any meeting or proceeding and may not speak on behalf of the advisee to the Investigator(s) or other Decision Maker(s) except during questioning.

The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the resolution process. Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any resolution process meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

Any Advisor who oversteps their role as defined by this policy will be warned only once. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting/interview/hearing will be ended, or other appropriate measures implemented. Subsequently, the Title IX Coordinator will determine how to address the Advisor's non-compliance and future role.

- f. Sharing Information with the Advisor

Northland Pioneer College expects that the parties may wish to have Northland Pioneer College share documentation and evidence related to the allegations with their Advisors.

Northland Pioneer College provides a consent form that authorizes Northland Pioneer College to share such information directly with a party's Advisor. The parties must either complete and submit this form to the Title IX Coordinator or provide similar documentation demonstrating consent to a release of information to the Advisor before Northland Pioneer College is able to share records with an Advisor.

If a party requests that all communication be made through their Advisor, Northland Pioneer College will comply with that request at the discretion of the Title IX Coordinator.

Advisors appointed by the institutions will not be asked to disclose details of their interactions with their advisees to institutional officials or Decision Makers.

- g. Privacy of Records Shared with Advisor

Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by Northland Pioneer College. Advisors will be asked to sign Non-Disclosure Agreements (NDAs). Northland Pioneer College may restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by Northland Pioneer College's privacy expectations.

- h. Expectations of an Advisor

Northland Pioneer College generally expects an Advisor to adjust their schedule to allow them to attend Northland Pioneer College meetings when planned, but Northland Pioneer College may change

scheduled meetings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

Northland Pioneer College may also make reasonable provisions to allow an Advisor who cannot be present in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

- i. Expectations of the Parties with Respect to Advisors

A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout. The parties are expected to inform the Investigator(s) of the identity of their Advisor at least two (2) college business days before the date of their first meeting with Investigators (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the Title IX Coordinator if they change Advisors at any time. It is assumed that if a party changes Advisors, consent to share information with the previous Advisor is terminated, and a release for the new Advisor should be secured. Parties are expected to inform the Title IX Coordinator of the identity of their hearing Advisor at least two (2) college business days before the hearing.

- j. Assistance in Securing an Advisor

For representation, Respondents may wish to contact organizations such as:

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

Complainants may wish to contact organizations such as:

- The Victim Rights Law Center (<http://www.victimrights.org>),
- The National Center for Victims of Crime (<http://www.victimsofcrime.org>), which maintains the Crime Victim's Bar Association.]
- The Time's Up Legal Defense Fund: <https://nwlc.org/times-up-legal-defense-fund/>

4.6 Resolution Process

Resolution proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accordance with Northland Pioneer College Policy.

Although there is an expectation of privacy around what Investigators share with parties during interviews, the parties have discretion to share their own knowledge and evidence with others if they so choose, with the exception of information the parties agree not to disclose as part of an Informal Resolution, discussed below. Northland Pioneer College encourages parties to discuss with their Advisors any sharing of information before doing so.

The formal Grievance Process is Northland Pioneer College's primary resolution approach, unless Informal Resolution is elected by all parties and Northland Pioneer College. Three options for Informal Resolution are detailed in this section and the Formal Grievance Process is detailed starting in the next section.

- a. Informal Resolution

Informal Resolution can include three different approaches:

- Supportive Resolution. When the Title IX Coordinator can resolve the matter informally by providing supportive measures (only) to remedy the situation.
- Alternative Resolution. When the parties agree to resolve the matter through an alternative resolution mechanism as described below; including mediation, restorative practices, facilitated dialogue, etc.; usually before a formal investigation takes place; see discussion in subsection b below.
- Accepted Responsibility. When the Respondent accepts responsibility for violating policy, and desires a sanction(s) and end the resolution process; see discussion in subsection c below.

To initiate Informal Resolution, a Complainant must submit a formal complaint, as defined above. A Respondent who wishes to initiate Informal Resolution should contact the Title IX Coordinator. The parties may agree as a condition of engaging in Informal Resolution that statements made or evidence shared during the Informal Resolution process will not be considered in the Formal Grievance Process unless all parties consent.

It is not necessary to pursue Informal Resolution first in order to pursue a Formal Grievance Process, and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process.

Prior to implementing Informal Resolution, Northland Pioneer College will provide the parties with written notice of the reported misconduct and any sanctions or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by Northland Pioneer College.

Northland Pioneer College will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the parties to participate in Informal Resolution.

- b. Alternative Resolution Approaches

Alternative Resolution is an informal approach, including mediation, restorative practices, facilitated dialogue etc. by which a mutually agreed upon resolution of an allegation is reached. All parties must consent to the use of Alternative Resolution approach.

The Title IX Coordinator may look to the following factors to assess whether Alternative Resolution is appropriate, or which form of Alternative Resolution may be most successful for the parties:

- The parties' amenability to Alternative Resolution;
- Likelihood of potential resolution, taking into account any power dynamics between the parties;
- The parties' motivation to participate;
- Civility of the parties;
- Cleared violence risk assessment/ongoing risk analysis;
- Disciplinary history;
- Whether an emergency removal is needed;

- Skill of the Alternative Resolution facilitator with this type of complaint;
- Complaint complexity;
- Emotional investment/intelligence of the parties;
- Rationality of the parties;
- Goals of the parties;
- Adequate resources to invest in Alternative Resolution (time, staff, etc.)

The ultimate determination of whether Alternative Resolution is available or successful is to be made by the Title IX Coordinator. The Title IX Coordinator is authorized to negotiate a resolution that is acceptable to all parties, and/or to accept a resolution that is proposed by the parties, usually through their Advisors.

The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions. Results of complaints resolved by Informal Resolution or Alternative Resolution are not appealable.

- c. Respondent Accepts Responsibility for Alleged Violations

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the resolution process. If the Respondent indicates an intent to accept responsibility for all of the alleged misconduct, the formal process will be paused, and the Title IX Coordinator will determine whether Informal Resolution can be used according to the criteria above.

If Informal Resolution is applicable, the Title IX Coordinator will determine whether all parties and Northland Pioneer College are able to agree on responsibility, sanctions, and/or remedies. If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of Northland Pioneer College policy and implements agreed-upon sanctions and/or remedies, in coordination with other appropriate administrator(s), as necessary.

This result is not subject to appeal once all parties indicate their written assent to all agreed upon terms of resolution. When the parties cannot agree on all terms of resolution, the Formal Grievance Process will resume at the same point where it was paused.

When a resolution is accomplished, the appropriate sanction or responsive actions are promptly implemented in order to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

Resolution proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accordance with Northland Pioneer College Policy.

Although there is an expectation of privacy around what Investigators share with parties during interviews, the parties have discretion to share their own knowledge and evidence with others if they so choose, with the exception of information the parties agree not to disclose as part of an Informal Resolution, discussed below. Northland Pioneer College encourages parties to discuss with their Advisors any sharing of information before doing so.

The formal Grievance Process is Northland Pioneer College's primary resolution approach, unless Informal Resolution is elected by all parties and Northland Pioneer College. Three options for Informal Resolution are detailed in this section and the Formal Grievance Process is detailed starting in the next section.

4.7 Formal Grievance Process

The Formal Grievance Process relies on a pool of administrators ("the Pool") to carry out the process. Members of the Pool are announced in an annual distribution of this policy to all students, employees, prospective students, and prospective employees. They are also listed in the Annual Title IX Report published by the Title IX Office.

The list of Pool members and a description of the Pool can be found at <https://www.npc.edu/title-ix/title-ix-team>.

a. Pool Member Roles

Members of the Pool are trained annually, and can serve in in the following roles, at the direction of the Title IX Coordinator:

- To provide appropriate intake of and initial guidance pertaining to complaints
- To act as an Advisor to the parties
- To serve in a facilitation role in informal resolution or Alternative Resolution if

appropriately trained in appropriate resolution approaches (e.g., mediation, restorative practices, facilitated dialogue)

- To perform or assist with initial assessment
- To investigate complaints
- To serve as a hearing facilitator (process administrator, no decision-making role)
- To serve as a Decision Maker regarding the complaint
- To serve as an Appeal Decision Maker

b. Pool Member Appointment

The Title IX Coordinator, in consultation with the college president, appoints the Pool [5]

, which acts with independence and impartiality. Although members of the Pool are typically trained in a variety of skill sets and can rotate amongst the different roles listed above in different cases, Northland Pioneer College can also designate permanent roles for individuals in the Pool, using others as substitutes or to provide greater depth of experience when necessary. This process of role assignment may be the result of particular skills, aptitudes, or talents identified in members of the Pool that make them best suited to particular roles.

c. Pool Member Training

The Pool members receive annual training jointly OR based on their respective roles. This training includes, but is not limited to:

- The scope of Northland Pioneer College's Discrimination and Harassment Policy and Procedures

- How to conduct investigations and hearings that protect the safety of Complainants and Respondents, and promote accountability
- Implicit bias
- Disparate treatment
- Reporting, confidentiality, and privacy requirements
- Applicable laws, regulations, and federal regulatory guidance
- How to implement appropriate and situation-specific remedies
- How to investigate in a thorough, reliable, timely, and impartial manner by individuals who receive annual training in conducting investigations of sexual harassment, trauma-informed practices, and impartiality
- How to uphold fairness, equity, and due process
- How to weigh evidence
- How to conduct questioning
- How to assess credibility
- Impartiality and objectivity
- How to render findings and generate clear, concise, evidence-based rationales
- The definitions of all offenses
- How to apply definitions used by Northland Pioneer College with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with policy
- How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes
- How to serve impartially by avoiding prejudgment of the facts at issue, conflicts of interest, and bias against Respondents and/or for Complainants, and on the basis of sex, race, religion, and other protected characteristics
- Any technology to be used at a live hearing
- Issues of relevance of questions and evidence
- Issues of relevance to create an investigation report that fairly summarizes relevant evidence
- How to determine appropriate sanctions in reference to all forms of harassment, discrimination, and/or retaliation allegations

Specific training is also provided for all Pool members. All Pool members are required to attend these trainings annually. The materials used to train all members of the Pool are publicly posted here:

<https://www.npc.edu/title-ix/title-ix-training-materials> .

d. Pool Membership

The Pool includes:

- 2 Co-chairs: one representative from HR (Deputy Coordinator – Employees) and one from Student Services (Deputy Coordinator – Students), etc., who are members and who respectively Chair hearings for allegations involving student and employee Respondents
- 1 representative from the Academic Deans
- 2 representatives from faculty
- 2 representatives from the administration/staff
- 1 representative from Human Resources

- 1 representative from Campus Safety/Management

Pool members are usually appointed to three-year terms. Individuals who are interested in serving in the Pool are encouraged to contact the Title IX Coordinator.

4.8 Formal Grievance Process: Notice of Investigation and Allegations

The Title IX Coordinator will provide written notice of the investigation and allegations (the “NOIA”) to the Respondent upon commencement of the Formal Grievance Process. This facilitates the Respondent’s ability to prepare for the interview and to identify and choose an Advisor to accompany them. The NOIA is also copied to the Complainant, who will be given advance notice of when the NOIA will be delivered to the Respondent.

The NOIA will include:

- A meaningful summary of all allegations,
- The identity of the involved parties (if known),
- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known),
- The specific policies implicated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- A statement that Northland Pioneer College presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,
- A statement about Northland Pioneer College’s policy on retaliation,
- Information about the confidentiality of the process,
- Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor,
- A statement informing the parties that Northland Pioneer College’s Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
- Detail on how the party may request disability accommodations during the interview process,
- A link to Northland Pioneer College’s Violence Against Women Act (VAWA) Brochure,
- The name(s) of the Investigator(s), along with a process to identify to the Title IX Coordinator, in advance of the interview process, any conflict of interest that the Investigator(s) may have, and
- An instruction to preserve any evidence that is directly related to the allegations.

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various allegations.

NOIA will be made in writing and may be delivered by one or more of the following methods: in person, certified mailed to the local or permanent address(es) of the parties as indicated in official Northland Pioneer College records, or emailed to the parties’ Northland Pioneer College-issued email or designated

accounts. Once certified mailed, emailed, and/or received in-person, notice will be presumptively delivered.

4.9 Resolution Timeline

Northland Pioneer College will make a good faith effort to complete the resolution process within a sixty-to-ninety (60-90) college business day, time period, including appeal if any, which can be extended as necessary for good cause by the Title IX Coordinator, who will provide written notice and rationale for any extensions or delays to the Complainant and Respondent, as well as an estimate of how much additional time will be needed to complete the process.

4.10 Appointment of Investigators

Once the decision to commence a formal investigation is made, the Title IX Coordinator appoints Pool members to conduct the investigation typically using a team of two Investigators, usually within two (2) college business days of determining that an investigation should proceed.

4.11 Ensuring Impartiality

Any individual materially involved in the administration of the resolution process, including the Title IX Coordinator, Investigator(s), and Decision Maker(s), may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The Title IX Coordinator will vet the assigned Investigator(s) for impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. At any time during the resolution process, the parties may raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with the college president.

The Formal Grievance Process involves an objective evaluation of all relevant evidence obtained, including evidence that supports that the Respondent engaged in a policy violation and evidence that supports that the Respondent did not engage in a policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness.

Northland Pioneer College operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the applicable standard of proof.

4.12 Investigation Timeline

Investigations are completed expeditiously, normally within thirty (30) college business days, though some investigations may take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

Northland Pioneer College will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

4.13 Delays in the Investigation Process and Interactions with Law Enforcement

Northland Pioneer College may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include, but are not limited to: a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions.

Northland Pioneer College will communicate in writing the anticipated duration of the delay and reason to both parties and provide the parties with status updates if necessary. Northland Pioneer College will promptly resume its investigation and resolution process as soon as feasible. During such a delay, Northland Pioneer College will implement supportive measures (as outlined in **Policy 1102**) as deemed appropriate.

Northland Pioneer College action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

4.14 Steps in the Investigation Process

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record. Recordings of the interview are not provided to the parties, but the parties will have the ability to review the summary of the interview once the investigation report is compiled.

The Investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

- Determine the identity and contact information of the Complainant
- Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all of the specific policies implicated in the NOIA
- Assist the Title IX Coordinator, if needed, with conducting a prompt initial assessment to determine if the allegations indicate a potential policy violation
- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and the parties
- Meet with the Complainant to finalize their interview/statement, if necessary
- Work with the Title IX Coordinator, as necessary, to prepare the initial Notice of Investigation and Allegation (NOIA). The NOIA may be amended with any additional or dismissed allegations
 - Notice should inform the parties of their right to have the assistance of an Advisor, who could be a member of the Pool or an Advisor of their choosing present for all meetings attended by the party
- Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes (or transcript) of the relevant evidence/testimony from their respective interviews and meetings

- Make good faith efforts to notify the parties of any meeting or interview involving the other party, in advance when possible
- When participation of a party is expected, provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions
- Complete the investigation promptly and without unreasonable deviation from the intended timeline
- Provide regular status updates to the parties throughout the investigation.
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) with a list of witnesses whose information will be used to render a finding
- Write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included
- The Investigator(s) gather, assess, and synthesize evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of their report
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which Northland Pioneer College does not intend to rely in reaching a determination, for a ten (10) college business day review and comment period so that each party may meaningfully respond to the evidence. The parties may elect to waive the full ten days. Each copy of the materials shared will be watermarked on each page with the role of the person receiving it (e.g., Complainant, Respondent, Complainant's Advisor, Respondent's Advisor)
- The Investigator(s) may elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses
- The Investigator(s) will incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigator(s) should document all rationales for any changes made after the review and comment period
- The Investigator(s) shares the report with the Title IX Coordinator and/or legal counsel for their review and feedback

The Investigator will incorporate any relevant feedback, and the final report is then shared with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) college business days prior to a hearing. The parties and advisors are also provided with a file of any directly related evidence that was not included in the report

4.15 Role and Participation of Witnesses in the Investigation

Witnesses (as distinguished from the parties) who are employees of Northland Pioneer College are strongly encouraged to cooperate with and participate in Northland Pioneer College's investigation and resolution process. Student witnesses and witnesses from outside the college community are encouraged to cooperate with Northland Pioneer College investigations and to share what they know about a complaint.

Although in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., study abroad, summer break) may require individuals to be interviewed remotely. Skype, Zoom, FaceTime, WebEx, or similar technologies may be used for interviews if the Investigator(s) determine(s) that timeliness, efficiency, or other reasons dictate a need for remote interviewing. Northland Pioneer College will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

Witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the Investigator(s), though not preferred.

4.16 Recording of Interviews

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If Investigator(s) elect to audio and/or video record interviews, all involved parties should be made aware of audio and/or video recording.

4.17 Evidentiary Considerations in the Investigation

The investigation does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; or 2) questions and evidence about the Complainant's sexual predisposition; or 3) questions and evidence about the Complainant's prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Within the boundaries stated above, the investigation can consider character evidence generally, if offered, but that evidence is unlikely to be relevant unless it is fact evidence or relates to a pattern of conduct.

4.18 Referral for Hearing

Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a hearing.

The hearing cannot be held less than ten (10) college business days from the conclusion of the investigation – when the final investigation report is transmitted to the parties and the Decision Maker – unless all parties and the Decision Maker agree to an expedited timeline.

The Title IX Coordinator will select an appropriate Decision Maker or Decision Makers from the Pool depending on whether the Respondent is an employee or a student, and provide a copy of the investigation report. Allegations involving student-employees in the context of their employment will be directed to the appropriate Decision Maker depending on the context and nature of the alleged misconduct.

4.19 Hearing Decision Maker Composition

Northland Pioneer College will designate a single Decision Maker or a three-member panel from the Pool, at the discretion of the Title IX Coordinator. The single Decision Maker will also Chair the hearing. With a panel, one of the three members will be appointed as Chair by the Title IX Coordinator.

The Decision Maker(s) will not have had any previous involvement with the investigation. The Title IX Coordinator may elect to have an alternate from the Pool sit in throughout the hearing process in the event that a substitute is needed for any reason.

Those who have served as Investigators will be witnesses in the hearing and therefore may not serve as Decision Makers. Those who are serving as Advisors for any party may not serve as Decision Makers in that matter.

The Title IX Coordinator may not serve as a Decision Maker or Chair in the matter but may serve as an administrative facilitator of the hearing if their previous role(s) in the matter do not create a conflict of interest. Otherwise, a designee may fulfill this facilitator role. The hearing will convene at a time and venue determined by the Chair or designee.

4.20 Evidentiary Considerations in the Hearing

Any evidence that the Decision Maker(s) determine(s) is relevant may be considered. The hearing does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) questions and evidence about the Complainant's sexual predisposition; or 3) questions or evidence about the Complainant's prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Within the boundaries stated above, the hearing can consider character evidence generally, if offered, but that evidence is unlikely to be relevant unless it is fact evidence or relates to a pattern of conduct.

Previous disciplinary action of any kind involving the Respondent may be considered in determining an appropriate sanction upon a determination of responsibility, assuming Northland Pioneer College uses a progressive discipline system. This information is only considered at the sanction stage of the process and is not shared until then.

The parties may each submit a written impact statement prior to the hearing for the consideration of the Decision Maker(s) at the sanction stage of the process when a determination of responsibility is reached.

After post-hearing deliberation, the Decision Maker(s) render(s) a determination based on the preponderance of the evidence: whether it is more likely than not that the Respondent violated the Policy as alleged.

4.21 Notice of Hearing

No less than ten (10) college business days prior to the hearing, the Title IX Coordinator or the Chair will send notice of the hearing to the parties. Once certified mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The notice will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable hearing procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing.
- Description of any technology that will be used to facilitate the hearing.
- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Decision Maker(s) and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator at least five (5) college business days prior to the hearing.
- A list of all those who will attend the hearing, along with an invitation to object to any Decision Maker(s) on the basis of demonstrated bias or conflict of interest. This must be raised with the Title IX Coordinator at least two (2) college business days prior to the hearing.
- Information on how the hearing will be recorded and on access to the recording for the parties after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence. For compelling reasons, the Chair may reschedule the hearing.
- Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Title IX Coordinator if they do not have an Advisor, and Northland Pioneer College will appoint one. Each party must have an Advisor present. There are no exceptions.
- A copy of all the materials provided to the Decision Maker(s) about the matter, unless they have been provided already. [6]
- An invitation to each party to submit to the Chair an impact statement pre-hearing that the Decision Maker(s) will review during any sanction determination.
- An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) college business days prior to the hearing.
- Whether parties can/cannot bring mobile phones/devices into the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by Northland Pioneer College and remain within the 60-90 college days goal for resolution.

4.22 Alternate Hearing Participation Options

If a party or parties prefer not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the Title IX Coordinator or the Chair at least five (5) college business days prior to the hearing.

The Title IX Coordinator or the Chair can arrange to use technology to allow remote testimony without compromising the fairness of the hearing. Remote options may also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person should let the Title IX Coordinator or

the Chair know at least five (5) college business days prior to the hearing so that appropriate arrangements can be made.

4.23 Pre-Hearing Preparation

After any necessary consultation with the parties, the Chair will provide the names of persons who will be participating in the hearing, all pertinent documentary evidence, and the final investigation report to the parties at least ten (10) college business days prior to the hearing.

Any witness scheduled to participate in the hearing must have been first interviewed by the Investigator(s) or have proffered a written statement or answered written questions, unless all parties and the Chair assent to the witness's participation in the hearing. The same holds for any evidence that is first offered at the hearing. If the parties and Chair do not assent to the admission of evidence newly offered at the hearing, the Chair may delay the hearing and/or instruct that the investigation needs to be re-opened to consider that evidence.

The parties will be given a list of the names of the Decision Maker(s) at least five (5) college business days in advance of the hearing. All objections to any Decision Maker must be raised in writing, detailing the rationale for the objection, and must be submitted to the Title IX Coordinator as soon as possible and no later than two days prior to the hearing. Decision Makers will only be removed if the Title IX Coordinator concludes that their bias or conflict of interest precludes an impartial hearing of the allegation(s).

The Title IX Coordinator will give the Decision Maker(s) a list of the names of all parties, witnesses, and Advisors at least five (5) college business days in advance of the hearing. Any Decision Maker who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the parties, witnesses, and Advisors in advance of the hearing. If a Decision Maker is unsure of whether a bias or conflict of interest exists, they must raise the concern to the Title IX Coordinator as soon as possible.

During the ten (10) college business day period prior to the hearing, the parties have the opportunity for continued review and comment on the final investigation report and available evidence. That review and comment can be shared with the Chair at a pre-hearing meeting or at the hearing and will be exchanged between each party by the Chair.

4.24 Pre-Hearing Meetings

The Chair may convene a pre-hearing meeting(s) with the parties and/or their Advisors and invite them to submit the questions or topics they (the parties and/or their Advisors) wish to ask or discuss at the hearing, so that the Chair can rule on their relevance ahead of time to avoid any improper evidentiary introduction in the hearing or to provide recommendations for more appropriate phrasing.

However, this advance review opportunity does not preclude the Advisors from asking a question for the first time at the hearing or from asking for a reconsideration on a pre-hearing ruling by the Chair based on any new information or testimony offered at the hearing. The Chair must document and share with each party their rationale for any exclusion or inclusion at the pre-hearing meeting.

The Chair, only with full agreement of the parties, may decide in advance of the hearing that certain witnesses do not need to be present if their testimony can be adequately summarized by the Investigator(s) in the investigation report or during the hearing.

At each pre-hearing meeting with a party and their Advisor, the Chair will consider arguments that evidence identified in the final investigation report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the Investigator(s) may be argued to be relevant. The Chair may rule on these arguments pre-hearing and will exchange those rulings between the parties prior to the hearing to assist in preparation for the hearing. The Chair may consult with legal counsel and/or the Title IX Coordinator, or ask either or both to attend pre-hearing meetings.

The pre-hearing meeting(s) will be recorded. The pre-hearing meetings may be conducted as separate meetings with each party/advisor, with all parties/advisors present at the same time, remotely, or as a paper-only exchange. The Chair will work with parties to establish the format.

4.25 Hearing Procedures

At the hearing, the Decision Maker(s) has the authority to hear and make determinations on all allegations of discrimination, harassment, and/or retaliation and may also hear and make determinations on any additional alleged policy violations that occurred in concert with the discrimination, harassment, and/or retaliation, even though those collateral allegations may not specifically fall within the Policy on Equal Opportunity, Harassment, and Nondiscrimination.

Participants at the hearing will include the Chair, any additional panelists, the hearing facilitator, the Investigator(s) who conducted the investigation, the parties (or three (3) organizational representatives when an organization is the Respondent [7], Advisors to the parties, any called witnesses, the Title IX Coordinator and anyone providing authorized accommodations, interpretation, and/or assistive services.

The Chair will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The Chair will allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the Decision Maker(s) and the parties, and the witnesses will then be excused.

4.26 Joint Hearings

In hearings involving more than one Respondent or in which two (2) or more Complainants have accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly.

However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent with respect to each alleged policy violation.

4.27 The Order of the Hearing - Introductions and Explanations of Procedure

The Chair explains the procedures and introduces the participants. This may include a final opportunity for challenge or recusal of the Decision Maker(s) on the basis of bias or conflict of interest. The Chair will rule on any such challenge unless the Chair is the individual who is the subject of the challenge, in which case the Title IX Coordinator will review and decide the challenge.

The Chair and/or hearing facilitator then conducts the hearing according to the hearing script. At the hearing, recording, witness logistics, party logistics, curation of documents, separation of the parties, and other administrative elements of the hearing process are managed by a non-voting hearing facilitator/case manager appointed by the Title IX Coordinator. The hearing facilitator may attend to: logistics of rooms for various parties/witnesses as they wait; flow of parties/witnesses in and out of the hearing space; ensuring recording and/or virtual conferencing technology is working as intended; copying and distributing materials to participants, as appropriate, etc.

The Chair AND/OR hearing facilitator then conducts the hearing according to the hearing script.

4.28 Investigator Presents the Final Investigation Report

The Investigator(s) will then present a summary of the final investigation report, including items that are contested and those that are not, and will be subject to questioning by the Decision Maker(s) and the parties (through their Advisors). The Investigator(s) will be present during the entire hearing process, but not during deliberations.

Neither the parties nor the Decision Maker(s) should ask the Investigator(s) their opinions on credibility, recommended findings, or determinations, and Advisors and parties will refrain from discussion of or questions for Investigators about these assessments. If such information is introduced, the Chair will direct that it be disregarded.

4.29 Testimony and Questioning

Once the Investigator(s) present(s) the report and are questioned, the parties and witnesses may provide relevant information in turn, beginning with the Complainant, and then in the order determined by the Chair. The hearing will facilitate questioning of parties and witnesses by the Decision Maker(s) and then by the parties through their Advisors.

All questions are subject to a relevance determination by the Chair. The Advisor, who will remain seated during questioning, will pose the proposed question orally, electronically, or in writing (orally is the default, but other means of submission may be permitted by the Chair upon request if agreed to by all parties and the Chair), the proceeding will pause to allow the Chair to consider the question (and state it if it has not already been stated aloud), and the Chair will determine whether the question will be permitted, disallowed, or rephrased.

The Chair may invite explanations or persuasive statements regarding relevance with the Advisors, if the Chair so chooses. The Chair will then state their decision on the question for the record and advise the party/witness to whom the question was directed, accordingly. The Chair will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Chair will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The Chair has final say on all questions and determinations of relevance. The Chair may consult with legal counsel on any questions of admissibility. The Chair may ask Advisors to

frame why a question is or is not relevant from their perspective but will not entertain argument from the Advisors on relevance once the Chair has ruled on a question.

If the parties raise an issue of bias or conflict of interest of an Investigator or Decision Maker at the hearing, the Chair may elect to address those issues, consult with legal counsel, and/or refer them to the Title IX Coordinator, and/or preserve them for appeal. If bias is not in issue at the hearing, the Chair should not permit irrelevant questions that probe for bias.

4.30 Refusal to Submit to Questioning; Inferences

The Decision Maker may not draw any inference solely from a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

If collateral charges of policy violations other than sexual harassment are considered at the same hearing, the Decision Maker(s) may consider all evidence it deems relevant.

If a party's Advisor of choice refuses to comply with Northland Pioneer College's established rules of decorum for the hearing, Northland Pioneer College may require the party to use a different Advisor. If a Northland Pioneer College-provided Advisor refuses to comply with the rules of decorum, Northland Pioneer College may provide that party with a different Advisor to conduct questioning on behalf of that party.

An Advisor may not be called as a witness at a hearing to testify to what their advisee has told them during their role as an Advisor unless the party being advised consents to that information being shared. It is otherwise considered off-limits, and an Advisor who is an institutional employee is temporarily alleviated from mandated reporter responsibilities related to their interaction with their advisee during the resolution process.

