

Policy 1000 Election of District Governing Board Members

The Navajo County Community College District is governed by a five-member board consisting of Trustees, each representing a district whose boundaries are set by the county's Board of Supervisors following each decennial census, and are elected for staggered six-year terms. Trustees must reside within the district they represent for at least one year prior to their election. Neither the Trustee, nor their spouse, can be an employee of the College District. (A.R.S. §15-1441.H, and §38-503.D)

The District Governing Board delegates to the college president, or designee, the authority to see that the procedures, as outlined by state statutes and the Navajo County Board of Supervisors, are followed in the election of new Board members.

(Reviewed only 1/15/19)

Policy 1001 Vacancy Within District Governing Board

Vacancies within the District Governing Board shall be filled according to A.R.S. §15-1441.E,

Vacancies shall be filled by appointment by the county school superintendent for the unexpired term for the district where the vacancy occurs, except that if the unexpired term is two years or longer, the county school superintendent may do one of the following:

1. Make an appointment for a term which shall be until the next regular election for district board members, at which time a successor shall be elected to serve the unexpired portion of the term.
2. With the approval of the district board, leave the vacancy until the next regular election for governing board members, at which time a successor shall be elected to serve the unexpired portion of the term.

(Reviewed only 1/15/19)

Policy 1002 Powers and Duties of the District Governing Board

In order to carry out District Governing Board duties as outlined in A.R.S. §15-1444, the Board shall elect such officers and adopt such rules governing its meetings and members, as it deems necessary. The Board will also determine duties and responsibilities of its members. (See Procedure 2035)

(Reviewed only 1/15/19)

Policy 1003 District Governing Board Code of Ethics

The District Governing Board adopts the following Code of Ethics, which shall be signed annually at the January meeting of the Board, or at the regular meeting immediately following

appointment to said Board. The Board's Recording Secretary shall maintain a file of signed documents for the duration of the Trustee's term of office.

- A. The primary focus of the board is to create a learning environment that welcomes and promotes the success of a diverse student body.
- B. The District exists to serve students. The Board shall protect the interest of students in every decision and assure the opportunity for high-quality education for every student.
- C. The board sets the tone of the college. Trustees will follow all board and college policies. Board decisions and interactions should reflect the mission, vision and values of the college.
- D. The board's primary function is to establish the policies by which the college shall be administered. Authority to initiate policy recommendations, administer academic programs, conduct college business and implement board actions is delegated to the college president. Trustees will respect the delegation of authority to the president to administer the college.
- E. The board is responsible for creating and maintaining a spirit of cooperation and a mutually supportive relationship with its president. Trustees will promote a healthy working relationship with college president through respectful, supportive, open and honest communication. Trustees will refer contacts from employees, students and community residents to the president.
- F. Authority rests with the entire board. The board's voice is expressed through the policies and actions it takes in the official meetings. Once the board has decided on a policy or position, a trustee must be prepared to support it publicly. As individuals, trustees have no legal authority to determine policies, programs or procedures or to direct staff.
- G. Trustees will demonstrate a commitment to informed, ethical decision-making by reviewing board materials provided, attending scheduled meetings and requesting data and information through protocols established by the board and in conjunction with the president.
- H. Deliberations of the board in closed session are confidential and not for release or discussion in public without the prior approval of the board by majority vote. Trustees will establish and maintain the trust of fellow board members by maintaining confidentiality.
- I. Trustees will communicate and promote the needs of the community to the college and the needs of the college to the community. Within all communication, trustees will respect established roles and procedures for communicating with the media and other community groups.
- J. Trustees will devote time to activities that will enhance knowledge of the college, the community college system and higher education issues. Trustees will engage in a regular and ongoing process of professional development and continuous improvement and participate in college events as appropriate.

- K. It is essential for District Governing Board members to attend all meetings unless prevented by illness or unforeseen and unavoidable circumstances. Absences from meetings must be excused by the Board Chair either prior or as soon as possible after such meeting is missed. If the Board Chair finds it necessary to be absent at a meeting, the Secretary to the board will function as the reporting individual. Board members should make every effort to attend a board meeting and can avoid unnecessary absences by connecting to the meeting telephonically. For the purpose of this policy, board meetings include regular, study sessions and special meetings.

If a board member is absent, without excuse from the chair, 50% of meetings in a calendar year or 3 or more consecutive meetings, the board shall invoke the processes outlined in Policy 1004. If unresolved, the board has the obligation to declare the board seat vacant and call for action, (ARS §38-291), on the part of the Navajo County School Superintendent, to fill the board vacancy. The board's decision to declare a seat vacant due to unexcused absences must be conducted by voice vote.

Policy 1004 • District Governing Board Ethics Violations Process Policy

The District Governing Board and its members are committed to faithful compliance with the provisions of the Board's governing policies. To uphold the Board's integrity and reputation, the Board will constructively address perceived violations of these policies, using the following process:

- The concerned Board Member is encouraged to have a conversation in a private setting with the Board Member whose actions are perceived to be non-compliant with Board policies. If a complaint pertaining to a Board Member's conduct is conveyed to the president by an outside party, the president shall, as soon as practical, refer the complaint to the Board Chair for appropriate action (as outlined herein). If the complaint involves the Board Chair, the president shall refer the matter to the Board Vice-Chair for necessary action.
- Second, if the concerned party is not comfortable pursuing such a discussion, or if the conversation does not produce sufficient resolution as agreed on by the concerned parties, either party shall apprise the Board Chair, who may choose to address the situation individually with the involved party, or advance to #C below. If the concern involves the Board Chair's actions, the Board Vice-Chair shall be similarly informed.
- Third, if the first two steps don't produce sufficient resolution, or if in the estimation of any of the concerned parties there remains a credible concern that the incident may cause legal or reputational jeopardy to the District, the full Board will be apprised of the situation. The Board may request that the president arrange for an independent review to be conducted for the purpose of advising the Board if noncompliance with its own policies has occurred by an appropriate individual(s). After receipt of the results of the review, or if the Board deems itself to have adequate information without the review, the Board will make a subsequent determination, by vote, as to whether the Board Member's actions were consistent with Board policy.

If the Board determines that there was no violation of the expectations set forth in the Board's Governing Policies, the issue shall be considered resolved.

If, in the judgment of the majority of the Board, Board policy has been violated, the Board shall take what it considers to be appropriate steps to remedy the situation and protect the interests of the District. These may include:

- Reminding the Board Member of the expectation and fiduciary duty to cease such actions/behaviors.
- Limiting any authority that has been delegated to the Board Member to represent the Board.
- A resolution publicly admonishing the action/behaviors.
- A resolution requesting the Board Member's resignation.
- If the party deemed to be in violation of Board policy is an officer, removal from the elected officer position.

(Reviewed only 1/15/19)

Policy 1006 Conflict of Interest

No member of the District Governing Board shall directly or indirectly receive any compensation or derive any profit or gain by reason of his membership on said Board or by reason of services to the college district. (A.R.S. §38-503 and §15-323). Board members shall annually file a Statement of Substantial Interest Disclosure Form.

(Reviewed only 1/15/19)

Policy 1007 District Governing Board Meetings

All meetings at which three (3) or more members of the Board are present shall be public meetings. All minutes of such meetings as are required by law shall be properly and accurately recorded and open to public inspection, except as provided by policy concerning executive sessions.

Executive sessions may be held subject to the following conditions:

1. Such sessions will be called only for purposes as outlined in A.R.S. §38-431.03.
2. Such sessions shall not be used to defeat the purposes as set by state law.
3. Such executive sessions may be called only by a majority vote of the members of the Board.
4. No official action shall be taken.

(Reviewed only 1/15/19)

Policy 1008 Policy Creation and Review

It is the responsibility of the District Governing Board to provide leadership, guidance, and direction to govern the current and future affairs of the college. Toward this end, the Board deliberates and acts on matters of enduring significance to the college. Such actions, when approved by the Board, shall be articulated as statements of Board policy and shall be

incorporated into a single, unified and comprehensive compilation of all Board policy statements.

1. When articulating policy, the Board shall strive for brevity, clarity and continued expression of a positive and future-oriented tone.
2. The Board may approve new Board policies or revise existing policies, with the exception of Board policies relating to employee wages, benefits or working conditions, at any meeting by action of a majority vote of the entire Board. Upon the request of any member, action shall be deferred for one meeting.
3. The Board, when approving new policies or revising existing policies related to employee wages, benefits, or working conditions, shall take action following a second reading of such policy.

It is intended that Board policies be living documents. Toward this end, all Board policies shall be reviewed on a regular basis to ensure that they continue to be pertinent. The president shall establish a procedure for the review and/or revision of Board policies.

(Reviewed only 1/15/19)

Policy 1009 Delegation to and Accountability of President

1. The District Governing Board's sole official connection to the operational organization, its achievements, and conduct shall be through the college president.
2. Only officially passed motions of the Board shall be binding on the president. Accordingly, decisions or instructions of individual Board members, officers or committees shall not be binding on the president except in rare instances when the Board has specifically authorized such exercise of authority.
3. The president shall be the Board's only link to operational achievement and conduct, so that all authority and accountability of staff, as far as the Board is concerned, shall be considered the authority and accountability of the president. Accordingly,
 - a. Pursuant to ARS §15-1444(A)(6) & (8)(4), the Board hereby delegates to the college president all of its authority to employ, specifically, it delegates all of its authority to enter into, amend, or terminate all employee contracts on behalf of the College, without the need for the Board to approve such actions before they are effective, except for any actions taken with regard to a contract of employment for the position of college president. The college president may designate others serving under the president to assist with the duty; however, the college president shall continue to be responsible to the Board for the satisfactory execution of the delegated duty. This delegation may be rescinded in whole or in part at any time by the Board.
 - b. The Board shall not evaluate, either formally or informally, any staff other than the president.
4. In the case of Board members or Board committees requesting information or assistance without authorization, the president shall refuse such requests that require, in the president's opinion, a material amount of staff time or funds or are disruptive.

5. The Board shall instruct the president through written policies which prescribe the organizational priorities to be achieved, allowing the resident to use a reasonable interpretation of these policies. Accordingly,
 - a. Board Priorities – The Board shall develop policies instructing the president to achieve certain results for certain recipients at a specified cost. These policies shall be developed systematically from the broadest, most general level to more defined levels, and shall be called Board Priorities.
 - b. Presidential Roles – The Board shall develop policies which define the latitude the president may exercise in choosing appropriate organizational means. These policies shall be developed systematically from the broadest, most general level to more defined levels, and they shall be called Presidential Roles policies.
 - c. As long as the president shall use a reasonable interpretation of the Board's Priorities and Presidential Roles policies, the president shall be authorized to establish all further college operational policies, make all decisions, take all actions, establish all practices, and develop all activities.
 - d. The Board may change its Priorities and Presidential Roles policies, thereby, shifting the boundary between the Board and presidential domains. By doing so, the Board changes the latitude of choice given to the president. But, as long as any particular delegation is in place, the Board shall respect and support the president's choices.

Policy 1010 Definition of Decentralization

The District Governing Board is committed to providing the college programs, activities, and services throughout the service area via decentralization. Components of decentralization will include the following:

1. Designating campuses where enrollment, programming and related services are sufficient to fulfill all objectives of the college's mission.
2. Designating centers and course sites where enrollment, programming and related services are insufficient to fulfill all objectives of the college's mission.
3. Allowing campuses and centers to grow according to the unique changes and needs identified within their respective communities.
4. Since high cost programs and services may not be possible for all college locations, these programs may be limited to single sites. These would become magnet programs attracting students to them from throughout the service area.
5. The delivery of instructional and student services via alternative, flexible multiple modalities.
6. Some administrative services must be centralized to be cost effective.

(Reviewed only 1/15/19)

Policy 1011 College Service Sites

Northland Pioneer College provides services throughout a large, but sparsely populated community college district. It does so with a decentralized network linking instructional services, student services, and administrative services to campuses and additional locations.

A campus must meet the following criteria:

1. It is designated a campus by the District Governing Board.
2. It provides full-service instructional programming that culminates in the awarding of degrees/certificates, consistent with the comprehensive college mission.
3. It provides access to a full complement of student support services.
4. It has a leased or owned physical plant that is staffed on a full-time basis, according to the calendar of the college district.
5. It must maintain an enrollment sufficient to warrant its continued operations and expenditures.

An additional location must meet the following criteria:

1. It is designated an additional location by the District Governing Board.
2. It provides limited instructional programming that will usually not permit the awarding of degrees/certificates, and may not reflect the entire scope of the comprehensive college mission.
3. It provides access to a full complement of student support services, albeit on a limited basis.
4. It has a leased or owned physical plant that may be staffed on a full-time or part-time basis, and the hours of operation may be less than those specified in the calendar of the college district.
5. It must maintain an enrollment sufficient to warrant its continued operation and expenditures.
6. An additional location may still be referred to as a "Center" in college documents as that term is locally recognized.

(Reviewed only 2/19/19)

Policy 1012 District Administrative Headquarters

The District Administrative Headquarters shall be designated as the District Administrative address, as well as being the location for district functions as determined by the president.

(Reviewed only 1/15/19)

Policy 1013 Naming of College Facilities

The District Governing Board is responsible for naming all college facilities. This policy serves as a guideline when naming a building to recognize the achievements of an individual or a substantial donation to the college.

1. The naming of a Northland Pioneer College building must meet an ethical criterion in that the nominee must reflect the mission, values, and best interests of the college.
2. The District Governing Board may name a building to recognize the substantial achievements of an individual.
3. A building may be named to recognize a donor's financial gift to the college when the gift represents approximately 25 percent of the total cost for construction.
4. A name may be proposed for an existing building in recognition for a financial gift that represents approximately 25 percent of its original cost.
5. A name may be proposed for an existing building in recognition for a financial gift that represents approximately 100 percent of the appraised value of an improvement or renovation to that facility.
6. The District Governing Board may also consider naming rooms in recognition of substantial donations or individual achievements.

(Reviewed only 2/19/19)

Policy 1014 Advisory Board of an Unorganized County

The District Governing Board recognizes the need for counsel from those unorganized counties to which the District provides service. In an effort to keep communications open and allow an appropriate avenue for concerns and direction, the Board will establish a local advisory board from said unorganized county. The purpose of the Advisory Board shall be to provide advice and guidance to the District on educational programs offered, and to recommend action on District policies, regulations, and procedures as they relate to the services and programs being offered in said unorganized county.

Membership of the Advisory Board shall consist of a minimum of seven and a maximum of ten (10) members representing the following constituencies:

- Board of Supervisors designee (ex officio)
- Primary county industry
- Local public school administration
- Small business
- Other groups as may be appropriate

Members will serve for a three-year term (except ex officio). They shall be appointed by mutual consent of the District Governing Board and the County Board of Supervisors of said unorganized county. When Advisory Boards are initially established, membership terms will be staggered for one – three-year terms.

The Board hereby delegates authority to the president, or designee, to act in its place and stead for all matters related above. The president will report to the District Governing Board on all substantive issues and concerns expressed by the Advisory Board.

(Reviewed only 2/19/19)

Policy 1015 Building Sales and Leases

The District Governing Board will approve all sales of college-owned buildings. The Board will also approve all annual leases that commit the college to fifty thousand dollars or more.

(Revised 1/21/20)

Policy 1016 Agreements that Bind the College

The District Governing Board shall approve all contracts and settlement agreements in excess of fifty thousand dollars (\$50,000) and all intergovernmental agreements. The Board may authorize the president, or designee, to execute such contracts and agreements as agent on behalf of the Board.

The president, or designee, is authorized to sign other agreements and contracts on behalf of the college.

(Reviewed only 2/19/19)

Policy 1017 Emergency Response

The safety and security of the college community are of vital concern. Northland Pioneer College (NPC) is committed to providing and maintaining a safe environment for all employees, students, visitors, and guests. The District Governing Board directs the college president or designee to adopt reasonable and practical means to prevent, deter and respond to campus emergencies.

The preparation of the Emergency Response Plan (ERP) and the allocation of resources to support the plan are part of the commitment NPC has for the college community.

In order to provide a safe environment, the college will:

- Ensure that employees, students, and others are adequately informed of the Emergency Response Plan that is maintained on the MyNPC website.
- Provide appropriate training to the college community.
- Allocate resources to provide a safe and secure campus.
- Coordinate with local law enforcement agencies.
- Maintain a balance between safety and retaining the openness of a college campus.

Provide and maintain an emergency notification system to keep employees, students, visitors, and guests informed of emergencies.

(New 4/16/19)

Policy 1018 Non-College Property

The District Governing Board shall not be liable for non-college property lost, stolen, or damaged, while individuals are participating in college activities either in college facilities or rented facilities.

(Reviewed only 2/19/19)

Policy 1019 Institutional Memberships

The District Governing Board authorizes the president to provide opportunity for institutional membership in certain professional associations and organizations developed at the local, state, regional, and national levels for the purpose of promoting welfare and development of community colleges and their component programs and services.

(Reviewed only 2/19/19)

Policy 1020 President's Job Description

The president shares responsibility for the total organization and administration of the college, with the District Governing Board, and has been delegated authority for administering the laws and policies governing the college. The District Governing Board authorizes the president to form such committees as the president deems necessary to assist in the operation of the college.

1. The president has the responsibility to make the necessary recommendations or implement adopted policies required to create and maintain effective and efficient college programs and activities.
2. The president has the responsibility and the authority to make all the necessary decisions for the development and implementation of procedures required to create and maintain effective and efficient college programs and activities.
3. The president is responsible to approve all personnel for employment, according to Board guidelines. The president shall direct, organize, reorganize, transfer, assign, reassign, continue or dismiss all personnel in a manner which in the judgment of the president best serves the college, according to Board guidelines, and in accordance with the law.

The District Governing Board and the president shall determine by June 1st the president's goals and strategies for the upcoming year, and formally approve them at the June District Governing Board meeting.

(Reviewed only 3/19/19)

Policy 1021 District Governing Board's Evaluation of President

The chair of the District Governing Board will assume the role of the president's supervisor for purposes of implementing the evaluation system. The material developed will be shared with the entire Board.

(Reviewed only 1/15/19)

Policy 1022 Delegation of Authority

In order to assure that the college has an administrator in charge at all times, the District Governing Board authorizes the president to designate an administrator in charge in the president's absence.

(Reviewed only 3/19/19)

Policy 1025 Grant Procurement

The president, or designee, shall develop a procedure for making application for Federal, State, and local grants. The District Governing Board shall accept the awarded funds.

(Reviewed only 3/19/19)

Policy 1040 Accreditation

It shall be the policy of Northland Pioneer College to conform to the fullest extent possible with the accreditation requirements and guidelines of the [Higher Learning Commission](#). All employees shall be under a continuing duty to comply with accreditation requirements, as they arise.

(Reviewed only 1/15/19)

Policy 1041 Instructional Program

Northland Pioneer College is a comprehensive community college offering educational programs for career preparation, transfer to four-year colleges and universities, developmental studies, and a range of extended services to meet the life-long learning needs of its citizens. It is the policy of the college's instructional programs to strive to adhere to the Guiding Principles as established by the District Governing Board and those of any accreditation bodies with which it is formally associated.

(Revised 2/16/2021)

Policy 1042 Approval of Programs, Degrees, and Certificates

The District Governing Board will approve all new programs, degrees and certificates offered by the college.

(Reviewed 2/18/2020)

Policy 1043 Deferred Payments

The District Governing Board authorizes the president, or designee, to allow students to defer payment of educational costs.

(Reviewed 2/18/2020)

Policy 1044 Student Grievance Procedure

The District Governing Board authorizes the president, or designee, to provide for a student grievance procedure.

(Reviewed 2/18/2020)

Policy 1045 Appeal of Grade Procedure

The District Governing Board authorizes the president, or designee, to develop and implement procedures regulating the student appeal of grades.

(Reviewed 2/18/2020)

Policy 1046 Student Code of Conduct

The District Governing Board authorizes the president, or designee, to establish procedures for the establishment, implementation, and enforcement of a student code of conduct.