4.31 Recording Hearings

Hearings (but not deliberations) are recorded by Northland Pioneer College for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted.

The Decision Maker(s), the parties, their Advisors, and appropriate administrators of Northland Pioneer College will be permitted to listen to the recording or review a transcript of the recording in a controlled environment determined by the Title IX Coordinator, upon request. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

4.32 Deliberations, Decision-making, and Standard of Proof

The Decision Maker(s) will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. If a panel is used, a simple majority vote is required to determine the finding. The preponderance of the evidence standard is used. The hearing facilitator may be invited to attend the deliberation by the Chair, but is there only to facilitate procedurally, not to address the substance of the allegations.

When there is a finding of responsibility on one or more of the allegations, the Decision Maker(s) may then consider the previously submitted party impact statements in determining appropriate sanction(s).

The Chair will ensure that each of the parties has an opportunity to review any impact statement submitted by the other party(ies). The Decision Maker(s) may – at their discretion – consider the statements, but they are not binding.

The Decision Maker(s) will review the statements and any pertinent conduct history provided by the appropriate administration and will determine the appropriate sanction(s) in consultation with other appropriate administrators, as required.

The Chair will then prepare a written deliberation statement and deliver it to the Title IX Coordinator, detailing the determination, rationale, the evidence used in support of its determination, the evidence not relied upon in its determination, credibility assessments, and any sanctions or recommendations.

This report is typically three (3) to five (5) pages in length and must be submitted to the Title IX Coordinator within two (2) college business days of the end of deliberations, unless the Title IX Coordinator grants an extension. If an extension is granted, the Title IX Coordinator will notify the parties.

4.33 Notice of Outcome

Using the deliberation statement, the Title IX Coordinator will work with the Chair to prepare a Notice of Outcome letter. The Notice of Outcome may be reviewed by legal counsel. The Title IX Coordinator will then share the Notice of Outcome, including the final determination, rationale, and any applicable sanction(s) with the parties and their Advisors within 5-7 college business days of receiving the Decision Maker(s)' deliberation statement.

The Notice of Outcome will be shared with the parties simultaneously. Notification will be made in writing and may be delivered by one or more of the following methods: in person, certified mailed to the local or permanent address of the parties as indicated in official Northland Pioneer College records, or emailed to the parties' Northland Pioneer College-issued email or otherwise approved account. Once certified mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The Notice of Outcome will articulate the specific policy(ies) alleged to have been violated, including the relevant policy section, and will contain a description of the procedural steps taken by Northland Pioneer College from the receipt of the misconduct report to the determination, including any and all notifications to the parties, interviews with parties and witnesses, site visits, methods used to obtain evidence, and hearings held.

The Notice of Outcome will specify the finding on each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent Northland Pioneer College is permitted to share such information under state or federal law; any sanctions issued which Northland Pioneer College is permitted to share according to state or federal law; and whether remedies will be provided to the Complainant to ensure access to Northland Pioneer College's educational or employment program or activity.

The Notice of Outcome will also include information on when the results are considered by Northland Pioneer College to be final, any changes that occur prior to finalization, and the relevant procedures and bases for any available appeal options.

4.34 Statement of the Rights of the Parties (see Appendix C)

4.35 Sanctions

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Decision Maker(s)

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

a. Student Sanctions

The following are the usual sanctions that may be imposed upon students or organizations singly or in combination:

1. *Warning*: A formal statement that the conduct was unacceptable and a warning that further violation of any Northland Pioneer College policy, procedure, or directive will result in more severe sanctions/responsive actions.
2. *Required Counseling*: A mandate to meet with and engage external counseling to better comprehend the misconduct and its effects.
3. *Probation*: A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
4. *Suspension*: Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at Northland Pioneer College.
5. *Expulsion*: Permanent termination of student status and revocation of rights to be on campus for any reason or to attend Northland Pioneer College-sponsored events. This sanction will be noted permanently as a Conduct Expulsion on the student's official transcript, subject to any applicable expungement policies.

6. *Withholding Diploma:* Northland Pioneer College may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities as a sanction if the student is found responsible for an alleged violation.
7. *Revocation of Degree:* Northland Pioneer College reserves the right to revoke a degree previously awarded from Northland Pioneer College for fraud, misrepresentation, and/or other violation of Northland Pioneer College policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
8. *Organizational Sanctions:* Deactivation, loss of recognition, loss of some or all privileges (including Northland Pioneer College registration) for a specified period of time.
9. *Other Actions:* In addition to or in place of the above sanctions, Northland Pioneer College may assign any other sanctions as deemed appropriate.

b. Employee Sanctions/Responsive/Corrective Actions

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include:

- Warning – Verbal or Written
- Performance Improvement Plan/Management Process
- Enhanced supervision, observation, or review
- Required Counseling
- Required Training or Education
- Probation
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Transfer
- Assignment to New Supervisor
- Administrative Leave Paid or Unpaid
- Termination

Other Actions: In addition to or in place of the above sanctions/responsive actions, Northland Pioneer College may assign any other responsive actions as deemed appropriate.

4.36 Withdrawal or Resignation While Charges Pending

Students: Should a Respondent decide not to participate in the resolution process, the process proceeds absent their participation to a reasonable resolution. Should a student Respondent permanently withdraw from Northland Pioneer College, the resolution process ends with a dismissal, as Northland Pioneer College no longer has disciplinary jurisdiction over the withdrawn student.

However, Northland Pioneer College will continue to address and remedy any systemic issues or concerns, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation. The student who withdraws or leaves while the process is pending may not return to Northland Pioneer College in any capacity. Admissions and Human

Resources will be notified accordingly. Such exclusion applies to all campuses and centers of Northland Pioneer College.

If the student Respondent only withdraws or takes a leave for a specified period of time (e.g., one semester or term), the resolution process may continue remotely and that student is not permitted to return to Northland Pioneer College unless and until all sanctions, if any, have been satisfied.

Employees: Should an employee Respondent resign with unresolved allegations pending, the resolution process ends with dismissal, as Northland Pioneer College no longer has disciplinary jurisdiction over the resigned employee.

However, Northland Pioneer College will continue to address and remedy any systemic issues or concerns, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination and/or retaliation

The employee who resigns with unresolved allegations pending is not eligible for admissions or rehire with Northland Pioneer College, and the records retained by the Title IX Coordinator and the Chief Human Resources Officer will reflect that status.

All Northland Pioneer College responses to future inquiries regarding employment references for that individual will include that the former employee resigned during a pending disciplinary matter.

4.37 Appeals

Any party may file a request for appeal (“Request for Appeal”), but it must be submitted in writing to the Title IX Coordinator within 5 college business days of the delivery of the Notice of Outcome.

A three-member panel chosen from the Pool will be designated by the Title IX Coordinator OR a single Appeal Decision Maker will Chair the appeal. No appeal panelist or Decision Maker will have been involved in the process previously, including in any dismissal appeal that may have been heard earlier in the process.

The Request for Appeal will be forwarded to the Appeal Chair or designee for consideration to determine if the request meets the grounds for appeal (a Review for Standing).

This Review for Standing is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

a. Grounds for Appeal

Appeals are limited to the following grounds:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, Investigator(s), or Decision Maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, that request will be denied by the Appeal Chair, and the parties and their Advisors will be notified in writing of the denial and the rationale.

If any of the grounds in the Request for Appeal meet the grounds in this Policy, then the Appeal Decision Maker will notify the other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision Maker(s).

The other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision Maker(s) will be certified mailed, emailed, and/or provided a hard copy of the request for an appeal with the approved grounds and then be given 5 college business days to submit a response to the portion of the appeal that was approved and involves them. All responses, if any, will be forwarded by the Appeal Decision Maker to all parties for review and comment.

The non-appealing party (if any) may also choose to raise a new ground for appeal at this time. If so, that will be reviewed to determine if it meets the ground in this Procedure by the Appeal Chair and either denied or approved. If approved, it will be forwarded to the party who initially requested an appeal, the Investigator(s) and/or original Decision Maker(s), as necessary, who will submit their responses, if any, in 5 college- business days, which will be circulated for review and comment by all parties. If not approved, the parties will be notified accordingly, in writing.

Neither party may submit any new requests for appeal after this time period. The Appeal Decision Maker will collect any additional information needed and all documentation regarding the approved grounds for appeal and the subsequent responses will be shared with the Appeal Panel/Chair and the Panel/Chair will render a decision in no more than 5 college business days, barring exigent circumstances. All decisions are by majority vote and apply the preponderance of the evidence standard.

A Notice of Appeal Outcome will be sent to all parties simultaneously including the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which Northland Pioneer College is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent Northland Pioneer College is permitted to share under state or federal law.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, certified mailed to the local or permanent address of the parties as indicated in official institutional records, or emailed to the parties' Northland Pioneer College-issued email or otherwise approved account. Once certified mailed, emailed and/or received in-person, notice will be presumptively delivered.

b. Sanctions Status During the Appeal

Any sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures (as outlined in Policy 1102) may be reinstated, subject to the same supportive measure procedures above.

If any of the sanctions are to be implemented immediately post-hearing, but pre-appeal, then emergency removal procedures (detailed above) for a show cause meeting on the justification for doing so must be permitted within 48 hours of implementation.

If the original sanctions include separation in any form, Northland Pioneer College may place holds on official transcripts, diplomas, graduations, and course registration pending the outcome of an appeal. The Respondent may request a stay of these holds from the Title IX Coordinator within two (2) college business days of the notice of sanctions. The request will be evaluated by the Title IX Coordinator or designee, whose determination is final.

c. Appeal Considerations

- Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
- Decisions on appeal are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so.
- An appeal is not an opportunity for Appeal Decision Makers to substitute their judgment for that of the original Decision Maker(s) merely because they disagree with the finding and/or sanction(s).
- The Appeal Chair/Decision Maker(s) may consult with the Title IX Coordinator and/or legal counsel on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.
- Appeals granted should normally be remanded (or partially remanded) to the original Investigator(s) and/or Decision Maker(s) for reconsideration.
- Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing).
- In rare cases where an error cannot be cured by the original Decision Maker(s) (as in cases of bias), the appeal Chair/Panel may order a new investigation with new investigators and/or a new hearing with a new Decision Maker(s).
- The results of a remand to a Decision Maker(s) cannot be appealed. The results of a new hearing can be appealed, once, on any of the three available appeal grounds.

In cases in which the appeal results in reinstatement to Northland Pioneer College or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

4.38 Long-Term Remedies/Other Actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services

- Referral to the Employee Assistance Program
- Education to the individual and/or the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term support or measures may also be provided to the parties even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedies owed by Northland Pioneer College to the Respondent to ensure no effective denial of educational access.

Northland Pioneer College will maintain the confidentiality of any long-term remedies/actions/measures, provided confidentiality does not impair Northland Pioneer College's ability to provide these services.

4.39 Failure to Comply with Sanctions and/or Responsive Actions

All Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final Decision Maker(s) (including the Appeal Decision Maker), if any.

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from Northland Pioneer College.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

4.40 Recordkeeping

Northland Pioneer College will maintain for a period of at least seven years' records of:

- Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation;
- Any disciplinary sanctions imposed on the Respondent;
- Any remedies provided to the Complainant designed to restore or preserve equal access to Northland Pioneer College's education program or activity;
- Any appeal and the result therefrom;
- Any Informal Resolution and the result therefrom;
- All materials used to train Title IX Coordinators, Investigators, Decision Makers, and any person who facilitates an Informal Resolution process. Northland Pioneer College will make these training materials publicly available on Northland Pioneer College's website.

- Any actions, including any supportive measures (as outlined in Policy 1102), taken in response to a report or formal complaint of sexual harassment, including:
 - The basis for all conclusions that the response was not deliberately indifferent;
 - Any measures designed to restore or preserve equal access to Northland Pioneer College's education program or activity; and
 - If no supportive measures (as outlined in Policy 1102) were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Northland Pioneer College will also maintain any and all records in accordance with state and federal laws.

4.41 Disabilities Accommodations in the Resolution Process

Northland Pioneer College is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to Northland Pioneer College's resolution process.

Anyone needing such accommodations or support should contact the Disabilities Resource and Access Coordinator, or the Chief Human Resources Officer if employee, who will review the request and, in consultation with the person requesting the accommodation and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

4.42 Revisions of this Policy and Procedures

Policy 1102 and this procedure supersede any previous policy(ies) and procedure(s) addressing harassment, sexual misconduct, discrimination, and/or retaliation for incidents occurring on or after August 14, 2020, under Title IX and will be reviewed and updated, if necessary, annually by the Title IX Coordinator. Northland Pioneer College reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

During the resolution process, the Title IX Coordinator may make minor modifications to procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules. The Title IX Coordinator may also vary procedures materially with notice (on the institutional website, with the appropriate effective date identified) upon determining that changes to law or regulation require Policy or procedural alterations not reflected in this Policy and procedures.

If government laws or regulations change – or court decisions alter – the requirements in a way that impacts this document, this document will be construed to comply with the most recent government laws or regulations or court holdings.

This document does not create legally enforceable protections beyond the protections of the background state and federal laws which frame such policies and codes, generally.

Policy 1102 and this procedure are effective August 2020 and revised December 2020.

APPENDIX A: EXAMPLES OF PROHIBITED CONDUCT

Some examples of possible sexual harassment include:

- A professor offers for a student to have sex or go on a date with them in exchange for a good grade. This constitutes sexual harassment regardless of whether the student accedes to the request and irrespective of whether a good grade is promised or a bad grade is threatened.
- A student repeatedly sends graphic, sexually-oriented jokes and pictures around campus via social media to hundreds of other students. Many don't find it funny and ask them to stop, but they do not. Because of these jokes, one student avoids the sender on campus and in the residence hall in which they both live, eventually asking to move to a different building and dropping a class they had together.
- A professor engages students in class in discussions about the students' past sexual experiences, yet the conversations are not in any way germane to the subject matter of the class. The professor inquires about explicit details and demands that students answer them, though the students are clearly uncomfortable and hesitant.
- An ex-partner widely spreads false stories about their sex life with their former partner to the clear discomfort and frustration of the former partner, turning the former partner into a social pariah on campus.
- Student A has recently transitioned from male to non-binary, but primarily expresses as a female. Since their transition, Student A has noticed that their African Studies professor, Professor B, pays them a lot more attention. Student A is sexually attracted to Professor B and believes the attraction is mutual. Student A decides to act on the attraction. One day, Student A visits Professor B during office hours, and after a long conversation about being non-binary, Student A kisses Professor B. Professor B is taken aback, stops the kiss, and tells Student A not to do that. Professor B explains to Student A that they are not interested in Student A sexually or romantically. Student A takes it hard, crying to Professor B about how hard it is to find someone who is interested in them now based on their sexual identity. Professor B feels sorry for Student A and softens the blow by telling them that no matter whether they like Student A or not, faculty-student relationships are prohibited by the university. Student A takes this as encouragement. One night, Student A goes to a gay bar some distance from campus and sees Professor B there. Student A tries to buy Professor B a drink and, again, tries to kiss Professor B. Professor B leaves the bar abruptly. The next day, Student A makes several online posts that out Professor B as gay and raise questions about whether they are sexually involved with students. Professor B contacts the Title IX Office and alleges that Student A is sexually harassing him.