(Reviewed 2/18/2020)

Policy 1047 Speakers at Campuses or Centers

The District Governing Board authorizes the president, or designee, to approve who may be invited to speak on college-owned or controlled properties. Clearances for all speakers must be made prior to the issuance of the invitation to the speakers.

(Reviewed only 3/19/19)

Policy 1048 Free Expression

Arizona Revised Statutes [§15-1866](#) requires the District Governing Board to adopt and implement the following language regarding free expression:

1. The primary function of an institution of higher education is the discovery, improvement, transmission and dissemination of knowledge by means of research, teaching, discussion and debate. This statement shall provide that, to fulfill this function, the university or community college must strive to ensure the fullest degree of intellectual freedom and free expression.
2. It is not the proper role of an institution of higher education to shield individuals from speech protected by the first amendment, including, without limitation, ideas and opinions that may be unwelcome, disagreeable or deeply offensive.
3. Students and faculty members have the freedom to discuss any problem that presents itself, as the first amendment allows and within the limits of reasonable viewpoint and content-neutral restrictions on time, place and manner of expression that are consistent with this article and that are necessary to achieve a compelling institutional interest if these restrictions are clear, are published and provide ample alternative means of expression. This statement shall specify that students and faculty members may assemble and engage in spontaneous expressive activities if those activities are not unlawful and do not materially and substantially disrupt the functioning of the university or community college.
4. There is a range of disciplinary actions for a student who is subject to the jurisdiction of a university or community college and who engages in individual conduct that materially and substantially infringes on the rights of other persons to engage in or listen to expressive activity.
5. In all disciplinary proceedings involving students, including proceedings involving expressive conduct, a student is entitled to a disciplinary hearing under published procedures that include, at a minimum, all of the following:
 1. The right to receive advanced written notice of the allegations.
 2. The right to review the evidence in support of the allegations.
 3. The right to confront witnesses who testify against that student.
 4. The right to present a defense.
 5. The right to call witnesses.
 6. A decision by an impartial person or panel.
 7. The right to appeal.
 8. If either a suspension of more than thirty days or expulsion is a potential consequence of a disciplinary proceeding under this section, the right to active assistance of counsel.

(Revised 2/16/2021)

Policy 1050 Policies as Conditions of Employment

The District Governing Board policies and their designated procedures will be deemed incorporated into each agreement of employment, executed on behalf of the college, as terms and

conditions of employment. Violation of any of these policies will be sufficient cause for disciplinary action, as outlined in associated college procedures. The Board reserves the right to modify, add, or eliminate any policy whenever it appears practicable or appropriate. The provisions of the District Policy and Procedure Manual are applicable to all persons on the effective date of the change.

(Reviewed 3/24/20)

Policy 1051 Salary Schedule

The president is responsible for the development of procedures that will allow the District Governing Board and staff to develop Board-approved salaries.

(Reviewed only 1/15/19)

Policy 1052 Extended or Extra Duty Contracts

The District Governing Board authorizes the president to issue extended or extra duty contracts to those personnel who may elect to provide instructional services over and above that required by their regular contract.

(Reviewed only 1/19/21)

Policy 1053 Salary Deductions

The District Governing Board authorizes the president, or designee, to establish procedures for payroll deductions from employees' salaries in accordance with Federal and State law and District Governing Board policy.

(Revised 5/18/2021)

Policy 1054 Official Holidays

The official college Academic Calendar shall be approved by the District Governing Board.

(Reviewed 3/24/20)

Policy 1055 Leave of Absence

The District Governing Board authorizes the president, or designee, to grant leave according to established procedure.

(Reviewed 3/24/20)

Policy 1056 Due Process

The president shall provide for the establishment of due process procedures for enforcement of ordinances, rules, and regulations pertaining to governance of the college. Whenever the president is procedurally removed from the process, the District Governing Board shall be the final review and decision authority.

(Reviewed 3/24/20)

Policy 1057 Interim Suspension

The District Governing Board authorizes the president, or designee, to suspend (interim suspension) members of the faculty, staff and students from the college when the conditions of behavior or circumstances that led to suspension include but are not limited to the following: when the continued presence of the subject person(s) on campus poses a threat to the safety of students, other persons or their property, or threatens to disrupt college functions or activities.

(Reviewed only 3/19/19)

Policy 1058 Communicable Diseases

The District Governing Board authorizes the president, or designee, to develop and implement procedures for the prevention of the spread of communicable diseases within the college.

(Reviewed 3/24/20)

Policy 1059 Insurance for District Governing Board Members

The District Governing Board authorizes the president, or designee, to develop and implement procedures to allow Board members, their spouses, and dependents, to participate in the college's plan providing health, accident, life, and disability benefits, in any or all parts, as they choose, and that is allowable. This policy incorporates by reference all provisions under A.R.S. §15-1450B.1(d).

(Reviewed only 1/15/19)

Policy 1075 District Governing Board's Self Evaluation

The Board will conduct a self-evaluation process annually in order to assess its effectiveness as a governing board, and individually as elected members. The District Governing Board, using the [evaluation instrument](#), will conduct a Board self-assessment by the December District Governing Board meeting each year.

(Reviewed only 1/15/19)

Policy 1090 Tax Levy

The District Governing Board is responsible for approving the request to the Board of Supervisors of Navajo County for the District's annual property tax levy.

(Revised 5/18/2021)

Policy 1091 Budget Development

The president, or designee, is responsible for the preparation of college budgets for recommendation to the District Governing Board in accordance with A.R.S. §15-1461 and the Uniform System of Accounting and Financial Reporting for Arizona Community College Districts (USAFR).

(Reviewed only 5/18/2021)

Policy 1092 Cash Reserve Policy

The District Governing Board recognizes the importance of maintaining adequate reserves in order to ensure financial and operational stability and has established the following cash reserve policy:

Northland Pioneer College will maintain actual June 30 general fund unrestricted and unallocated cash levels equal to at least twelve (12) months of budgeted general fund annual expenses. If these cash reserves fall below this level, the president shall present an action plan to the District Governing Board that will fully correct the shortfall within one year.

(Revised 5/18/2021)

Policy 1093 Issuance of Bonds

The District Governing Board shall authorize negotiable bonds by resolution. The issuance of bonds shall be in accordance with the Arizona Revised Statutes, Title 15, Chapter 12, Article 5.

(Reviewed only 5/18/2021)

Policy 1094 Future Capital Reserve

The District Governing Board recognizes the importance of maintaining adequate reserves in order to ensure future capital financial resources and to reduce the cost of capital acquisitions and has accordingly established the following Future Capital Reserve policy:

The District will establish annually an appropriate and specific dollar amount to be designated as future capital reserves in conjunction with the annual adoption of the capital fund budget. The Future Capital Reserve designation will occur by June 30 of each year.

(Revised 5/18/2021)

Policy 1095 Payment of Expenses

The District Governing Board grants authority to the president, or designee, to pay all properly authorized expenses.

1. Payments made by checks will be signed by the president, Chief Financial Officer, or Director for Financial Services/Controller. In lieu of actual signature, a facsimile signature plate may be used.
2. Payments made by electronic transfer require approval by the president, Chief Financial Officer, or Director for Financial Services/Controller.

(Revised 5/18/2021)

Policy 1096 Procurement

Northland Pioneer College purchasing procedures shall substantially follow the rules and regulations of the Arizona State Procurement Code.

A.R.S. [§15-1444](#) describes general powers and duties of district governing boards and allows for district boards, in conjunction with other districts, to establish policies for the procurement of goods and services.

According to A.R.S. [§15-1445](#), the administrative powers and duties of the District Governing Board include adopting policies for the governance of the community college district under its jurisdiction.

Additionally, under A.R.S. [§15-1473](#), the auditor general, in conjunction with the community college districts, shall prescribe a uniform system of accounting as provided in section [41-1279.21](#) for use by all community college districts in Arizona.

Under these statutes and system of accounting, the District Governing Board is responsible for the establishment of broad purchasing and competitive bidding policies and designates the president to develop a Purchasing procedure.

The president, or designee, will recommend and administer purchasing procedures in order to arrive at the best value for the college to provide sound fiscal stewardship for all stakeholders of the District.

Additionally, as expenditures of federal assistance or contract funds occur, the college shall comply with all applicable state and federal regulations.

(Revised 5/18/2021)

Policy 1097 Check Approval Authorization

The District Governing Board grants authority to the president, or designee, to authorize and release checks.

1. All checks for amounts less than twenty-five thousand dollars will be released upon one signature on the check which may be a facsimile signature.
2. All checks for amounts more than twenty-five thousand dollars will be released upon two signatures on the check. One signature may be a facsimile signature with authorized signatories including the president, Chief Financial Officer and Director for Financial Services/Controller, of which one must be an original signature.

(Revised 5/18/2021)

Policy 1098 Contracting with Equal Opportunity Employers

Prior to the signing of contract documents with any contractor to perform services or provide goods in excess of fifty thousand dollars, to be funded from Federal dollars, the District Governing Board shall require the submission of a letter of assurance that the contractor is an Equal Opportunity Employer in compliance with Executive Order 11246.

(Revised 5/18/2021)

Policy 1099 Capital Asset Policy

The District Governing Board has established the following Capital Asset Policy in accordance with the Uniform System of Accounting and Financial Reporting for Arizona Community College Districts (USAFR) as required by the Office of the Auditor General.

Capitalization Thresholds:

Equipment, buildings, intangibles and improvements other than buildings valued at \$5,000 or more, and having a useful life of more than one year will be capitalized.

Land is capitalized upon acquisition and/or purchase or donation at market value.

If expenditures increase the utility or significantly extend the useful life of an asset, they will be capitalized and added to the recorded cost of the asset. If expenditures maintain the original condition of an asset, they will be classified as repair and maintenance. The distinguishing feature between a capital improvement and a repair and maintenance expenditure is that a capital improvement results in an improved asset.

Acquisitions:

Equipment purchases of \$5,000 or more unless specified by grant procedure and land, building and site improvements must be purchased from the Unexpended Plant Fund, the Current Restricted Fund or the Current Auxiliary Enterprises Fund.

"System purchases" should be capitalized as a whole unit; however items purchased in bulk will not be capitalized unless the unit cost is \$5,000 or greater.

Capital Grant Assets will be purchased from the Current Restricted Fund and capitalized.

Inventory and Maintenance:

A current Capital Asset Schedule will be maintained by the Chief Financial Officer or designee. This list shall include current year additions, deletions and impairments. Assets are placed on the Master Capital Asset Schedule when they are purchased and removed from the listing when they are disposed.

Transfer and Disposition:

An Equipment Transfer/Disposition form is required to be completed and approved by the Director for Financial Services/Controller or their designee for all asset transfers and dispositions.

Assets transferred on a temporary basis meeting the capital asset threshold as defined above, will be tracked internally by the Dean, Director or Designee on a "check-out" sheet if the re-assignment is for less than one week.

Grant assets must follow this procedure and require additional approval from the Grant Administrator to ensure that any disposition requirements are fulfilled for items originally costing \$1,000 and greater.

(Revised 5/18/2021)

Policy 1100 Planning and Evaluation

The college is committed to developing instructional and support programs using processes that will include long-and-short range planning and evaluation systems in order to achieve present and projected goals.

(Reviewed only 2/19/19)

Policy 1101 Engagement of Legal Counsel

The president shall be authorized to engage outside legal counsel to represent the interests of the District as provided by A.R.S. §11-532.11 and A.R.S. §15-1448.

(Reviewed only 2/19/19)

Policy 1102 Equal Opportunity, Harassment and Nondiscrimination

- Also see: [Information About Title IX](#) | [Report It! forms](#)

Policy 1102 Equal Opportunity, Harassment and Nondiscrimination^[1]

Section: 1100-College Operations Policies

Responsible Area: Vice President for Learning and Student Services, Title IX Coordinator

Procedure(s) that relates to the policy: 2110

1.0 Scope

The core purpose of this policy is the prohibition of all forms of discrimination. Sometimes, discrimination involves exclusion from activities, such as admission, athletics, or employment. Other times, discrimination takes the form of harassment or, in the case of sex-based discrimination, can encompass sexual harassment, sexual assault, stalking, sexual exploitation, dating violence or domestic violence. When an alleged violation of this anti-discrimination policy is reported, the allegations are subject to resolution using Northland Pioneer College's "Process A" or "Process B," as determined by the Title IX Coordinator, and as in Procedure 2110.

When the Respondent is a member of Northland Pioneer College community, a grievance process may be available regardless of the status of the Complainant, who may or may not be a member of the Northland Pioneer College community. This community includes, but is not limited to, students,^[3] student organizations, faculty, administrators, staff, and third parties such as guests, visitors, volunteers, invitees, and campers. The procedures below may be applied to incidents, to patterns, and/or to the campus climate, all of which may be addressed and investigated in accordance with this policy.

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

- *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.
- *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.
- *Confidential Resource* means an employee who is not a Mandated Reporter of notice of harassment, discrimination, and/or retaliation (irrespective of Clery Act Campus Security Authority status).
- *Day* means a business day when Northland Pioneer College is in normal operation.
- *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.
- *Final Determination*: A conclusion by the standard of proof that the alleged conduct occurred and whether it did or did not violate policy.
- *Finding*: A conclusion by the standard of proof that the conduct did or did not occur as alleged.
- *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.
- *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).
- *Hearing Decision-maker or Panel* refers to those who have decision-making and sanctioning authority within Northland Pioneer College’s Formal Grievance process.
- *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.

- *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.^[2]
- *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.
- *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.
- *Parties* include the Complainant(s) and Respondent(s), collectively.
- *Process A* means the Formal Grievance Process detailed below and defined above.
- *Process B* means the informal alternative resolution procedure.
- *Recipient* means a postsecondary education program that is a recipient of federal funding.
- *Remedies* are post-finding actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to Northland Pioneer College's educational program.
- *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.
- *Resolution* means the result of an informal or Formal Grievance Process.
- *Sanction* means a consequence imposed by Northland Pioneer College on a Respondent who is found to have violated this policy.
- *Sexual Harassment* is the umbrella category including the offenses of sexual harassment, sexual assault, stalking, and dating violence and domestic violence. **See Section 17.b.**, for greater detail.
- *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.

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

4.0 Procedure

4.1 Title IX Coordinator

The Vice President for Learning and Student Services serves as the Title IX Coordinator and oversees implementation of Northland Pioneer College's policy on equal opportunity, harassment, and nondiscrimination. The Title IX Coordinator has the primary responsibility for coordinating Northland Pioneer College's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this policy.^[4]

4.2 Independence and Conflict-of-Interest

The Title IX Coordinator manages the Title IX Team and acts with independence and authority free from bias and conflicts of interest. The Title IX Coordinator oversees all resolutions under this policy and these procedures. The members of the Title IX Team are vetted and trained to ensure they are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally.

To raise any concern involving bias or conflict of interest by the Title IX Coordinator, contact Northland Pioneer College president at chato.hazebaker@npc.edu or (928) 524-7420. Concerns of bias or a potential conflict of interest by any other Title IX Team member should be raised with the Title IX Coordinator.

Reports of misconduct or discrimination committed by the Title IX Coordinator should be reported to Northland Pioneer College president at chato.hazebaker@npc.edu or (928) 524-7420 or designee. Reports of misconduct or discrimination committed by any other Title IX Team member should be reported to the Title IX Coordinator.

4.3 Administrative Contact Information

Complaints or notice of alleged policy violations, or inquiries about or concerns regarding this policy and procedures and about the application of Title IX, may be made internally to:

- **Dr. Michael Solomonson**
Vice President for Learning and Student Services
Title IX Coordinator
 Office of Vice President for Learning and Student Services
 Goldwater Building, Room 117, White Mountain Campus, Show Low
 (928) 532-6141
michael.solomonson@npc.edu
<https://www.npc.edu/title-ix/title-ix-team>

- **Nicole Ulibarri**
Director, 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
- **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

Northland Pioneer College has also classified all employees as Mandated Reporters of any knowledge they have that a member of the community is experiencing harassment, discrimination, and/or retaliation. The section below on Mandated Reporting details which employees have this responsibility and their duties, accordingly.

Inquiries may be made externally to:

- Office for Civil Rights (OCR)
 U.S. Department of Education
 400 Maryland Avenue, SW
 Washington, D.C. 20202-1100
 Customer Service Hotline #: (800) 421-3481
 Facsimile: (202) 453-6012
 TDD#: (877) 521-2172
 Email: OCR@ed.gov
 Web: <http://www.ed.gov/ocr>
- 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

For complaints involving employees: [Equal Employment Opportunity Commission](https://www.eeoc.gov/) (EEOC)

- Phoenix District Office
3300 North Central Avenue
Suite 690
Phoenix, AZ 85012-2504
1-800-669-4000
<https://www.eeoc.gov/field-office/phoenix/location>

4.4 Notice/Complaints of Discrimination, Harassment, and/or Retaliation

Notice or complaints of discrimination, harassment, and/or retaliation may be made by any person using any of the following options:

1) File a complaint with, or give verbal notice to, the Title IX Coordinator or deputies:

- **Dr. Michael Solomonson**
Vice President for Learning and Student Services
Title IX Coordinator
Office of Vice President for Learning and Student Services
Goldwater Building, Room 117, White Mountain Campus, Show Low
(928) 532-6141
michael.solomonson@npc.edu
<https://www.npc.edu/title-ix/title-ix-team>
- **Nicole Ulibarri**
Director, 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
- **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

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 for the Title IX Coordinator or any other official listed.

2) Report online, using the reporting form posted at <https://www.npc.edu/title-ix>. Anonymous reports are accepted and can give rise to a need to investigate. Northland Pioneer College tries to provide supportive measures to all Complainants, which may be impossible with an anonymous report. Because reporting carries no obligation to initiate a formal response, and as Northland Pioneer College respects Complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of privacy by making a report that allows Northland Pioneer College to discuss and/or provide supportive measures.

3) Report to any supervisor or instructor.

A Formal Complaint means a document filed/signed by the Complainant or signed by the Title IX Coordinator alleging a policy violation by a Respondent and requesting that Northland Pioneer College investigate the allegation(s). A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information in the section immediately above, or as described in this section. As used in this paragraph, the phrase “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by Northland Pioneer College) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the complaint.

If notice is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the Complainant to ensure that it is filed correctly.

4.5 Supportive Measures

Northland Pioneer College will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged harassment, discrimination, and/or retaliation.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to Northland Pioneer College’s education program or activity, including measures designed to protect the safety of all parties or Northland Pioneer College’s educational environment, and/or deter harassment, discrimination, and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, Northland Pioneer College will inform the Complainant, in writing, that they may file a formal complaint with Northland Pioneer College either at that time or in the future, if they have not done so already. The Title IX Coordinator works with the Complainant to ensure that their wishes are taken into account with respect to the supportive measures that are planned and implemented.

Northland Pioneer College will maintain the privacy of the supportive measures, provided that privacy does not impair Northland Pioneer College’s ability to provide the supportive measures. Northland Pioneer College will act to ensure as minimal an academic impact on the parties as

possible. Northland Pioneer College will implement measures in a way that does not unreasonably burden the other party.

These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to the Employee Assistance Program
- Referral to community-based service providers
- Visa and immigration assistance
- Student financial aid counseling
- Education to the community or community subgroup(s)
- Altering campus housing assignment(s)
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation accommodations
- Implementing contact limitations (no contact orders) between the parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Trespass, Persona Non Grata (PNG), or Be-On-the-Lookout (BOLO) orders
- [Timely warnings](#)
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator

Violations of no contact orders will be referred to appropriate student or employee conduct processes for enforcement.

4.6 Emergency Removal

Northland Pioneer College can act to remove a Respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. This risk analysis is performed by the Title IX Coordinator in conjunction with the CARE Team using its standard objective violence risk assessment procedures.

In all cases in which an emergency removal is imposed, the student, employee, or two (2) representatives from a student organization will be given notice of the action and the option to request to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. When this meeting is not requested in a timely manner, objections to the emergency removal will be

deemed waived. A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it is equitable to do so. This section also applies to any restrictions that a coach or athletic administrator may place on a student-athlete arising from allegations related to Title IX. There is no appeal process for emergency removal decisions.