Examples of Stalking

1. Students A and B were "friends with benefits." Student A wanted a more serious relationship, which caused student B to break it off. Student A could not let go and pursued student B relentlessly. Student B obtained a campus no-contact order. Subsequently, Student B discovered their social media accounts were being accessed, and things were being posted and messaged as if they were from them, but they were not. Whoever accessed their account posted a picture of a penis, making it look as if Student B had sent out a picture of themselves, though it was not their penis. This caused them considerable embarrassment and social anxiety. They changed their passwords, only to have it happen again. Seeking help from the Title IX Coordinator, Student B met with the IT department, which discovered an app on their phone and a keystroke recorder on their laptop, both of which were being used to transmit their data to a third party.

2. A graduate student working as an on-campus tutor received flowers and gifts delivered to their office. After learning the gifts were from a student they recently tutored, the graduate student thanked the student and stated that it was not necessary and would appreciate it if the gift deliveries stopped. The student then started leaving notes of love and gratitude on the tutor's car, both on-campus and at home. Asked again to stop, the student stated by email, "You can ask me to stop, but I'm not giving up. We are meant to be together, and I'll do anything to make you have the feelings for me that I have for you." When the tutor did not respond, the student emailed again, "You cannot escape me. I will track you to the ends of the earth. If I can't have you, no one will."

Examples of Sexual Assault:

- Student A and Student B meet at a party. They spend the evening dancing and getting to know each other. Student B convinces Student A to come up to his room. From 11:00 p.m. until 3:00 a.m., Student B uses every line he can think of to convince Student A to have sex with him, but she adamantly refuses. Despite her clear communications that she is not interested in doing anything sexual with him, Student B keeps at her, questions her religious convictions, and accuses her of being "a prude." He brings up several rumors that he has heard about how she performed oral sex on a number of other guys. Finally, it seems to Student B that her resolve is weakening, and he convinces her to "jerk him off" (hand to genital contact). Student A would have never done it but for Student B's incessant advances coercion.
- Student A is a junior. Student B is a sophomore. Student A comes to Student B's residence hall room with some mutual friends to watch a movie. Student A and Student B, who have never met before, are attracted to each other. After the movie, everyone leaves, and Student A and Student B are alone. They hit it off, soon become more intimate, and start to make out. Student A verbally expresses his desire to have sex with Student B. Student B, who was abused by a babysitter at the age of five and avoids sexual relations as a result, is shocked at how quickly things are progressing. As Student A takes her by the wrist over to the bed, lays her down, undresses her, and begins to have intercourse with Student B, Student B has a severe flashback to her childhood trauma. She wants to tell Student A to stop but cannot. Student B is stiff and unresponsive during the intercourse.
- Student K and Student J are at a party. Student K is not sure how much Student J has been drinking, but he is pretty sure it's a lot. After the party, he walks Student J to his apartment, and Student J comes on to Student K, initiating sexual activity. Student K asks Student J if he is really up to this, and Student J says yes. They remove each other's clothes, and they end up in Student J's bed. Suddenly, Student J runs for the bathroom. When he returns, his face is pale, and Student K thinks he may have thrown up. Student J gets back into bed, and they begin to have sexual intercourse. Student K is having a good time, though he can't help but notice that Student J seems pretty groggy and passive, and he thinks Student J may have even passed out briefly during the sex, but he came to again. When Student K runs into Student J the next day, he thanks him for the great night. Student J remembers nothing and decides to make a report to the Dean.

Examples of Retaliation:

- Student-athlete A alleges sexual harassment by a coach; the coach subsequently cuts the student-athlete's playing time without a legitimate justification.
- A faculty member alleges gender inequity in pay within her department; the Department Chair then revokes approval for the faculty member to attend a national conference, citing the faculty member's tendency to "ruffle feathers."
- A student from Organization A participates in a sexual harassment investigation as a witness whose testimony is damaging to the Respondent, who is also a member of Organization A; the student is subsequently removed as a member of Organization A because of their participation in the investigation.

APPENDIX B: AN ATIXA FRAMEWORK FOR INFORMAL RESOLUTION (IR)

ATIXA has framed a process for IR that includes

- A response based on supportive measures; and/or
 - A response based on Respondent accepting responsibility; and/or
 - A response based on alternative resolution, which could include various approaches and/or facilitation dialogue.
1. IR can be applied in any sex/gender-based interpersonal conflict but may not be appropriate or advisable in cases involving violent incidents (sexual violence, stalking, domestic and dating violence, severe sexual harassment, sexual exploitation, etc.)
 2. Situations involving dangerous patterns or significant ongoing threat to the community should not be resolved by IR.
 3. The determination of whether to permit an IR-based resolution is entirely at the discretion of the Title IX Coordinator (TIXC) and in line with the requirements for IR laid out in the Title IX regulations.
 4. Any party can end IR early-, mid-, or late-process for any reason or no reason.
 5. IR can be attempted before and in lieu of formal resolution as a diversionary resolution (although a formal complaint must be filed if you are within Section 106.30, per OCR).
 6. Alternative approaches can inform formal resolution, as in a formal resolution model infused with restorative practices.
 7. IR could be deployed after formal resolution, as an adjunct healing/catharsis opportunity (that could potentially mitigate sanctions or be a form of sanction).
 8. Alternative Resolution approaches to IR must be facilitated by Northland Pioneer College or a third-party. There may be value in creating clearly agreed-upon ground rules, which the parties must sign in advance and agree to abide by, otherwise the informal resolution process may be deemed to have failed.
 9. Technology-facilitated IR can be made available, should the parties not be able or willing to meet in person.
 10. If IR fails, a formal resolution can take place thereafter. No evidence elicited within the "safe space" of the IR facilitation is later admissible in the formal resolution unless all parties consent.
 11. With cases involving violence, the preferred alternative approach typically involves a minimal number of essential parties and is not a restorative circle approach with many constituents, in order to ensure confidentiality.

12. Some approaches require a reasonable gesture toward accountability (this could be more than an acknowledgement of harm) and some acceptance, or at least recognition, by the Respondent that catharsis is of value and likely the primary goal of the Complainant. A full admission by the Respondent is not a prerequisite. This willingness needs to be vetted carefully in advance by the TIXC before determining that an incident is amenable/appropriate for resolution by IR.
13. IR can result in an accord or agreement between the parties (Complainant, Respondent, Northland Pioneer College), which is summarized in writing by and enforced by the college. This can be a primary goal of the process.
14. IR can result in the voluntary imposition of safety measures, remedies, and/or agreed-upon resolutions by the parties that are enforceable by Northland Pioneer College. These can be part of the accord/agreement.
15. As a secondary goal, IR can result in the voluntary acceptance of “sanctions,” meaning that a Respondent could agree to withdraw, self-suspend (by taking a leave of absence), or undertake other restrictions/transfers/online course options that would help to ensure the safety/educational access of the Complainant, in lieu of formal sanctions that would create a formal record for the Respondent. These are enforceable by Northland Pioneer College as part of the accord/agreement, as may be terms of mutual release, non-disparagement, and/or non-disclosure.
16. Although a non-disclosure agreement (NDA) could result from IR, it would have to be mutually agreed-upon by the parties in an environment of non-coercion verified by the TIXC.
17. Institutions must develop clear rules for managing/facilitating the conference/meeting/dialogue of alternative resolution approaches, to ensure they are civil, age-appropriate, culturally-competent, reflective of power imbalances, and maximize the potential for the resolution process to result in catharsis, restoration, remedy, etc., for the harmed party(ies).

APPENDIX C: STATEMENT OF RIGHTS OF THE PARTIES

- The right to an equitable investigation and resolution of all credible allegations of prohibited harassment, discrimination, and/or retaliation made in good faith to Northland Pioneer College officials.
- The right to timely written notice of all alleged violations, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions.
- The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- The right to be informed in advance of any public release of information by Northland Pioneer College regarding the allegation(s) or underlying incident(s), whenever possible.
- The right not to have any personally identifiable information released by Northland Pioneer College to the public without consent provided, except to the extent permitted by law.
- The right to be treated with respect by Northland Pioneer College officials.
- The right to have Northland Pioneer College Policy and these procedures followed without material deviation.
- The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.

- The right not to be discouraged by Northland Pioneer College officials from reporting sexual misconduct or discrimination to both on-campus and off-campus authorities.
- The right to be informed by Northland Pioneer College officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option(s) to be assisted by Northland Pioneer College in notifying such authorities, if the party so chooses. This also includes the right not to be pressured to report.
- The right to have allegations of violations of this Policy responded to promptly and with sensitivity by Northland Pioneer College law enforcement and/or other Northland Pioneer College officials.
- The right to be informed of available supportive measures (as outlined in Policy 1102), such as counseling; advocacy; healthcare; legal, student financial aid, visa, and immigration assistance; and/or other services, both on campus and in the community.
- The right to a Northland Pioneer College-implemented no-contact order or a no-trespass order against a non-affiliated third party when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct that presents a danger to the welfare of the party or others.
- The right to be informed of available assistance in changing academic, living, and/or working situations after an alleged incident of discrimination, harassment, and/or retaliation, if such changes are reasonably available. No formal report, or investigation, either campus or criminal, needs to occur before this option is available. Such actions may include, but are not limited to:
 - Relocating an on-campus student's housing to a different on-campus location
 - Assistance from Northland Pioneer College staff in completing the relocation
 - Changing an employee's work environment (e.g., reporting structure, office/workspace relocation)
 - Transportation accommodations
 - Visa/immigration assistance
 - Arranging to dissolve a housing contract and provide a pro-rated refund
 - Exam, paper, and/or assignment rescheduling or adjustment
 - Receiving an incomplete in, or a withdrawal from, a class (may be retroactive)
 - Transferring class sections
 - Temporary withdrawal/leave of absence (may be retroactive)
 - Campus safety escorts
 - Alternative course completion options.
- The right to have Northland Pioneer College maintain such actions for as long as necessary and for supportive measures (as outlined in Policy 1102) to remain confidential, provided confidentiality does not impair Northland Pioneer College's ability to provide the supportive measures (as outlined in Policy 1102).
- The right to receive sufficiently advanced, written notice of any meeting or interview involving the other party, when possible.
- The right to have the Investigator(s), Advisors, and/or Decision Maker(s) identify and question relevant available witnesses, including expert witnesses.
- The right to provide the Investigator(s)/Decision Maker(s) with a list of questions that, if deemed relevant by the Investigator(s)/Decision Maker(s), may be asked of any party or witness.

- The right not to have irrelevant prior sexual predisposition/history or character admitted as evidence.
- The right to know the relevant and directly related evidence obtained and to respond to that evidence.
- The right to a fair opportunity to provide the Investigator(s) with their account of the alleged misconduct and have that account be on the record.
- The right to receive a copy of all relevant and directly related evidence obtained by the investigation, subject to privacy limitations imposed by state and federal law and a ten (10) college business day period to review and comment on the evidence.

The right to receive a copy of the final investigation report, including all factual, policy, and/or credibility analyses performed and to have at least ten (10) college business days to review and comment on the report prior to the hearing.

- The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- The right to regular updates on the status of the investigation and/or resolution.
- The right to have reports of alleged Policy violations addressed by Investigators, Title IX Coordinators, and Decision Maker(s) who have received at least eight hours of relevant annual training.
- The right to a Hearing Panel that is not single-sex in its composition, if a panel is used.
- The right to preservation of confidentiality/privacy, to the extent possible and permitted by law.
- The right to meetings, interviews, and/or hearings that are closed to the public.
- The right to petition that any Northland Pioneer College representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- The right to have an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the resolution process.
- The right to the use of the appropriate standard of evidence, preponderance of the evidence, to make a finding after an objective evaluation of all relevant evidence.
- The right to be present, including presence via remote technology, during all testimony given and evidence presented during any formal grievance hearing.
- The right to have an impact statement considered by the Decision Maker(s) following a determination of responsibility for any allegation, but prior to sanctioning.
- The right to be promptly informed in a written Notice of Outcome letter of the finding(s) and sanction(s) of the resolution process (if any) and a detailed rationale therefor (including an explanation of how credibility was assessed), delivered simultaneously (without undue delay) to the parties.
- The right to be informed in writing of when a decision by Northland Pioneer College is considered final and any changes to the final determination or to the sanction(s) that occur post Notification of Outcome.
- The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the resolution process, and the procedures for doing so in accordance with the standards for appeal established by Northland Pioneer College.
- The right to a fundamentally fair resolution as defined in these procedures.

APPENDIX D: VIOLENCE RISK ASSESSMENT (VRA)

Threat assessment is the process of assessing the actionability of violence by an individual against another person or group following the issuance of a direct or conditional threat. A **Violence Risk Assessment (VRA)** is a broader term used to assess any potential violence or danger, regardless of the presence of a vague, conditional, or direct threat.

The implementation of VRAs require specific training and are typically conducted by psychologists, clinical counselors, social workers, case managers, law enforcement officers, student conduct officers, and/or other CARE Team (sometimes also known as CARE teams) members.

A VRA occurs in collaboration with the CARE Team, and must be understood as an on-going process, rather than a singular evaluation or meeting. A VRA is not an evaluation for an involuntary behavioral health hospitalization, nor is it a psychological or mental health assessment.

A VRA assesses the risk of actionable violence, often with a focus on targeted/predatory escalations, and is supported by research from the fields of law enforcement, criminology, human resources, and psychology.