A Respondent may be accompanied by an Advisor of their choice when meeting with the Title IX Coordinator for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator has sole discretion under this policy to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline, which may include expulsion or termination.

Northland Pioneer College will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Title IX Coordinator, these actions could include, but are not limited to: removing a student from a residence hall, temporarily re-assigning an employee, restricting a student's or employee's access to or use of facilities or equipment, allowing a student to withdraw or take grades of incomplete without financial penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural athletics.

At the discretion of the Title IX Coordinator, alternative coursework options may be pursued to ensure as minimal an academic impact as possible on the parties.

4.7 Promptness

All allegations are acted upon promptly by Northland Pioneer College once it has received notice or a formal complaint. Complaints can take 60-90 business days to resolve, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but Northland Pioneer College will avoid all undue delays within its control.

Any time the general timeframes for resolution outlined in Northland Pioneer College procedures will be delayed, Northland Pioneer College will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

4.8 Privacy

Every effort is made by Northland Pioneer College to preserve the privacy of reports.^[5]

Northland Pioneer College will not share the identity of any individual who has made a report or complaint of harassment, discrimination, or retaliation; any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g;

FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these policies and procedures.

Northland Pioneer College reserves the right to designate which College officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Only a small group of officials who need to know will typically be told about the complaint, including but not limited to: CARE Team and Human Resources. Information will be shared as necessary with Investigators, Hearing Panel members/Decision-makers, witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.

Northland Pioneer College may contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk, but will usually consult with the student first before doing so.

Confidentiality and mandated reporting are addressed more specifically in **Section 17.b.19 Mandated Reporting**.

4.9 Jurisdiction of Northland Pioneer College

This policy applies to the education program and activities of Northland Pioneer College, to conduct that takes place on the campus or on property owned or controlled by Northland Pioneer College, at Northland Pioneer College-sponsored events, or in buildings owned or controlled by Northland Pioneer College's recognized student organizations. The Respondent must be a member of Northland Pioneer College's community in order for its policies to apply.

This policy can also be applicable to the effects of off-campus misconduct that effectively deprive someone of access to Northland Pioneer College's educational program. Northland Pioneer College may also extend jurisdiction to off-campus and/or to online conduct when the Title IX Coordinator determines that the conduct affects a substantial Northland Pioneer College interest.

Regardless of where the conduct occurred, Northland Pioneer College will address notice/complaints to determine whether the conduct occurred in the context of its employment or educational program or activity and/or has continuing effects on campus or in an off-campus sponsored program or activity. A substantial Northland Pioneer College interest includes:

- (a) Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law;
- (b) Any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student or other individual;
- (c) Any situation that significantly impinges upon the rights, property, or achievements of oneself or others or significantly breaches the peace and/or causes social disorder; and/or

- (d) Any situation that is detrimental to the educational interests or mission of Northland Pioneer College.

If the Respondent is unknown or is not a member of the Northland Pioneer College community, the Title IX Coordinator will assist the Complainant in identifying appropriate campus and local resources and support options and/or, when criminal conduct is alleged, in contacting local or campus law enforcement if the individual would like to file a police report.

Further, even when the Respondent is not a member of the Northland Pioneer College's community, supportive measures, remedies, and resources may be accessible to the Complainant by contacting the Title IX Coordinator.

In addition, Northland Pioneer College may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from Northland Pioneer College property and/or events.

All vendors serving Northland Pioneer College through third-party contracts are subject to the policies and procedures of their employers or to these policies and procedures to which their employer has agreed to be bound by their contracts.

When the Respondent is enrolled in or employed by another institution, the Title IX Coordinator can assist the Complainant in liaising with the appropriate individual at that institution, as it may be possible to allege violations through that institution's policies.

Similarly, the Title IX Coordinator may be able to advocate for a student or employee Complainant who experiences discrimination in an externship, study abroad program, or other environment external to Northland Pioneer College where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give recourse to the Complainant.

4.10 Time Limits on Reporting

There is no time limitation on providing notice/complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to Northland Pioneer College's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

Acting on notice/complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the Title IX Coordinator, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

When notice/complaint is affected by significant time delay, Northland Pioneer College will typically apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of notice/complaint.

4.11 Online Harassment and Misconduct

The policies of Northland Pioneer College are written and interpreted broadly to include online and cyber manifestations of any of the behaviors prohibited below, when those behaviors occur in or have an effect on Northland Pioneer College's education program and activities or use Northland Pioneer College networks, technology, or equipment.

While Northland Pioneer College may not control websites, social media, and other venues in which harassing communications are made, when such communications are reported to Northland Pioneer College, it will engage in a variety of means to address and mitigate the effects.

Members of the community are encouraged to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content via Snaps or other social media, unwelcome sexting, revenge porn, breaches of privacy, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of Northland Pioneer College community.

Any online postings or other electronic communication by students, including cyber-bullying, cyber-stalking, cyber-harassment, etc., occurring completely outside of Northland Pioneer College's control (e.g., not on Northland Pioneer College networks, websites, or between Northland Pioneer College email accounts) will only be subject to this policy when such online conduct can be shown to cause a substantial in-program disruption.

Otherwise, such communications are considered speech protected by the First Amendment. Supportive measures for Complainants will be provided, but protected speech cannot legally be subjected to discipline.

Off-campus harassing speech by employees, whether online or in person, may be regulated by Northland Pioneer College only when such speech is made in an employee's official or work-related capacity.

4.12 Policy on Nondiscrimination

Northland Pioneer College adheres to all federal and state civil rights laws and regulations prohibiting discrimination in public institutions of higher education.

Northland Pioneer College does not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of:

- Race,
- Religion,
- Hearing status,
- Personal appearance,
- Color,
- Sex,

- Pregnancy,
- Political affiliation,
- Source of income,
- Place of business,
- Residence,
- Religion,
- Creed,
- Ethnicity,
- National origin (including ancestry),
- Citizenship status,
- Physical or mental disability (including perceived disability),
- Age,
- Marital status,
- Family responsibilities,
- Sexual orientation,
- Gender identity,
- Gender expression,
- Veteran or military status (including disabled veteran, recently separated veteran, active duty wartime or campaign badge veteran, and Armed Forces Service Medal veteran),
- Predisposing genetic characteristics,
- Domestic violence victim status,
- Height,
- Weight
- or any other protected category under applicable local, state, or federal law, including protections for those opposing discrimination or participating in any grievance process on campus, with the Equal Employment Opportunity Commission, or other human rights agencies.

This policy covers nondiscrimination in both employment and access to educational opportunities. Therefore, any member of the Northland Pioneer College community whose acts deny, deprive, or limit the educational or employment or residential and/or social access, benefits, and/or opportunities of any member of the Northland Pioneer College community, guest, or visitor on the basis of that person's actual or perceived membership in the protected classes listed above is in violation of Northland Pioneer College policy on nondiscrimination.

When brought to the attention of Northland Pioneer College, any such discrimination will be promptly and fairly addressed and remedied by Northland Pioneer College according to the appropriate grievance process described below.

4.13 Policy on Disability Discrimination and Accommodation

Northland Pioneer College is committed to full compliance with the Americans With Disabilities Act of 1990 (ADA), as amended, and Section 504 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified persons with disabilities, as well as other federal and state laws and regulations pertaining to individuals with disabilities.

Under the ADA and its amendments, a person has a disability if they have a physical or mental impairment that substantially limits a major life activity.

The ADA also protects individuals who have a record of a substantially limiting impairment or who are regarded as disabled by Northland Pioneer College, regardless of whether they currently have a disability. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, or caring for oneself.

The Chief Human Resources Officer has been designated as Northland Pioneer College's ADA/504 Coordinator responsible for overseeing efforts to comply with these disability laws, including responding to grievances and conducting investigations of any allegation of noncompliance or discrimination based on disability.

Grievances related to disability status and/or accommodations will be addressed using the procedures below. For details relating to disability accommodations in Northland Pioneer College's resolution process, see [Procedure 2110](#).

a. Students with Disabilities

Northland Pioneer College is committed to providing qualified students with disabilities with reasonable accommodations and support needed to ensure equal access to the academic programs, facilities, and activities of Northland Pioneer College.

All accommodations are made on an individualized basis. A student requesting any accommodation should first contact the Office of Accessibility and Inclusion Coordinator, who coordinates services for students with disabilities.

Office of Accessibility and Inclusion Coordinator reviews documentation provided by the student and, in consultation with the student, determines which accommodations are appropriate for the student's particular needs and academic program(s).

b. Employees with Disabilities

Pursuant to the ADA, Northland Pioneer College will provide reasonable accommodation(s) to all qualified employees when they are unable to perform their essential job functions, except when doing so would be unduly disruptive or would result in undue hardship to Northland Pioneer College.

An employee with a disability is responsible for submitting a request for an accommodation to the ADA/504 Coordinator and providing necessary documentation. The ADA/504 Coordinator will work with the employee's supervisor to identify which essential functions of the position are affected by the employee's disability and what reasonable accommodations could enable the employee to perform those duties.

4.14 Policy on Discriminatory Harassment

Students, staff, administrators, and faculty are entitled to an employment and educational environment that is free of discriminatory harassment. Northland Pioneer College's harassment policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane but controversial or sensitive subject matters protected by academic freedom.

The sections below describe the specific forms of legally prohibited harassment that are also prohibited under Northland Pioneer College policy. When speech or conduct is protected by academic freedom and/or the First Amendment, it will not be considered a violation of Northland Pioneer College policy, though supportive measures will be offered to those impacted.

a. Discriminatory Harassment

Discriminatory harassment constitutes a form of discrimination that is prohibited by Northland Pioneer College policy. Discriminatory harassment is defined as unwelcome conduct by any member or group of the community on the basis of actual or perceived membership in a class protected by policy or law.

Northland Pioneer College does not tolerate discriminatory harassment of any employee, student, visitor, or guest. Northland Pioneer College will act to remedy all forms of harassment when reported, whether or not the harassment rises to the level of creating a "hostile environment."