When conducting a VRA, the assessor(s) use an evidence-based process consisting of:

- an appraisal of **risk factors** that escalate the potential for violence;
- a determination of **stabilizing influences** that reduce the risk of violence;
- a contextual **analysis of violence risk** by considering environmental circumstances, hopelessness, and suicidality; catalyst events; nature and actionability of threat; fixation and focus on target; grievance collection; and action and time imperative for violence; and
- the application of **intervention and management** approaches to reduce the risk of violence.

To assess an individual's level of violence risk, the Title IX Coordinator will initiate the violence risk assessment process through the CARE Team. The CARE Team will assign a trained individual(s) to perform the assessment, according to the specific nature of the Title IX case.

The assessor will follow the process for conducting a violence risk assessment as outlined in the CARE Team manual and will rely on a consistent, research-based, reliable system that allows the for evaluation of the risk levels.

Some examples of formalized approaches to the VRA process include: The NaBITA Risk Rubric,[8] The Structured Interview for Violence Risk Assessment (SIVRA-35),[9] The Extremist Risk Intervention Scale (ERIS),[10] Looking Glass,[11] Workplace Assessment of Violence Risk (WAVR-21),[12] Historical Clinical Risk Management (HCR-20),[13] and MOSAIC.[14]

The VRA is conducted independently from the Title IX process, informed by it, but free from outcome pressure. The individual(s) conducting the assessment will be trained to mitigate any bias and provide the analysis and findings in a fair and equitable manner.

The CARE Team or threat team's member(s) conducts a VRA process and makes a recommendation to the Title IX Coordinator as to whether the VRA indicates there is a substantial, compelling, and/or immediate risk to the health and/or safety of an individual or the community.

APPENDIX E: Process B

- Process B is applicable when the Title IX Coordinator determines Process A is inapplicable, or offenses subject to Process A have been dismissed.
- If Process A is applicable, Process A must be applied in lieu of Process B.

INTERIM RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF THE POLICY ON EQUAL OPPORTUNITY, HARASSMENT, AND NONDISCRIMINATION

Northland Pioneer College will act on any formal or informal allegation or notice of violation of the policy on Equal Opportunity, Harassment and Nondiscrimination that is received by the Title IX Coordinator [15] or a member of the administration, faculty, or other employee, with the exception of confidential resources, as articulated in the Policy above.

The procedures described below apply to all allegations of harassment, discrimination, and/or retaliation on the basis of protected class status involving students, staff, faculty members, or third parties.

These procedures may also be used to address collateral misconduct arising from the investigation of or occurring in conjunction with harassing, discriminatory, or retaliatory conduct (e.g., vandalism, physical abuse of another). All other allegations of misconduct unrelated to incidents covered by this Policy will be addressed through the procedures elaborated in the respective student, faculty, and staff handbooks.

1. Initial Assessment

Following intake, receipt of notice, or a complaint of an alleged violation of Northland Pioneer College's nondiscrimination Policy, the Title IX Coordinator [16] engages in an initial assessment, which is typically one to five (1 to 5) college business days in duration. The steps in an initial assessment can include:

- The Title IX Coordinator reaches out to the Complainant to offer supportive measures (as outlined in Policy 1102).
- The Title IX Coordinator works with the Complainant to ensure they have an Advisor.
- The Title IX Coordinator works with the Complainant to determine which of three options to pursue: A Supportive Response, an Informal Resolution, or an Administrative Resolution.
 - If a Supportive Response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes and then seeks to facilitate implementation. An Administrative Resolution process is not initiated, though the Complainant can elect to initiate it later, if desired.
 - If an Informal Resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution, which informal mechanism may serve the situation best or is available and may seek to determine if the Respondent is also willing to engage in Informal Resolution.
 - If Administrative Resolution is preferred, the Title IX Coordinator initiates the investigation process and determines whether the scope of the investigation will address:
 - Incident, and/or
 - A potential pattern of misconduct, and/or

- A culture/climate issue.
- In many cases, the Title IX Coordinator may determine that a Violence Risk Assessment (VRA) should be conducted by the CARE Team as part of the initial assessment. A VRA can aid in ten critical and/or required determinations, including:
 - Interim suspension of a Respondent who is a threat to health/safety;
 - Whether the Title IX Coordinator should pursue Administrative Resolution absent a willing/able Complainant;
 - Whether to put the investigation on the footing of incident and/or pattern and/or climate;
 - To help identify potentially predatory conduct;
 - To help assess/identify grooming behaviors;
 - Whether a Complaint is amenable to Informal Resolution, and what modality may be most successful;
 - Whether to permit a voluntary withdrawal by the Respondent;
 - Whether to impose transcript notation or communicate with a transfer Northland Pioneer College about a Respondent;
 - Assessment of appropriate sanctions/remedies;
 - Whether a Clery Act Timely Warning/Trespass order/Persona-non-grata is needed.

More about Northland Pioneer College’s process for VRA can be found in **Appendix D**.

Based on the initial assessment, Northland Pioneer College will initiate one of these responses:

- Supportive Response – measures to help restore the Complainants’ education access, as described in the Policy
- Informal Resolution – typically used for less serious offenses and only when all parties agree to Informal Resolution, or when the Respondent is willing to accept responsibility for violating policy.
- Administrative Resolution – investigation of policy violation(s) and recommended finding, subject to a determination by the Title IX Coordinator or Decision Maker and the opportunity to appeal to an Appeal Panel/Appeal Decision Maker.

The investigation and the subsequent Administrative Resolution determine whether the nondiscrimination policy has been violated. If so, Northland Pioneer College will promptly implement effective remedies designed to end the discrimination, prevent recurrence, and address the effects.

The process followed considers the preference of the parties but is ultimately determined at the discretion of the Title IX Coordinator. At any point during the initial assessment or formal investigation, if the Title IX Coordinator determines that reasonable cause does not support the conclusion that policy has been violated, the process will end, and the parties will be notified.

The Complainant may request that the Title IX Coordinator review the reasonable cause determination and/or re-open the investigation. This decision lies in the sole discretion of the Title IX Coordinator, but the request is usually only granted in extraordinary circumstances.

2. Resolution Process Pool

The resolution process relies on a pool of officials (“Pool”) for implementation. Members of the Pool are announced in an annual distribution of this Policy to all students, employees, prospective students, and prospective employees.

The list of members and a description of the Pool can be found at <https://www.npc.edu/title-ix/title-ix-team>. Members of the Pool are trained annually in all aspects of the resolution process and can serve in any of the following roles, at the direction of the Title IX Coordinator:

- To provide sensitive intake for and initial advice pertaining to the allegations
- To act as optional process Advisors to the parties
- To facilitate Informal Resolution
- To investigate allegations
- To serve as a Decision Maker
- To serve on an Appeal Panel or as an Appeal Decision Maker

The Title IX Coordinator, in consultation with the college president, carefully vets Pool members for potential conflicts of interest or disqualifying biases and appoints the Pool, which acts with independence and impartiality.

Pool members receive annual training organized by the Title IX Coordinator, including a review of Northland Pioneer College policies and procedures as well as applicable federal and state laws and regulations so that they are able to appropriately address allegations, provide accurate information to members of the community, protect safety, and promote accountability.

The Pool members receive annual training. This training includes, but is not limited to:

- The scope of Northland Pioneer College’s Discrimination and Harassment Policy and Procedures
- How to conduct investigations and hearings that protect the safety of Complainants and Respondents and promote accountability
- Implicit bias
- Disparate treatment
- Reporting, confidentiality, and privacy requirements
- Applicable laws, regulations, and federal regulatory guidance
- How to implement appropriate and situation-specific remedies
- How to investigate in a thorough, reliable, timely, and impartial manner by individuals who receive training in conducting investigations of sexual harassment, trauma-informed practices, and impartiality,
- How to uphold fairness, equity, and due process
- How to weigh evidence
- How to conduct questioning
- How to assess credibility
- Impartiality and objectivity
- Types of evidence
- Deliberation
- How to render findings and generate clear, concise, evidence-based rationales

- The definitions of all offenses
- How to apply definitions used by Northland Pioneer College with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with policy
- How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes
- How to serve impartially, by avoiding prejudgment of the facts at issue, conflicts of interest, and bias against Respondents and/or for Complaints, and on the basis of sex, race, religion, and other protected characteristics
- Any technology to be used
- Issues of relevance of questions and evidence
- Issues of relevance to create an investigation report that fairly summarizes relevant evidence
- How to determine appropriate sanctions in reference to all forms of harassment and discrimination allegations

The Resolution Process Pool includes:

- 2 chairs: one representative from HR (Deputy Coordinator – Employees) and one from Student Services (Deputy Coordinator – Students), etc., who are members and who respectively Chair hearings for allegations involving student and employee Respondents
- 1 representative from the Academic Deans
- 2 representatives from faculty
- 2 representatives from the administration/staff
- 1 representative from Human Resources
- 1 representative from Campus Safety/Management

Pool members are usually appointed to three-year terms. Individuals who are interested in serving in the Pool are encouraged to contact the Title IX Coordinator.

3. Counterclaims

Counterclaims by the Respondent may be made in good faith or may instead be motivated by a retaliatory intent. Northland Pioneer College is obligated to ensure that any process is not abused for retaliatory purposes.

Northland Pioneer College permits the filing of counterclaims, but uses the initial assessment, described above in the Policy section, to assess whether the allegations are made in good faith. If they are, the allegations will be processed using the resolution procedures below, typically after resolution of the underlying allegation. Counterclaims made with retaliatory intent will not be permitted.

A delay in the processing of counterclaims is permitted, accordingly. Occasionally, allegations and counterclaims can be resolved through the same investigation, at the discretion of Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory, and may constitute a violation of this Policy.

4. Advisor

a. Expectations of an Advisor

Northland Pioneer College generally expects an Advisor to adjust their schedule to allow them to attend Northland Pioneer College meetings when planned, but Northland Pioneer College may change scheduled meetings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

Northland Pioneer College may also make reasonable provisions to allow an Advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

Parties whose Advisors are disruptive or who do not abide by Northland Pioneer College policies and procedures may face the loss of that Advisor and/or possible Policy violations.

Advisors are expected to consult with their advisees without disrupting Northland Pioneer College meetings or interviews. Advisors do not represent parties in the process; their role is only to advise.

b. Expectations of the Parties with Respect to Advisors

Each party may choose an Advisor [17] who is eligible and available [18] to accompany them throughout the process. The Advisor can be anyone, including an attorney, but should not be someone who is also a witness in the process. A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout.

The parties are expected to inform the Investigators of the identity of their Advisor at least two (2) college business days before the date of their first meeting with the Investigator(s) (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the Investigator(s) and/or the Title IX Coordinator if they change Advisors at any time.

Upon written request of a party, Northland Pioneer College will copy the Advisor on all communications between Northland Pioneer College and the party. The Advisor may be asked to sign a non-disclosure agreement (NDA) regarding private, sensitive records.

At the discretion of the Title IX Coordinator, more than one Advisor may be permitted to the parties, upon request. For equity purposes, if one party is allowed another Advisor, the other party must be allowed one to as well.

c. Assistance in Securing an Advisor

For representation, Respondents may wish to contact organizations such as:

1. FACE (<http://www.facecampusequality.org>)
2. SAVE (<http://www.saveservices.org>)

Complainants may wish to contact organizations such as:

- The Victim Rights Law Center (<https://www.victimrights.org>)

- The National Center for Victims of Crime (<https://www.victimsofcrime.org>)which maintains the Crime Victim’s Bar Association
- The Time’s Up Legal Defense Fund: <https://nwlc.org/times-up-legal-defense-fund/>

5. Resolution Options

Proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accord with Northland Pioneer College Policy.

While there is an expectation of privacy around what is discussed during interviews, the parties have discretion to share their own experiences with others if they so choose, but are encouraged to discuss with their Advisors first before doing so.

1 Informal Resolution

Informal Resolution is applicable when the parties voluntarily agree to resolve the matter through Alternative Resolution, mediation, restorative practices, facilitated dialogue, etc., or when the Respondent accepts responsibility for violating Policy, or when the Title IX Coordinator can resolve the matter informally by providing remedies to resolve the situation.

It is not necessary to pursue Informal Resolution first in order to pursue Administrative Resolution, and any party participating in Informal Resolution can stop the process at any time and request the Administrative Resolution process. Further, if an Informal Resolution fails after the resolution is finalized, Administrative Resolution may be pursued.

2 Alternative Resolution

Alternative Resolution is an informal process, such as mediation or restorative practices, by which a mutually agreed upon resolution of an allegation is reached. It may be used for less serious, yet inappropriate, behaviors and is encouraged as an alternative to the Administrative Resolution process (described below) to resolve conflicts. The parties must consent to the use of Alternative Resolution.

The Title IX Coordinator determines if Alternative Resolution is appropriate, based on the willingness of the parties, the nature of the conduct at issue, and the susceptibility of the conduct to Alternative Resolution.

In an Alternative Resolution, a trained administrator facilitates a dialogue with the parties to an effective resolution, if possible. Institutionally-imposed sanctions are not possible as the result of an Alternative Resolution process, though the parties may agree to accepted sanctions and/or appropriate remedies.

The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution can result in appropriate enforcement actions. The Chief Human Resources Officer will also maintain a copy of any resolution involving an employee.

Alternative Resolution is not typically the primary resolution mechanism used to address reports of violent behavior of any kind or in other cases of serious violations of policy, though it may be made available after the Administrative Resolution process is completed should the parties and the Title IX Coordinator believe it could be beneficial. The results of Alternative Resolution are not appealable.

ii. Respondent Accepts Responsibility for Alleged Violations

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the resolution process. If the Respondent accepts responsibility, the Title IX Coordinator makes a determination that the individual is in violation of Northland Pioneer College Policy.

The Title IX Coordinator then determines appropriate sanction(s) or responsive actions, which are promptly implemented in order to effectively stop the harassment, discrimination, and/or retaliation; prevent its recurrence; and remedy the effects of the conduct, both on the Complainant and the community.

If the Respondent accepts responsibility for all of the alleged policy violations and the Title IX Coordinator or designee has determined appropriate sanction(s) or responsive actions, which are promptly implemented, the process is over. The Complainant will be informed of this outcome.

If the Respondent accepts responsibility for some of the alleged policy violations and the Title IX Coordinator has determined appropriate sanction(s) or responsive actions, which are promptly implemented, for those violations, then the remaining allegations will continue to be investigated and resolved through Administrative Resolution. The parties will be informed of this outcome. The parties are still able to seek Alternative Resolution on the remaining allegations, subject to the stipulations above.