A hostile environment is one that unreasonably interferes with, limits, or effectively denies an individual's educational or employment access, benefits, or opportunities.^[6] This discriminatory effect results from harassing verbal, written, graphic, or physical conduct that is severe or pervasive *and* objectively offensive.

When discriminatory harassment rises to the level of creating a hostile environment, Northland Pioneer College may also impose sanctions on the Respondent through application of the appropriate grievance process below.

Northland Pioneer College reserves the right to address offensive conduct and/or harassment that 1) does not rise to the level of creating a hostile environment, or 2) that is of a generic nature and not based on a protected status. Addressing such conduct will not result in the imposition of discipline under Northland Pioneer College policy, but may be addressed through respectful conversation, remedial actions, education, effective Alternate Resolution, and/or other informal resolution mechanisms.

For assistance with Alternate Resolution and other informal resolution techniques and approaches, employees should contact the Chief Human Resources Officer, and students should contact the Director of Student Services.

b. Sexual Harassment

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the State of Arizona regard Sexual Harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice.

Northland Pioneer College has adopted the following definition of Sexual Harassment in order to address the unique environment of an academic community, which consists not only of employer and employees, but of students as well.

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Sexual Harassment, as an umbrella category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, and is defined as:

Conduct on the basis of sex that satisfies one or more of the following:

1. Quid Pro Quo:
 - a. an employee of Northland Pioneer College,
 - b. conditions the provision of an aid, benefit, or service of Northland Pioneer College,
 - c. on an individual's participation in unwelcome sexual conduct; and/or
2. Sexual Harassment:
 - a. unwelcome conduct,
 - b. determined by a reasonable person,
 - c. to be so severe, and,
 - d. pervasive, and,
 - e. objectively offensive,
 - f. that it effectively denies a person equal access to Northland Pioneer College's education program or activity.¹⁷¹
3. Sexual assault, defined as:
 - (a) Sex Offenses, Forcible:
 - i) Any sexual act directed against another person,
 - ii) without the consent of the Complainant,
 - iii) including instances in which the Complainant is incapable of giving consent.
 - (b) Forcible Rape:
 - i) Penetration,
 - ii) no matter how slight,
 - iii) of the vagina or anus with any body part or object,
 - iv) or oral penetration by a sex organ of another person,
 - v) without the consent of the Complainant.
 - (c) Forcible Sodomy:
 - i) Oral or anal sexual intercourse with another person,
 - ii) forcibly,
 - iii) and/or against that person's will (non-consensually), or

- iv) not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age¹⁸¹ or because of temporary or permanent mental or physical incapacity.
- (d) Sexual Assault with an Object:
 - i) The use of an object or instrument to penetrate,
 - ii) however slightly,
 - iii) the genital or anal opening of the body of another person,
 - iv) forcibly,
 - v) and/or against that person's will (non-consensually),
 - vi) or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- (e) Forcible Fondling:
 - i) The touching of the private body parts of another person (buttocks, groin, breasts),
 - ii) for the purpose of sexual gratification,
 - iii) forcibly,
 - iv) and/or against that person's will (non-consensually),
 - v) or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- (f) Sex Offenses, Non-forcible:
 - i) Incest:
 - 1) Non-forcible sexual intercourse,
 - 2) between persons who are related to each other,
 - 3) within the degrees wherein marriage is prohibited by Arizona law.&
 - ii) Statutory Rape:
 - 1) Non-forcible sexual intercourse,
 - 2) with a person who is under the statutory age of consent of eighteen (18).

4. Dating Violence, defined as:

- a) violence,
- b) on the basis of sex,
- c) committed by a person,
- d) who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
 - i) The existence of such a relationship shall be determined based on the Complainant'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. For the purposes of this definition—
 - ii) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - iii) Dating violence does not include acts covered under the definition of domestic violence.

5. Domestic Violence, defined as:

- a) violence,
 - b) on the basis of sex,
 - c) committed by a current or former spouse or intimate partner of the Complainant,
 - d) by a person with whom the Complainant shares a child in common, or
 - e) by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner,
 - f) or by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Arizona,
 - g) or by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Arizona.
- *To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

6. Stalking, defined as:

- a) engaging in a course of conduct,
- b) on the basis of sex,
- c) directed at a specific person,
 - i. that would cause a reasonable person to fear for the person's safety, or
 - ii. the safety of others; or
 - iii. Suffer substantial emotional distress.
- *For the purposes of this definition—*
 - (i) Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
 - (ii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
 - (iii) Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

EXPECTATIONS REGARDING UNETHICAL RELATIONSHIPS

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as faculty member and student or supervisor and employee). These relationships may, in reality, be less consensual than perceived by the individual whose position confers power or authority. Similarly, the relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Circumstances may change, and conduct that was once welcome may, at some point in the relationship, become unwelcome.

Even when both parties have initially consented to romantic or sexual involvement, the possibility of a later allegation of a relevant Policy violation still exists. Northland Pioneer

College does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of Northland Pioneer College. However, for the personal protection of members of this community, relationships in which power differentials are inherent (e.g., faculty-student, staff-student) are generally discouraged. They may also violate standards of professionalism and/or professional ethics.

Consensual romantic or sexual relationships in which one party maintains a direct supervisory or otherwise evaluative role over the other party are inherently problematic. Therefore, persons with direct supervisory or otherwise evaluative responsibilities who are involved in such relationships must bring these relationships to the timely attention of their supervisor and/or the Title IX Coordinator. The existence of this type of relationship will likely result in removing the supervisory or evaluative responsibilities from the employee or shifting a party from being supervised or evaluated by someone with whom they have established a consensual relationship. When an affected relationship existed prior to adoption of this policy, the duty to notify the appropriate supervisor still pertains.

This type of relationship includes Housing Advisors (HAs) and students over whom the HA has direct responsibility. While no relationships are prohibited by this policy, failure to timely self-report such relationships to a supervisor as required can result in disciplinary action for an employee. The Title IX Coordinator will determine whether to refer violations of this provision to Human Resources for resolution, or to pursue resolution under this Policy, based on the circumstances of the allegation.

Northland Pioneer College reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any offense under this policy.

c. Force, Coercion, Consent, and Incapacitation^[9]

As used in the offenses above, the following definitions and understandings apply:

Force: Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., “Have sex with me or I’ll hit you,” “Okay, don’t hit me, I’ll do what you want.”).

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

Coercion: Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Consent is:

- knowing, and
- voluntary, and
- clear permission
- by word or action
- to engage in sexual activity.

Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain *their* consent to being kissed back.

Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonable time.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on Northland Pioneer College to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

Consent in relationships must also be considered in context. When parties consent to BDSM^[10] or other forms of kink, non-consent may be shown by the use of a safe word. Resistance, force, violence, or even saying “no” may be part of the kink and thus consensual, so Northland Pioneer College’s evaluation of communication in kink situations should be guided by reasonableness, rather than strict adherence to policy that assumes non-kink relationships as a default.

Incapacitation: A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. As stated above, a Respondent violates this policy if they engage in sexual activity with someone who is incapable of giving consent.

It is a defense to a sexual assault policy violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. “Should have known” is an objective, reasonable person standard which assumes that a reasonable person is both sober and exercising sound judgment.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why, or how” of their sexual interaction).

Incapacitation is determined through consideration of all relevant indicators of an individual’s state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

This policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs.

d. Other Civil Rights Offenses

In addition to the forms of sexual harassment described above, which fall within the coverage of Title IX, Northland Pioneer College additionally prohibits the following offenses as forms of discrimination outside of Title IX when the act is based upon the Complainant’s actual or perceived membership in a protected class.

- Sexual Exploitation, defined as: taking non-consensual or abusive sexual advantage of another for their own benefit or for the benefit of anyone other than the person being exploited, and that conduct does not otherwise constitute sexual harassment under this policy. Examples of Sexual Exploitation include, but are not limited to:
 - Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
 - Invasion of sexual privacy.
 - Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually-related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person’s consent), including the making or posting of revenge pornography
 - Prostituting another person
 - Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually-transmitted disease (STD) or infection (STI), without informing the other person of the infection
 - Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person’s ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity

- Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections
 - Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity
 - Knowingly soliciting a minor for sexual activity
 - Engaging in sex trafficking
 - Creation, possession, or dissemination of child pornography
- Threatening or causing physical harm, extreme verbal, emotional, or psychological abuse, or other conduct which threatens or endangers the health or safety of any person;
 - Discrimination, defined as actions that deprive, limit, or deny other members of the community of educational or employment access, benefits, or opportunities;
 - Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
 - Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the Northland Pioneer College community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy);
 - Bullying, defined as:
 - Repeated and/or severe
 - aggressive behavior
 - likely to intimidate or intentionally hurt, control, or diminish another person, physically and/or mentally
 - that is not speech or conduct otherwise protected by the First Amendment.

Violation of any other Northland Pioneer College policies may constitute a Civil Rights Offense when a violation is motivated by actual or perceived membership in a protected class, and the result is a discriminatory limitation or denial of employment or educational access, benefits, or opportunities.

Sanctions for the above-listed Civil Rights Offenses range from reprimand through expulsion/termination.

4.15 Retaliation

Protected activity under this policy includes reporting an incident that may implicate this policy, participating in the grievance process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation of this Policy.

Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. Northland Pioneer College is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

It is prohibited for Northland Pioneer College or any member of Northland Pioneer College's community to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.

The exercise of rights protected under the First Amendment does not constitute retaliation.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy and procedure does not constitute retaliation, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith.

4.16 Mandated Reporting

All Northland Pioneer College employees (faculty, staff, administrators) are expected to report actual or suspected discrimination or harassment to appropriate officials immediately, though there are some limited exceptions.

In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality and are not required to report actual or suspected discrimination or harassment. They may offer options and resources without any obligation to inform an outside agency or campus official unless a Complainant has requested the information be shared.

If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report crimes and/or policy violations, and these employees will immediately pass reports to the Title IX Coordinator (and/or police, if desired by the Complainant), who will take action when an incident is reported to them.

The following sections describe the reporting options at Northland Pioneer College for a Complainant or third-party (including parents/guardians when appropriate):

a. Confidential Resources

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with:

- Off-campus (non-employees):

- Licensed professional counselors and other medical providers
- Local rape crisis counselors
- Domestic violence resources
- Local or state assistance agencies
- Clergy/Chaplains
- Attorneys

All of the above-listed individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, and/or professional credentials, except in extreme cases of immediacy of threat or danger or abuse of a minor/elder/individual with a disability, or when required to disclose by law or court order.

Northland Pioneer College employees who are confidential will timely submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client, patient, or parishioner.

b. Anonymous Notice to Mandated Reporters

At the request of a Complainant, notice may be given by a Mandated Reporter to the Title IX Coordinator anonymously, without identification of the Complainant. The Mandated Reporter cannot remain anonymous themselves.

If a Complainant has requested that a Mandated Reporter maintain the Complainant's anonymity, the Mandated Reporter may do so unless it is reasonable to believe that a compelling threat to health or safety could exist. The Mandated Reporter can consult with the Title IX Coordinator on that assessment without revealing personally identifiable information.

Anonymous notice will be investigated by Northland Pioneer College to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures or remedies can be provided.

However, anonymous notice typically limits Northland Pioneer College's ability to investigate, respond, and provide remedies, depending on what information is shared.

When a Complainant has made a request for anonymity, the Complainant's personally identifiable information may be withheld by a Mandated Reporter, but all other details must be shared with the Title IX Coordinator. Mandated reporters may not be able to maintain requests for anonymity for Complainants who are minors, elderly, and/or disabled, depending on state reporting of abuse requirements.

c. Mandated Reporters and Formal Notice/Complaints

All employees of Northland Pioneer College (including student employees), with the exception of those who are designated as Confidential Resources, are Mandated Reporters and must promptly share with the Title IX Coordinator all known details of a report made to them in the course of their employment.

Employees must also promptly share all details of behaviors under this policy that they observe or have knowledge of, even if not reported to them by a Complainant or third-party.

Complainants may want to carefully consider whether they share personally identifiable details with non-confidential Mandated Reporters, as those details must be shared with the Title IX Coordinator.

Generally, disclosures in climate surveys, classroom writing assignments or discussions, human subjects research, or at events such as “Take Back the Night” marches or speak-outs do not provide notice that must be reported to the Coordinator by employees, unless the Complainant clearly indicates that they desire a report to be made or a seek a specific response from Northland Pioneer College.

Supportive measures may be offered as the result of such disclosures without formal Northland Pioneer College action.

Failure of a Mandated Reporter, as described above in this section, to report an incident of harassment or discrimination of which they become aware is a violation of Northland Pioneer College policy and can be subject to disciplinary action for failure to comply.

Though this may seem obvious, when a Mandated Reporter is engaged in harassment or other violations of this policy, they still have a duty to report their own misconduct, though Northland Pioneer College is technically not on notice when a harasser is also a Mandated Reporter unless the harasser does in fact report themselves.

Finally, it is important to clarify that a Mandated Reporter who is themselves a target of harassment or other misconduct under this policy is not required to report their own experience, though they are, of course, encouraged to do so.

4.17 When a Complainant Does Not Wish to Proceed

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal complaint to be pursued, they may make such a request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and to comply with state or federal law.

The Title IX Coordinator has ultimate discretion over whether Northland Pioneer College proceeds when the Complainant does not wish to do so, and the Title IX Coordinator may sign a formal complaint to initiate a grievance process upon completion of an appropriate violence risk assessment.

The Title IX Coordinator’s decision should be based on results of the violence risk assessment that show a compelling risk to health and/or safety that requires Northland Pioneer College to pursue formal action to protect the community.

A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. Northland Pioneer Colleges may be compelled to act on alleged employee misconduct irrespective of a Complainant's wishes.

The Title IX Coordinator must also consider the effect that non-participation by the Complainant may have on the availability of evidence and Northland Pioneer College's ability to pursue a Formal Grievance Process fairly and effectively.

When the Title IX Coordinator executes the written complaint, they do not become the Complainant. The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this policy.

When Northland Pioneer College proceeds, the Complainant (or their Advisor) may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this Policy irrespective of their level of participation. Typically, when the Complainant chooses not to participate, the Advisor may be appointed as proxy for the Complainant throughout the process, acting to ensure and protect the rights of the Complainant.

Note that Northland Pioneer College's ability to remedy and respond to notice may be limited if the Complainant does not want Northland Pioneer College to proceed with an investigation and/or grievance process. The goal is to provide the Complainant with as much control over the process as possible, while balancing Northland Pioneer College's obligation to protect its community.

In cases in which the Complainant requests confidentiality/no formal action and the circumstances allow Northland Pioneer College to honor that request, Northland Pioneer College will offer informal resolution options (see Procedure 2110), supportive measures, and remedies to the Complainant and the community, but will not otherwise pursue formal action.

If the Complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, a Complainant has the right, and can expect, to have allegations taken seriously by Northland Pioneer College, and to have the incidents investigated and properly resolved through these procedures.

4.18 Federal Timely Warning Obligations

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Clery Act, Northland Pioneer College must issue timely warnings for incidents reported to them that pose a serious or continuing threat of bodily harm or danger to members of the campus community.

Northland Pioneer College will ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

4.19 False Allegations and Evidence

Deliberately false and/or malicious accusations under this policy, as opposed to allegations which, even if erroneous, are made in good faith, are a serious offense and will be subject to appropriate disciplinary action.

Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence after being directed to preserve such evidence, or deliberately misleading an official conducting an investigation can be subject to discipline under Northland Pioneer College policy.

4.20 Amnesty for Complainants and Witnesses

Northland Pioneer College community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report to Northland Pioneer College officials or participate in grievance processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of Northland Pioneer College community that Complainants choose to report misconduct to Northland Pioneer College officials, that witnesses come forward to share what they know, and that all parties be forthcoming during the process.

To encourage reporting and participation in the process, Northland Pioneer College maintains a policy of offering parties and witnesses amnesty from minor policy violations – such as underage consumption of alcohol or the use of illicit drugs – related to the incident.

Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution. The decision not to offer amnesty to a Respondent is based on neither sex nor gender, but on the fact that collateral misconduct is typically addressed for all students within a progressive discipline system, and the rationale for amnesty – the incentive to report serious misconduct – is rarely applicable to Respondent with respect to a Complainant.

Students: Sometimes, students are hesitant to assist others for fear that they may get in trouble themselves (for example, an underage student who has been drinking or using marijuana might hesitate to help take an individual who has experienced sexual misconduct to Campus Security).

Northland Pioneer College maintains a policy of amnesty for students who offer help to others in need. While policy violations cannot be overlooked, Northland Pioneer College may provide purely educational options with no official disciplinary finding, rather than punitive sanctions, to those who offer their assistance to others in need.

Employees: Sometimes, employees are hesitant to report harassment or discrimination they have experienced for fear that they may get in trouble themselves. For example, an employee who has

violated the consensual relationship policy and is then assaulted in the course of that relationship might hesitate to report the incident to Northland Pioneer College officials.

Northland Pioneer College may, at its discretion, offer employee Complainants amnesty from such policy violations (typically more minor policy violations) related to the incident. Amnesty may also be granted to Respondents and witnesses on a case-by-case basis.

4.21 Federal Statistical Reporting Obligations

Certain campus officials – those deemed Campus Security Authorities – have a duty to report the following for federal statistical reporting purposes (Clery Act):

- (a) All “primary crimes,” which include homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson;
- (b) Hate crimes, which include any bias motivated primary crime as well as any bias motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property;
- (c) VAWA^[1] - based crimes, which include sexual assault, domestic violence, dating violence, and stalking; and
- (d) Arrests and referrals for disciplinary action for weapons-related law violations, liquor-related law violations, and drug abuse-related law violations.

All personally identifiable information is kept private, but statistical information must be passed along to the Clery Administrator regarding the type of incident and its general location (on or off-campus or in the surrounding area, but no addresses are given) for publication in the Annual Security Report and daily campus crime log.

Campus Security Authorities include: student affairs/student conduct staff, campus security, local police, coaches, housing staff, student activities staff, human resources staff, advisors to student organizations, and any other official with significant responsibility for student and campus activities.

(Revised 10/19/2021)

Policy 1107 Geographical Locations of Campuses and Centers

The current campus locations are:

- The Little Colorado Campus includes Winslow and surrounding area.
- The Painted Desert Campus includes the Holbrook, Joseph City, Woodruff, and the Sun Valley areas.
- The Silver Creek Campus includes Snowflake, Taylor, and surrounding areas.
- The White Mountain Campus includes Show Low, Lakeside, Pinetop, and surrounding areas.

The current centers are:

- Whiteriver Center includes Whiteriver, Cibecue, and all adjacent White Mountain Apache Reservation communities.
- Hopi Center includes all of the Hopi communities and those Navajo reservation communities adjacent to the Hopi reservation.
- Kayenta Center includes all those areas adjacent to the Kayenta Township.
- St. Johns Center.
- Springerville/Eagar Center.

All other course sites encompass the communities that they are located in and offerings are limited to specific requests and by available facilities and staff.

(Reviewed only 2/19/19)

Policy 1110 Community Relations

The college is committed to building within its constituency the feeling that the college serves them and that the programs and services offered are in concert with community needs.

(Reviewed only 2/19/19)

Policy 1115 Procedures Development, Adoption and Implementation

The president has the authority to develop and implement procedures as determined by policy required to create and maintain effective and efficient programs and services for the operation of the college. The president has the authority for the adoption and implementation of procedures to administer the college, with an opportunity for review by others. Proposed procedures shall be submitted to legal counsel for review when deemed necessary.

Review by others requires notice and an opportunity for comment. The review process for new or modified procedures may vary, depending on the employees or employee groups that are affected. Options for review include, but are not limited to, all-college meetings, NPC Faculty Association, Classified and Administrative Staff Organization, and all-NPC email. Certain procedures may affect only several departments, limiting their review audience. Prior to approval, sufficient time must be provided for employees to comment regarding the proposed procedure. One week shall be deemed the minimum sufficient time for review and comment, barring unusual circumstances or an emergency.

The final decision regarding procedure approval and adoption is solely that of the president.