- Administrative Resolution via an Investigation Hearing

Administrative Resolution can be pursued for any behavior for which the Respondent has not accepted responsibility that constitutes conduct covered by the Equal Opportunity, Harassment, and Nondiscrimination Policy at any time during the process. Administrative Resolution starts with a thorough, reliable, and impartial investigation.

If Administrative Resolution is initiated, the Title IX Coordinator will provide written notification of the investigation to the parties at an appropriate time during the investigation. Typically, notice is given at least 48 hours in advance of an interview. Advanced notice facilitates the parties' ability to identify and choose an Advisor, if any, to accompany them to the interview.

Notification will include a meaningful summary of the allegations, will be made in writing, and may be delivered by one or more of the following methods: in person, certified mailed to the local or permanent address of the parties as indicated in official Northland Pioneer College records, or emailed to the parties' Northland Pioneer College-issued or designated email account.

Once certified mailed, emailed, and/or received in-person, notice will be presumptively delivered. The notification should include the policies allegedly violated, if known at the time. Alternatively, the policies allegedly violated can be provided at a later date, in writing, as the investigation progresses, and details become clearer.

Northland Pioneer College aims to complete all investigations within a sixty (60) college business day time period, which can be extended as necessary for appropriate cause by the Title IX Coordinator, with notice to the parties as appropriate.

Once the decision is made to commence an investigation, the Title IX Coordinator appoints Pool members to conduct the investigation (typically using a team of two Investigators), usually within two (2) college business days of determining that an investigation should proceed.

The Title IX Coordinator will vet the assigned Investigator(s) to ensure impartiality by ensuring there are no conflicts of interest or disqualifying bias.

The parties may, at any time during the resolution process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another Investigator will be assigned and the impact of the bias or conflict, if any, will be remedied. If the bias or conflict relates to the Title IX Coordinator, concerns should be raised with the college president.

Investigations are completed expeditiously, normally within 10-20 college business days, though some investigations take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

Northland Pioneer College will make a good faith effort to complete the investigation as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

Northland Pioneer College may undertake a short delay in its investigation (several days to weeks, to allow evidence collection) when criminal charges based on the same behaviors that invoke Northland Pioneer College's resolution process are being investigated by law enforcement. Northland Pioneer College will promptly resume its investigation and resolution process once notified by law enforcement that the initial evidence collection process is complete.

Northland Pioneer College action(s) are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

Investigations involve interviews with all relevant parties and witnesses, obtaining available, relevant evidence, and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence, and to fully review and respond to all evidence on the record.

6. Investigation

The Investigators typically take the following steps, if not already completed (not necessarily in this order):

- Determine the identity and contact information of the Complainant
- In coordination with campus partners (e.g., the Title IX Coordinator), initiate or assist with any necessary supportive measures (as outlined in Policy 1102)
- Identify all policies implicated by the alleged misconduct
- Assist the Title IX Coordinator with conducting an initial assessment to determine if there is reasonable cause to believe the Respondent has violated policy

- If there is insufficient evidence to support reasonable cause, the process is closed with no further action
- Commence a thorough, reliable, and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all parties and witnesses
- Meet with the Complainant to finalize their statement, if necessary
- Prepare the initial Notice of Investigation and Allegation (NOIA) on the basis of the initial assessment. Notice may be one step or multiple steps, depending on how the investigation unfolds, and potential policy violations may be added or dropped as more is learned. Investigators will update the NOIA accordingly and provide it to the parties.
- Notice should inform the parties of their right to have the assistance of a Pool member as a process Advisor appointed by Northland Pioneer College or an Advisor of their choosing present for all meetings attended by the advisee
- When formal notice is being given, it should provide the parties with a written description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result
- Give an instruction to the parties to preserve any evidence that is directly related to the allegations
- Provide the parties and witnesses with an opportunity to review and verify the Investigator's summary notes from interviews and meetings with that specific party or witness
- Make good faith efforts to notify the parties of any meeting or interview involving the other party, in advance when possible
- Interview all relevant individuals and conduct follow-up interviews as necessary
- Allow each party the opportunity to suggest questions they wish the Investigator(s) to ask of the other party and witnesses
- Complete the investigation promptly and without unreasonable deviation from the intended timeline
- Provide regular status updates to the parties throughout the investigation
- Prior to the conclusion of the investigation, summarize for the parties the list of witnesses whose information will be used to render a finding
- Write a comprehensive investigation report fully summarizing the investigation and all evidence
- Provide the parties with a copy of the draft investigation report when it is completed, including all relevant evidence, analysis, credibility assessments, and recommended finding(s)
- Provide each party with a full and fair opportunity to respond to the report in writing within 5-7 college business days and incorporate that response, if any, into the report
- Investigators may choose to respond in writing in the report to the responses of the parties, and/or to share the responses between the parties for their responses, while also ensuring that they do not create a never-ending feedback loop
- Share the report with the Title IX Coordinator or legal counsel for review and feedback.
- Provide the final report to the Title IX Coordinator with one of two options:
 - Include in the report a recommendation to the Title IX Coordinator/Decision Maker on a determination, based on a preponderance of the evidence, whether a policy violation is more likely than not to have occurred; or

- Gather, assess, and synthesize evidence without making a finding, conclusion, determination, or recommendation.

7. Determination

Within two to three (2-3) college business days of receiving the Investigator's recommendation, the Title IX Coordinator or a trained, designated Decision Maker from the Pool [19] reviews the report and all responses, and then makes the final determination on the basis of the preponderance of the evidence.

If the record is incomplete, the Title IX Coordinator/Decision Maker may direct a re-opening of the investigation, or may direct or conduct any additional inquiry necessary, including informally meeting with the parties or any witnesses, if needed.

The recommendation of the investigation, if any, should be strongly considered but is not binding on the Title IX Coordinator/Decision Maker. The Title IX Coordinator or Decision Maker may invite and consider impact statements from the parties if and when determining appropriate sanction(s), if any.

8. Additional Details of the Investigation Process

- a. Witness responsibilities

Witnesses (as distinguished from the parties) who are faculty or staff of Northland Pioneer College are required to cooperate with and participate in Northland Pioneer College's investigation and resolution process. Failure of a witness to cooperate with and/or participate in the investigation or resolution process constitutes a violation of Policy and may be subject to discipline.

- b. Remote processes

Parties and witnesses may be interviewed remotely by phone, video conferencing, or similar technologies if the Investigator(s) and/or Decision Maker determine that timeliness, efficiency or other causes dictates a need for remote interviewing. Witnesses may also provide written statements in lieu of interviews, or respond to questions in writing, if deemed appropriate by the Investigator(s), though this approach is not ideal. When remote technologies are used, Northland Pioneer College makes reasonable efforts to ensure privacy, and ensures that any technology does not work to the detriment of any party or subject them to unfairness

- c. Recording

No unauthorized audio or video recording of any kind is permitted during the resolution process including investigative interviews. If Investigator(s) elect to audio and/or video record interviews, all involved parties must be made aware of audio and/or video recording.

- d. Evidence

Any evidence that is relevant and credible may be considered, including an individual's prior misconduct history as well as evidence indicating a pattern of misconduct, subject to the limitation in (e) below. The process should exclude irrelevant or immaterial evidence and may disregard evidence lacking in credibility or that is improperly prejudicial.

- e. Sexual history/patterns

Unless the Title IX Coordinator/Decision Maker determines it is appropriate, the investigation and the finding do not consider: (1) incidents not directly related to the possible violation, unless they evidence a pattern; (2) the irrelevant sexual history of the parties (though there may be a limited exception made with regard to the sexual history between the parties); (3) irrelevant character evidence.

- f. Previous allegations/violations

While previous conduct violations by the Respondent are not generally admissible as information supporting the current allegation, the Investigator(s) may supply the Title IX Coordinator/Decision Maker with information about previous good faith allegations and/or findings, when that information suggests potential pattern and/or predatory conduct.

Previous disciplinary action of any kind involving the Respondent may be considered in determining the appropriate sanction(s), if Northland Pioneer College uses a progressive discipline system.

Character witnesses or evidence may be offered. The investigation and hearing will determine if the character evidence is relevant. If so, it may be considered. If not, it will be excluded.

- g. Notification of outcome

If the Respondent admits to the violation(s), or is found in violation, the Title IX Coordinator in consultation with other administrators as appropriate determines sanction(s) and/or responsive actions, which are promptly implemented in order to effectively to stop the harassment, discrimination, and/or retaliation; prevent its recurrence; and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

The Title IX Coordinator informs the parties of the determination by a Notice of Outcome within two to three college business days of the resolution, ideally simultaneously, but without significant time delay between notifications. Notices of Outcome are made in writing and may be delivered by one or more of the following methods: in person, certified mailed to the local or permanent address of the parties as indicated in official Northland Pioneer College records, or emailed to the parties' Northland Pioneer College-issued or designated email account. Once certified mailed, emailed, and/or received in-person, notice is presumptively delivered.

The Notification of Outcome specifies the finding for each alleged policy violation, any sanction(s) that may result which Northland Pioneer College is permitted to share pursuant to state or federal law, and the rationale supporting the findings to the extent Northland Pioneer College is permitted to share under state or federal law.

The Notice of Outcome will detail when the determination is considered final (see Section 11, Appeals, below) and will detail any changes that are made prior to finalization.

Unless based on an acceptance of violation by the Respondent, the determination may be appealed by either party. The Notification of Outcome also includes the grounds on which the parties may appeal and the steps the parties may take to request an appeal of the findings. More information about the appeal procedures can be found in Section 11, Appeal, below.

9. Sanctions

Factors considered when determining any sanction(s)/responsive action(s) may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation
- An individual's disciplinary history
- Previous allegations or allegations involving similar conduct
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Title IX Coordinator/Decision Maker

The sanction(s) will be implemented as soon as is feasible. The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed by outside authorities.

- **a. Student Sanctions**

The following are the sanctions that may be imposed upon students or student organizations singly or in combination:

- *Warning*: A formal statement that the behavior was unacceptable and a warning that further infractions of any Northland Pioneer College policy, procedure, or directive will result in more severe sanctions/responsive actions.
- *Probation*: A written reprimand for violation of Northland Pioneer College Policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any Northland Pioneer College policy, procedure or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- *Suspension*: Termination of student status for a definite period of time not to exceed two years, and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at Northland Pioneer College. At the discretion of the Title IX Coordinator/Decision Maker, this sanction may be noted as a Disciplinary Suspension on the student's official transcript.
- *Expulsion*: Permanent termination of student status, revocation of rights to be on campus for any reason or attend Northland Pioneer College-sponsored events. This sanction will be noted as a Conduct Expulsion on the student's official transcript.
- *Withholding Diploma and/or Official Transcripts*: Northland Pioneer College may withhold a student's diploma and/or official transcripts for a specified period of time, and/or deny a student participation in commencement activities as a sanction if the student is found responsible for an alleged violation.

- *Revocation of Degree:* Northland Pioneer College reserves the right to revoke a degree previously awarded from Northland Pioneer College for fraud, misrepresentation, or other violation of Northland Pioneer College policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- *Organizational Sanctions:* Deactivation, loss of recognition, loss of some or all privileges (including Northland Pioneer College registration), for a specified period of time.
- *Other Actions:* In addition to or in place of the above sanctions, Northland Pioneer College may assign any other sanctions as deemed appropriate.
- **b. Employee Sanctions**

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include:

- *Warning – Verbal or Written*
- *Performance Improvement/Management Process*
- *Required Counseling*
- *Required Training or Education*
- *Probation*
- *Loss of Oversight or Supervisory Responsibility*
- *Demotion*
- *Administrative Leave Paid or Unpaid*
- *Termination*
- *Other Actions:* In addition to or in place of the above sanctions, Northland Pioneer College may assign any other sanctions as deemed appropriate.

10. Withdrawal or Resignation While Charges are Pending

Students: Northland Pioneer College does not permit a student to withdraw if that student has an allegation pending for violation of the policy on Equal Opportunity, Harassment, and Nondiscrimination. Northland Pioneer College may place a hold, bar access to an official transcript, and/or prohibit graduation as necessary to permit the resolution process to be completed.

Employees: Should an employee resign with unresolved allegations pending, the records of the Title IX Coordinator will reflect that status, and any Northland Pioneer College responses to future inquiries regarding employment references for that individual will include the former employee's unresolved status.

11. Appeal

All requests for appeal consideration must be submitted in writing to the Title IX Coordinator within 3 college business days of the delivery of the written finding of the Title IX Coordinator or Decision Maker. Any party may appeal the findings only under the grounds described below.

A three-member Appeal Panel or an Appeal Decision Maker chosen from the Pool will be designated by the Title IX Coordinator from those who have not been involved in the process previously. One member of the Appeal Panel will be designated as the Chair. Any party may appeal, but appeals are limited to the following grounds:

- A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, failure to correctly apply the evidentiary standard).
- To consider new evidence, unknown or unavailable during the investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included in the appeal.
- The sanctions imposed fall outside the range of sanctions Northland Pioneer College has designated for this offense and the cumulative record of the Respondent.

When any party requests an appeal, the Title IX Coordinator will share the appeal request with the other party(ies) or other appropriate persons such as the Investigator(s), who may file a response within three (3) college business days. The other party may also bring their own appeal on separate grounds.

If new grounds are raised, the original appealing party will be permitted to submit a written response to these new grounds within 5 college business days. These responses or appeal requests will be shared with each party. The Appeal Decision Maker will review the appeal request(s) within 5 college business days of completing the pre-appeal exchange of materials. If grounds are not sufficient for an appeal, or the appeal is not timely, the Appeal Chair/Panel dismisses the appeal.

When the Appeal Chair/Panel finds that at least one of the grounds is met by at least one party, additional principles governing the review of appeals include the following:

- Decisions by the Appeal Decision Maker are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is compelling justification to do so.
- Appeals are not intended to be full re-hearings (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the investigation and pertinent documentation regarding the grounds for appeal.
- An appeal is not an opportunity for the Appeal Decision Maker to substitute their judgment for that of the original Investigator(s) or Title IX Coordinator/Decision Maker merely because they disagree with the finding and/or sanction(s).
- Appeals granted based on new evidence should normally be remanded to the Investigator(s) for reconsideration. Other appeals should be remanded at the discretion of the Appeal Decision Maker.
- Sanctions imposed as the result of the Administrative Resolution are implemented immediately unless the Title IX Coordinator stays their implementation in extraordinary circumstances, pending the outcome of the appeal.
 - For students: Graduation, study abroad, internships/externships, etc., do NOT in and of themselves constitute exigent circumstances, and students may not be able to participate in those activities during their appeal.
- All parties will be informed in writing within 5 college business days of the outcome of the appeal without significant time delay between notifications, and in accordance with the standards for Notice of Outcome as defined above.
- Once an appeal is decided, the outcome is final; further appeals are not permitted, even if a decision or sanction is changed on remand.

- In rare cases when a procedural or substantive error cannot be cured by the original Investigator(s) and/or Title IX Coordinator/Decision Maker (as in cases of bias), the Appeal Chair/Panel may recommend a new investigation and/or Administrative Resolution process, including a new resolution administrator.
- The results of a new Administrative Resolution process can be appealed once, on any of the three applicable grounds for appeals.
- In cases in which the appeal results in Respondent's reinstatement to Northland Pioneer College or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable.

12. Long-Term Remedies/Actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement long-term remedies or actions with respect to the parties and/or the campus community to stop the harassment, discrimination, and/or retaliation; remedy its effects; and prevent its reoccurrence.

- These remedies/actions may include, but are not limited to:
 - Referral to counseling and health services
 - Referral to the Employee Assistance Program
 - Education to the community
 - Permanent alteration of housing assignments
 - Permanent alteration of work arrangements for employees
 - Provision of campus safety escorts
 - Climate surveys
 - Policy modification
 - Provision of transportation accommodations
 - Implementation of long-term contact limitations between the parties
 - Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, long-term remedies may also be provided to the Complainant even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedial requirements owed by Northland Pioneer College to the Respondent.

13. Failure to Complete Sanctions/Comply with Interim and Long-term Remedies/Responsive Actions

All Respondents are expected to comply with conduct sanctions, responsive actions, and corrective actions within the timeframe specified by the Title IX Coordinator.

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s) and responsive/corrective action(s), including suspension, expulsion, and/or termination from Northland Pioneer College and may be noted on a student's official transcript.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

14. Recordkeeping

In implementing this policy, records of all allegations, investigations, resolutions, and hearings will be kept indefinitely, or as required by state or federal law or institutional policy, by the Title IX Coordinator in the Title IX case database.

15. Statement of the Rights of the Parties (see Appendix C)

16. Disabilities Accommodation in the Resolution Process

Northland Pioneer College is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the resolution process at Northland Pioneer College. Anyone needing such accommodations or support should contact the Disabilities Resource & Access Coordinator, who will review the request and, in consultation with the person requesting the accommodation and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

17. Revision

These policies and procedures will be reviewed and updated, as needed, annually by the Title IX Coordinator. Northland Pioneer College reserves the right to make changes to this document as necessary and once those changes are posted online, they are in effect.

The Title IX Coordinator may make minor modifications to these procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules.

The Title IX Coordinator may also vary procedures materially with notice (on Northland Pioneer College website, with the appropriate effective date identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this policy and procedure.

Procedures in effect at the time of the resolution will apply to resolution of incidents, regardless of when the incident occurred.

Policy in effect at the time of the offense will apply even if the policy is changed subsequently but prior to resolution, unless the parties consent to be bound by the current Policy.

If government regulations change in a way that impacts this document, this document will be construed to comply with the most recent government regulations.

This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such policies and codes, generally.

This procedure was implemented in August 2020, and revised December 2020

APPENDIX F: Title IX Policy Statement

Northland Pioneer College adheres to all federal, state, and local civil rights laws prohibiting discrimination in employment and education. Northland Pioneer College does not discriminate in its admissions practices except as permitted by law, in its employment practices, or in its educational programs or activities on the basis of sex/gender. As a recipient of federal financial assistance for education activities, Northland Pioneer College is required by Title IX of the Education Amendments of

1972 to ensure that all of its education programs and activities do not discriminate on the basis of sex/gender. Sex includes sex, sex stereotypes, gender identity, gender expression, sexual orientation, and pregnancy or parenting status.

Northland Pioneer College also prohibits retaliation against any person opposing discrimination or participating in any discrimination investigation or complaint process internal or external to the institution. Sexual harassment, sexual assault, dating and domestic violence, and stalking are forms of sex discrimination, which are prohibited under Title IX and by Northland Pioneer College policy.

Any member of the campus community, guest, or visitor who acts to deny, deprive, or limit the educational, employment, residential, or social access, opportunities and/or benefits of any member of the Northland Pioneer College community on the basis of sex is in violation of the **Policy 1102**. Equal Opportunity, Harassment, and Nondiscrimination.

Any person may report sex discrimination (whether or not the person reporting is the person alleged to have experienced the conduct), in person, by mail, by telephone, by video, or by email, using the contact information listed for the Title IX Coordinator (below). A report may be made at any time (including during non-business hours) by visiting npc.edu/report-it.

Questions regarding Title IX, including its application and/or concerns about noncompliance, should be directed to the Title IX Coordinator. For a complete copy of the policy or for more information, please visit npc.edu/title-ix or contact the Title IX Coordinator.

Individuals who believe they have experienced sex discrimination, harassment, and/or retaliation in violation of Northland Pioneer College's policy should contact the following:

1. Dr. Michael Solomonson

Vice President for Learning and Student Services

Title IX Coordinator

Office of Vice President for Learning and Student Services

Performing Arts Center, Room 114, Snowflake Campus, Snowflake

(928) 536-6217

michael.solomson@npc.edu

<https://www.npc.edu/title-ix/title-ix-team>

2. Nicole Ulibarri

Director of Employee Relations & Staffing

Title IX Deputy Coordinator – Employees

EEO and ADA/504 Coordinator

Office of Human Resources

Tiponi Community Center, Human Resources Room 302, Painted Desert Campus, Holbrook

(928) 524-7471

nicole.ulibarri@npc.edu

3. Josh Rogers

Director of Student Services

Title IX Deputy Coordinator – Students

Office of Student Services
Student Center, Room 109, Sliver Creek Campus, Snowflake
(928) 536-6227
joshua.rogers@npc.edu

A person may also file a complaint with the appropriate federal, state, or local agency within the time frame required by law. Depending upon the nature of the complaint, the appropriate agency may be the federal Equal Employment Opportunity Commission (EEOC), Office for Civil Rights (OCR) of the U.S. Department of Education, the Department of Justice, and/or the appropriate state agency.

1. Arizona, Colorado, New Mexico, Utah, Wyoming
Office for Civil Rights,
Denver Office
U.S. Department of Education
Cesar E. Chavez Memorial Building
1244 Speer Boulevard, Suite 310
Denver, CO 80204-3582
Telephone: (303) 844-5695
Facsimile: (303) 844-4303
Email: OCR.Denver@ed.gov

2. Assistant Secretary for Civil Rights
Office for Civil Rights, National Headquarters
U.S. Department of Education
Lyndon Baines Johnson Dept. of Education Building
400 Maryland Avenue, SW
Washington, DC 20202-1100
Telephone: 800-421-3481
Fax: 202-453-6012; TDD: 800-877-8339
Email: OCR@ed.gov

Within any resolution process related to this policy, Northland Pioneer College provides reasonable accommodations to persons with disabilities and religious accommodations, when that accommodation is consistent with state and federal law.

Northland Pioneer College does not discriminate in its employment practices or in its educational programs or activities on the basis of sex/gender. Northland Pioneer College also prohibits retaliation against any person opposing discrimination or participating in any discrimination investigation or complaint process internally or externally. Reports of misconduct, questions regarding Title IX, and concerns about noncompliance should be directed to the Title IX Coordinator. For a complete copy of the policy or for more information, please contact the Title IX Coordinator or the Assistant Secretary of Education within the Office for Civil Rights (OCR). npc.edu/title-ix

APPENDIX G: RECORD MAINTENANCE AND ACCESS

Scope

This procedure covers records maintained in any medium that are created pursuant to the college's Policy 1102, Equal Opportunity, Harassment, and Nondiscrimination, and/or the regular business of the college's Title IX Office. All such records are considered private or confidential by the Title IX Office, in accordance with FERPA and the directive from the Department of Education to maintain the confidentiality of records related to Title IX. These records may be shared internally with those who have a legitimate educational interest, and will be shared with the parties to a complaint under applicable state and/or federal law, including the 2020 Title IX regulations, FERPA, and/or the Clery Act/VAWA § 304. The Title IX Office controls the dissemination and sharing of any records under its control.

Types of Records Covered Under this Procedure

1. Records Pertaining to the Grievance-Resolution Process. These records include, but are not limited to:
2. Documentation of notice to the institution including incident reports;
3. Anonymous reports later linked to a specific incident involving known parties;
4. Any documentation supporting the initial assessment;
5. Investigation-related evidence (e.g., physical and documentary evidence collected and interview transcripts);
6. Dismissal-related documentation;
7. Documentation related to the grievance resolution process;
8. The final investigative report;
9. Remedy-related documentation;
10. Supportive measures-related documentation;
11. Hearing recordings and records;
12. Appeal-related documentation;
13. Informal resolution records;
14. Notices of Outcome;
15. Records documenting that the college's response was not deliberately indifferent;
16. Any other records typically maintained by the college as part of the case file.

Specific examples of records pertaining to the grievance resolution process may include, but are not limited to: anonymous reports later identified; intake documentation; incident reports; the written complaint; the names of the Complainant, the Respondent; any witnesses; any relevant statements or other evidence obtained; interview notes or transcripts; timelines, flowcharts and other forms used in the investigation process; witness lists, correspondence, telephone logs, evidence logs and other documents related to the processing of an investigation; correspondence relating to the substance of the investigation; supportive measures implemented on behalf of the Complainant or Respondent; actions taken to restrict/remove the Respondent; correspondence with the parties; medical, mental-health, medical, and forensic record evidence obtained with consent during the course of the investigation; police reports; expert sources used in consideration of the evidence; documentation of outcome and rationale; correspondence and documentation of the appeals process; documentation of

any sanctions/discipline resulting from the grievance resolution process; and documentation of reported retaliatory behavior as well as all actions taken to address these reports.

Drafts and Working Files:

Preliminary drafts and “working files” are not considered records that must be maintained by the college, and these are typically destroyed during the course of an investigation or at its conclusion. They are preliminary versions of records and other documents that do not state a final position on the subject matter reviewed or are not considered to be in final form by their creator and/or the Title IX Coordinator. An example of a “working file” would be the investigator notes made during one interview with topics the investigator wants to revisit in subsequent interviews. Sole possession records maintained as such in accordance with FERPA are also included in this category. All drafts of investigation reports shared with the parties are maintained.

Attorney Work-Product:

Communications from the Title IX Office or its designees with the college’s legal counsel may be work product protected by attorney-client privilege. These communications are not considered records to be maintained by the Title IX Office or accessible under this procedure unless the Title IX Coordinator, in consultation with legal counsel as necessary, determines that these communications should be included as accessible records.

Record Storage:

Records may be created and maintained in different media formats; this procedure applies to all records, irrespective of format. All records created pursuant to the procedure, as defined above, must be stored in digital format. The complete file must be transferred to the Title IX Office within fourteen (14) days of resolution of the complaint (including any appeal), if the file is not maintained within the Title IX Office already. Security protocols must be in place to preserve the integrity and privacy of any parts of any record that are maintained in the Title IX Office during the pendency of an investigation.

The Title IX Office will store all records created pursuant to the policy and procedure, regardless of the identities of the parties. Parallel records should be maintained in the Office of Student Conduct and/or Human Resources, respectively and should be maintained in accordance with the security protocols of those offices. Any extra (non-essential) copies of the records (both digital and paper) must be destroyed.

A copy of records showing compliance with Clery Act requirements by Title IX personnel will be maintained along with the case file in the Title IX Office and in a separate aggregate annual Clery Act composite file, as well.

Northland Pioneer College will maintain an access log of each case file, showing when and by whom it was accessed, and for what purpose.

Record Retention:

All records created and maintained pursuant to the Policy and procedure must be retained indefinitely by the Title IX Office in digital form unless destruction or expungement is authorized by the Title IX Coordinator, who may act under their own discretion, or in accordance with a duly executed and binding settlement of claim, and/or by court or government order.

Record Access:

Access to records created pursuant to the Policy and procedure or housed in the Title IX Office is strictly limited to the Title IX Coordinator and any individual the Coordinator authorizes in writing, at their discretion or via permission levels within the digital software. Those who are granted broad access to the records of the Title IX Office are expected to only access records pertinent to their scope or work or specific assignment. Anyone who accesses such records without proper authorization may be subject to an investigation and possible discipline/sanction. The discipline/sanction for unauthorized access of records covered by this policy and procedure will be at the discretion of the appropriate disciplinary authority, consistent with other relevant college policies and procedures.

The parties may request access to their case file. The college will provide access or a copy within 45 college business days of the request. Appropriate redactions of personally identifiable information may be made before inspection or any copy is shared.

During the investigation, materials may be shared with the parties using secure file transmission software. Any such file will be watermarked by the Title IX Office before being shared, with the watermark identifying the role of the recipient in the process (Complainant, Respondent, Hearing Decision Maker; Complainant's Advisor, etc.).

Record Expungement: Any records made under this procedure not required to be kept indefinitely shall be expunged in accordance with applicable college record retention and destruction policy and procedure.

Record Security: The Title IX Coordinator is expected to maintain appropriate security practices for all records, including password protection, lock and key, and other barriers to access as appropriate. Record security should include protection from flood, fire, and other potential emergencies. Clothing, forensic, and other physical evidence should be securely stored in the Title IX Office. All physical evidence will be maintained in a facility that is reasonably protected from flood and fire. A catalogue of all physical evidence will be retained with the case file.

NPC CRIME STATISTICS

Reports submitted for the last three years.

Under the provisions of Title II of Public Law 101-542, The Crime Awareness and Campus Security Act of 1990, the College President, or personnel designated by the College President, shall establish a plan for crime awareness and campus security. The Northland Pioneer College Plan for Crime Awareness and Campus Security is broken down into the following sections of Procedure 2555:

Reporting crimes and emergencies occurring on or next to Campus.

Security and access to campus facilities

Campus law enforcement

Crime prevention awareness and education

Use and sale of alcoholic beverages and illegal drugs.

Reports are submitted every October and cover the previous calendar year.

On Campus means any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

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

Noncampus means any building or property owned or controlled by a student organization that is officially recognized by the institution; or

Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

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

A hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Under the Clery Act, only the following eight categories of bias are reported: race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

The Violence Against Women Act of 1994 and the Department's Clery Act regulations specify the definitions to be used for domestic violence, dating violence and stalking.

Dating Violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic Violence is defined as a felony or misdemeanor crime of violence committed —

By a current or former spouse or intimate partner of the victim;

By a person with whom the victim shares a child in common;

By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;

By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to-

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

Arrest for Clery Act purposes is defined as persons processed by arrest, citation, or summons.

Weapons: Carrying, Possessing, Etc. is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchasing, transportation, possession, concealment, or use of firearms, or deadly weapons; cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Include in this classification: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

Drug Abuse Violation is defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and or/use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics— manufactured narcotics which can cause true addiction (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

Liquor Law Violation is defined as the violation of State or local laws or ordinances prohibiting: the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness. Include in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and attempts to commit any of the above.

Referred for disciplinary action is defined for Clery Act purposes as the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.

**2022 Crime Statistics - Calendar Year
2019, 2020, 2021**

PDC	Criminal Offenses - On Campus			Criminal Offenses - NonCampus			Criminal Offenses - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>

Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	1
Arson	0	0	0	0	0	0	0	0	0

No Hate Crimes Reported	2019
No Hate Crimes Reported	2020
No Hate Crimes Reported	2021

Violence Against Women Act (VAWA) Offenses	VAWA Offenses - On Campus			VAWA Offenses - Noncampus			VAWA Offenses - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

Arrests	Arrests - On Campus			Arrests - Noncampus			Arrests - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0

Disciplinary Actions	Disciplinary Actions - On Campus			Disciplinary Actions - Noncampus			Disciplinary Actions - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0

No Unfounded Crimes	2019
No Unfounded Crimes	2020
No Unfounded Crimes	2021

LCC	Criminal Offenses - On Campus			Criminal Offenses - NonCampus			Criminal Offenses - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0

Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

No Hate Crimes Reported	2019
No Hate Crimes Reported	2020
No Hate Crimes Reported	2021

Violence Against Women Act (VAWA) Offenses	VAWA Offenses - On Campus			VAWA Offenses - Noncampus			VAWA Offenses - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

Arrests	Arrests - On Campus			Arrests - Noncampus			Arrests - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0

Disciplinary Actions	Disciplinary Actions - On Campus			Disciplinary Actions - Noncampus			Disciplinary Actions - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0

No Unfounded Crimes	2019
No Unfounded Crimes	2020
No Unfounded Crimes	2021

SCC	Criminal Offenses - On Campus			Criminal Offenses - NonCampus			Criminal Offenses - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0

Statutory Rape	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
No Hate Crimes Reported	2019								
No Hate Crimes Reported	2020								
No Hate Crimes Reported	2021								

Violence Against Women Act (VAWA) Offenses	VAWA Offenses - On Campus			VAWA Offenses - Noncampus			VAWA Offenses - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

Arrests	Arrests - On Campus			Arrests - Noncampus			Arrests - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0

Disciplinary Actions	Disciplinary Actions - On Campus			Disciplinary Actions - Noncampus			Disciplinary Actions - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0

No Unfounded Crimes	2019
No Unfounded Crimes	2020
No Unfounded Crimes	2021

WMC	Criminal Offenses - On Campus			Criminal Offenses - NonCampus			Criminal Offenses - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	1	0	0	0

Motor Vehicle Theft (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

No Hate Crimes Reported	2019
No Hate Crimes Reported	2020
No Hate Crimes Reported	2021

Violence Against Women Act (VAWA) Offenses	VAWA Offenses - On Campus			VAWA Offenses - Noncampus			VAWA Offenses - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Domestic Violence	0	0	1	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

Arrests	Arrests - On Campus			Arrests - Noncampus			Arrests - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0

Disciplinary Actions	Disciplinary Actions - On Campus			Disciplinary Actions - Noncampus			Disciplinary Actions - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0

No Unfounded Crimes	2019
No Unfounded Crimes	2020
No Unfounded Crimes	2021

HOPI	Criminal Offenses - On Campus			Criminal Offenses - NonCampus			Criminal Offenses - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0

Arson	0	0	0	0	0	0	0	0	0
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No Hate Crimes Reported	2019
No Hate Crimes Reported	2020
No Hate Crimes Reported	2021

Violence Against Women Act (VAWA) Offenses	VAWA Offenses - On Campus			VAWA Offenses - Noncampus			VAWA Offenses - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

Arrests	Arrests - On Campus			Arrests - Noncampus			Arrests - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0

Disciplinary Actions	Disciplinary Actions - On Campus			Disciplinary Actions - Noncampus			Disciplinary Actions - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0

No Unfounded Crimes	2019
No Unfounded Crimes	2020
No Unfounded Crimes	2021

KAY	Criminal Offenses - On Campus			Criminal Offenses - NonCampus			Criminal Offenses - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

No Hate Crimes Reported	2019
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No Hate Crimes Reported 2020
 No Hate Crimes Reported 2021

Violence Against Women Act (VAWA) Offenses	VAWA Offenses - On Campus			VAWA Offenses - Noncampus			VAWA Offenses - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

Arrests	Arrests - On Campus			Arrests - Noncampus			Arrests - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0

Disciplinary Actions	Disciplinary Actions - On Campus			Disciplinary Actions - Noncampus			Disciplinary Actions - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0

No Unfounded Crimes 2019
 No Unfounded Crimes 2020
 No Unfounded Crimes 2021

SPE	Criminal Offenses - On Campus			Criminal Offenses - NonCampus			Criminal Offenses - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

No Hate Crimes Reported 2019
 No Hate Crimes Reported 2020
 No Hate Crimes Reported 2021

Violence Against Women Act (VAWA) Offenses	VAWA Offenses - On Campus			VAWA Offenses - Noncampus			VAWA Offenses - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Domestic Violence	0	1	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

Arrests	Arrests - On Campus			Arrests - Noncampus			Arrests - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0

Disciplinary Actions	Disciplinary Actions - On Campus			Disciplinary Actions - Noncampus			Disciplinary Actions - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0

No Unfounded Crimes 2019
No Unfounded Crimes 2020
No Unfounded Crimes 2021

STJ	Criminal Offenses - On Campus			Criminal Offenses - NonCampus			Criminal Offenses - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

No Hate Crimes Reported 2019
No Hate Crimes Reported 2020
No Hate Crimes Reported 2021

Violence Against Women Act (VAWA) Offenses	VAWA Offenses - On Campus			VAWA Offenses - Noncampus			VAWA Offenses - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>

Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

Arrests	Arrests - On Campus			Arrests - Noncampus			Arrests - Public Property		
	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0

Disciplinary Actions	Disciplinary Actions - On Campus			Disciplinary Actions - Noncampus			Disciplinary Actions - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0

No Unfounded Crimes 2019
No Unfounded Crimes 2020
No Unfounded Crimes 2021

WRV	Criminal Offenses - On Campus			Criminal Offenses - NonCampus			Criminal Offenses - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	2	0	0	0	0	0	0
Motor Vehicle Theft (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

No Hate Crimes Reported 2019
No Hate Crimes Reported 2020
No Hate Crimes Reported 2021

Violence Against Women Act (VAWA) Offenses	VAWA Offenses - On Campus			VAWA Offenses - Noncampus			VAWA Offenses - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

Arrests	Arrests - On Campus			Arrests - Noncampus			Arrests - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Disciplinary Actions	Disciplinary Actions - On Campus			Disciplinary Actions - Noncampus			Disciplinary Actions - Public Property		
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
No Unfounded Crimes	2019								
No Unfounded Crimes	2020								
No Unfounded Crimes	2021								

RESOURCES

National Confidential Resources

Sexual misconduct can be a complex and painful experience that can require many different types of support including medical, legal, psychological, and academic resources. There are no employees within NPC who can guarantee complete confidentiality; however, there are resources outside of NPC that you may wish to have a confidential conversation with about your options and what next steps you would like to take.

National Sexual Assault Hotline and Website Access free, 24/7 local crisis support online or by calling 1-800-856-HOPE (4673). For more information, visit National Sexual Assault Hotline website.

Off-Campus Counselors, Advocates and Resources

Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with NPC unless the victim requests the disclosure and signs a consent or waiver form.

National Resources

GLBTQ Domestic Violence Project
24 Hour Hotline: 1-800-832-1901

The Network/La Red - GLBTQA Survivors
24 Hour Hotline: 1-800-832-1901; (617) 227-4911(TTY)

National Coalition Against Domestic Violence
24 Hour Hotline: 1-800-799-7233 (SAFE); 1-800-787-3224 (TTY)

Rape, Abuse, and Incest National Network (RAINN)
24 Hour Hotline: 1-800-656-HOPE

*Womenspace National Network to End Violence
Against Immigrant Women*
24 Hour Hotline: (609) 394-9000

Community Resources

Counseling, Domestic Violence, Shelter Information Disclaimer: NPC is not sponsoring or promoting these services. We are merely providing a list of available resources

COUNSELING

Agape Christian Counseling
407 W. Third St.
Winslow, AZ 86047
(928) 289-0500

*Alcoholics Anonymous
The NARBHA Institute*
616 N. Beaver St.
Flagstaff, AZ 86001
(928) 233-8667

Bluebird Family Service
3002 W White Mountain Blvd
Lakeside, AZ 85929
(928)358-4598

*Catholic Charities of the Diocese of Gallup Good
Shepherd Center*
PO Box 41
Holbrook, AZ 86025-0041
(928)524-9720

*ChangePoint Integrated Health (Formerly
Community Counseling Center)*
If experiencing a behavioral health crisis call:
(888) 757-8111 24/7 to be connected with a crisis
counselor.

ChangePoint Psychiatric Hospital
1920 W. Commerce Dr.
Lakeside, AZ 85929
(928) 368-4110

- 2500 E. Show Low Lake Rd., Show Low,
AZ 85901 (928) 537-2951
- 423 S. Main St., Snowflake, AZ 85937
(928) 536-6869
- 103 N. 1st Ave., Holbrook, AZ (928) 524-
6126
- 1015 E. Second St., Winslow, AZ 86047
(928) 289-4658

Chinle Health Care Facility
US 191 & Hospital Dr.
P.O. Box "PH"
Chinle, AZ 86503
(928) 674-7001

Kayenta Outpatient Treatment Center
Highway 163
P.O. Box 487
Kayenta, AZ 86033
(928) 697-5570

*LDS Family Services (Pregnancy Services, Family
Counseling & Adoptions)*
641 S. Main St.

Little Colorado Behavioral Health Center

- 50 N. Hopi St, Springerville, AZ 85938
(928) 333-2683

Snowflake, AZ 85937
(928) 536-4117

- 470 W. Cleveland St, St. Johns, AZ 85936
(928) 337-4301

North Country HealthCare

- 2109 Navajo Blvd, Holbrook, AZ 86025
(928) 524-2851
- 2650 E Show Low Lake Rd, Suite 1, Show Low, AZ 85901 (928) 537-4300
- 488 S Mountain Ave, Springerville, AZ 85938 (928) 333-0127

North Country HealthCare

- 2109 Navajo Blvd, Holbrook, AZ 86025
(928) 524-2851
- 2650 E Show Low Lake Rd, Suite 1, Show Low, AZ 85901 (928) 537-4300
- 488 S Mountain Ave, Springerville, AZ 85938 (928) 333-0127

Northland Therapy Services

1294 Fawn Brook Dr
Show Low, AZ 85901
(928)532-1532

White Mountain Counseling

1141 E. Cooley St, Ste O
Show Low, AZ 85901
(928) 532-3238

Whiteriver Indian Health Center

200 W. Hospital Dr.
Whiteriver, AZ 85941
(928) 338-4911

CREDIT COUNSELING

Family Financial Education Foundation
(877) 789-4172

InCharge Debt Solutions
(800) 565-8953

Money Management International
(866) 889-9347

DOMESTIC VIOLENCE – Programs & Shelters Adult Protective Services

You can report abuse, neglect, and exploitation of Arizona’s vulnerable or incapacitated adults seven days a week via two methods:

1. Our statewide toll-free telephone reporting line is available: Monday-Friday 7:00 a.m. - 7:00 p.m. / Saturday - Sunday and state holidays 10:00 a.m. - 6:00 p.m.

a. (877) 767-2385 b. (877) 815-8390 (TDD)

2. Our ONLINE REPORT is available 24 hours a day, 7 days a week.

Arizona Coalition To End Sexual & Domestic Violence
(800) 782-6400 (602) 279-7270 (TTY)

Childhelp National Child Abuse Hotline –24 hour
1-800-4-A-Child (800) 422-4453 (Safe Child Center)

Hopi Tribal Housing Authority

National 24-hour Domestic Violence Hotline

100 Kiva Dr
Winslow, AZ 86047
(928) 737-2800

National Sexual Assault Hotline – RAINN
(800) 656-HOPE (4673)

New Hope Ranch
450 N. 14 West
St. Johns, AZ 85936 (877) 974-4673
(928) 337-5060

Northland Family Help Center (Women and Children Only)
2532 N. 4th St., #506 (mailing address only)
Flagstaff, AZ 86004
(928) 527-1900 (Women's Shelter)
(928) 527-1800 (Youth Shelter)
(877) 634-2723 (24-hour crisis line)

Tohdenasshai Shelter Home
P.O. Box 1510
Kayenta, AZ 86033
(928) 697-3635 (877) 697-8591 (24-hour Toll-Free CrisisLine)

White Mountain S.A.F.E. House
(928) 367-6017 (800) 244-1315

(800) 799-SAFE (7233) (800) 787-3224 (TTY)

Navajo County Family Advocacy Centers Governmental Complex

- 100 E. Code Talkers Dr., Holbrook, AZ 86025 (928) 532-6047
- 902 E Deuce of Clubs, Show Low, AZ 85901 (928) 532-6047

The NARBHA Institute
(877) 756-4090 (24-hour crisis line) For hearing impaired, please use the Arizona Relay Service at 711 or 1-800-367-8939 or internet assistance at <http://www.azrelay.org/>

Project Safe House Domestic Violence Shelter
211 E. 3rd St.
Winslow, AZ 86047
(602) 289-4629

White Mountain Apache Behavioral Health Center
249 W. Ponderosa St.
Whiteriver, AZ 85941
(877) 336-4811 (toll-free) (928) 338-4811

Whiteriver Indian Health Center
200 W. Hospital Dr.
Whiteriver, AZ 85941
(928) 338-4911