(Reviewed only 2/19/19)

Policy 1120 Emergency Cessation of Operations

In the event of an emergency, the president, or designee, has the authority to temporarily cease the operation of the college or any delivery site.

(Reviewed only 2/19/19)

Policy 1125 Surplus Property Representatives

The president, Chief Business Officer, and/or designee are the college's representatives to the State Surplus Property Division of the Department of Administration.

(Reviewed only 2/19/19)

Policy 1134 Tuition Waivers for Arizona National Guard Members

In accordance with A.R.S. §15-1808, the president, or designee is authorized to provide tuition waivers for Arizona National Guard members who received a Purple Heart citation on or after September 11, 2001 or who were medically discharged due to an injury or disability suffered while serving under certain conditions.

(Reviewed only 2/19/19)

Policy 1135 Tuition Waivers for Survivors of Arizona Public Safety Personnel

In accordance with A.R.S. §15-1808, the president, or designee, is authorized to provide tuition waivers to survivors of Arizona peace officers, correctional officers, fire fighters, emergency paramedics and National Guard members who were killed in the line of duty.

(Reviewed only 2/19/19)

Policy 1136 All Other Tuition Waivers

The president, or designee, is authorized to provide tuition and media fee waivers to college employees, district governing board members, and retirees with meritorious service recognition as deemed appropriate, and with the best interests of the college in mind.

(Revised 5/19/20)

Policy 1137 College Property

The president, or designee, is responsible for the establishment of procedures for the security of property, use of vehicles, and disposal of property.

(Reviewed only 2/19/19)

Policy 1138 Technology Resources

Overview

Northland Pioneer College's (college) Technology Advancement and Support division (TAS) is

committed to providing a secure yet open network that protects the integrity and confidentiality of information resources while maintaining their accessibility. This policy recognizes and establishes a model that will be followed by the college for creating TAS procedures.

Policy

The president, or designee, is authorized to develop procedures for the security, use and control of college technology resources.

The Chief Information Officer (CIO) shall establish technology procedures, and best practices for the college's technology infrastructure in order to secure all Information Technology (IT) assets and promote the most efficient use of technology resources. All TAS policies and procedures will be based on this policy. All procedures will be reviewed at a minimum of an annual basis (every September) and updated when necessary.

The CIO will report to the President's Cabinet and the District Governing Board on the status of the college's technology policies and procedures as needed.

All operating units within the college that use information technology are responsible for:

1. Adhering to the IT policies and procedures.
2. Promoting IT policy and procedure adherence.
3. Complying with the requirements of the IT governance model adopted by the college.
4. Preventing unauthorized access to college information, personal files, and e-mail.
5. Informing the CIO if there are any problems with a policy/procedure or if inputs from other sources do not comply with the defined policies approved by the Board.

(Reviewed only 2/19/19)

Policy 1150 Copyrighted Material

Illegal reproduction of copyrighted material on college machines and equipment is prohibited. Violation of this policy may lead to disciplinary action.

(Reviewed only 2/19/19)

Policy 1160 Intoxicants or Narcotics

No employee, student, or visitor may possess or bring on to any college-owned or controlled property or facilities or to any off-campus activity any intoxicant, alcoholic beverage, illegal drug, hallucinogen or narcotic, dangerous drug, prescription drug without prescription, steroids, except possession by an instructor for the express purpose of laboratory experimentation and education purposes within statutory limits. If used for experimentation, it must be done under the strict supervision and with the full knowledge and support of the administration. Violation of this policy may lead to disciplinary action.

(Reviewed only 2/19/19)

Policy 1170 Intellectual Property

Northland Pioneer College is committed to encouraging innovation, creativity, and the development of intellectual property by all employees of the institution.

(Reviewed only 2/19/19)

Policy 1180 Course Material

The president, or designee, is responsible for the establishment of procedures for course material selection and adoption.

(Reviewed only 2/19/19)

Policy 1215 Changes in Administrative Organization

The president shall inform the District Governing Board of significant changes in the administrative organization of the college.

(Reviewed only 3/19/19)

Policy 1219 Standards of Conduct

The president, or designee, shall establish a procedure for compliance with 2 C.F.R. Part 200, §200.318(c)(1) (*General procurement standards*) governing the actions of all public officers and employees engaged in the selection, award and administration of contracts.

(New 01/15/19)

Policy 1220 Conflict of Interest

The president, or designee, shall establish a procedure for compliance with A.R.S. §38-503 requiring all public officers and employees to report conflict of interest in any contract, sale, purchase, or service to the college.

(Reviewed only 3/19/19)

Policy 1221 Third Party Representation

Employees of the college will not represent any third party (private or governmental) in any dealings with the college.

Employees who have a financial interest as an investor, employee, or owner in any company or governmental unit that does business with the college will immediately advise the Vice President for Administrative Services, via the Human Resources Office, of such interest. (Employees with

financial interest will include immediate family members who are an investor, employee, or owner.)

Employees who have such interest will not participate in any transaction with the third party on the part of the college.

(Revised 3/19/19)

Policy 1225 Use of and Conduct on Properties

The president, or designee, is authorized to develop procedures governing the use of and conduct upon the properties of the college pursuant to ARS §13-2911.

(Reviewed only 3/19/19)

Policy 1235 Records Retention

The president, or designee, is authorized to establish procedures for the reproduction and/or destruction of all college records in compliance with Federal and State statutes and the Records Retention and Disposition for Arizona Community Colleges and Districts as developed by the Arizona State Library, Archives and Public Records--Records Management Division.

(Reviewed only 3/19/19)

Policy 1240 Fund Raising

Any fund raising on behalf of the college (annual ongoing programs, special one-time events, capital campaigns, etc.) must be approved by the president.

(Reviewed only 3/19/19)

Policy 1245 Annual Report

The president shall submit to the Board and the Arizona Community College Association a "President's Annual Report" in accordance with provisions of A.R.S. §15-1427.

(Reviewed only 3/19/19)

Policy 1280 Official Function

In accordance with the Arizona Attorney General's Opinion I85-051, the college defines an official function as an activity authorized by the college administration supporting and furthering the mission, goals, and objectives of the college.

The following funds may be used for official function expenditures provided funds have been appropriated and budgets have been established and approved for the purpose:

1. Current Unrestricted Fund
2. Current Auxiliary Fund
3. Current Restricted Fund [function must be within the specific grant guidelines]

The following goods and services are among those deemed to have a valid public purpose and are examples of purchases for official functions:

1. Breakfast, lunch, or dinner for meetings where it is more convenient to continue with the work at hand rather than break to eat, and for college-sponsored workshops, receptions, and meetings.
2. Refreshment for breaks for college-sponsored workshops, receptions and meetings.
3. Meeting rooms for the function.
4. Table decorations as necessary.

Prior approval for use of funds for official functions must be obtained from the college president or designee.

(Reviewed only 3/19/19)

Policy 1296 Public Information Program

The president, or designee, shall authorize the release of all public information pertaining to the college.

(Reviewed only 3/19/19)

Policy 1300 Acquisition of Facilities

The president, or designee, is authorized to develop procedures for recommendation of facilities acquisition to the District Governing Board.

(Reviewed 1/21/20)

Policy 1305 Lease of Facilities

In addition to the existing facilities, the college will lease or jointly use facilities from other agencies and businesses when necessary and feasible. The president, or designee, will negotiate lease amounts on an individual basis.

(Reviewed 1/21/20)

Policy 1310 Use of Facilities

The president, or designee, is authorized to permit the use of college facilities according to adopted procedures.

(Reviewed 1/21/20)

Policy 1315 Outside Use of Facilities

Each institution, organization, group, or individual desiring to rent or use facilities of the college will provide a Certificate of Insurance with minimum liability limits of one million dollars. This Certificate of Insurance will be provided to the college before the use of the facilities desired.

(Reviewed 1/21/20)

Policy 1330 Tobacco Free Environment

The college prohibits use of nicotine products inside all college owned or leased facilities and all college vehicles. The college provides outdoor designated smoking areas. This policy applies to all employees, students, and visitors while utilizing college buildings, facilities and vehicles.

(Revised 1/21/20)

Policy 1340 Solicitation at College Facilities

The president, or designee, is responsible for the establishment of procedures for authorizing soliciting, advertising, and posting notices at all college facilities.

(Reviewed 1/21/20)

Policy 1345 Possession of Deadly Weapons

The college prohibits possession of all deadly weapons such as firearms, knives (other than pocket knives), ammunition, explosives or other such deadly weapons, on college grounds, inside all college owned or leased facilities, and all college vehicles. The only exception would be those items carried by AZPOST-certified law enforcement officers, Federal Officers, or used in college sanctioned training programs. Any college employee is authorized to request compliance with this policy and/or contact the appropriate law enforcement agency to evict such individual who does not voluntarily follow compliance with this policy. The president, or designee, shall be responsible for the adoption and implementation of procedures regarding the possession of deadly weapons.

(Revised 1/21/20)

Policy 1350 Campus Security and Crime Reporting

Under the provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 USC §1092, the president or designee shall establish a plan for crime awareness and campus security. This shall include an annual security report available to the public.

(Reviewed 1/21/20)

Policy 1402 Student Admissions and Financial Aid

The president, or designee, is authorized to establish procedures for student admissions and financial aid, regardless of religion, gender, creed, national origin, race, age, and disability, consistent with Federal and State laws prohibiting discrimination in employment, and provision of education services.

(Reviewed 2/18/2020)

Policy 1410 Enrollment of High School Students

The president, or designee, is authorized to develop procedures authorizing the enrollment of high school students.

(Reviewed 2/18/2020)

Policy 1411 Students Under High School Age

The president, or designee, is authorized to develop procedures to admit below high school age students.

(Reviewed 2/18/2020)

Policy 1431 Hazing Prevention

Northland Pioneer College 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

1. Hazing is prohibited at NPC.
2. Any solicitation to engage in hazing is prohibited.
3. Aiding and abetting another person who is engaged in hazing is prohibited.
4. 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.
5. 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:

1. loss of campus privileges for the student organization.
2. restitution for damages that may have resulted from the incident.
3. a statement of warning.
4. 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:

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

(New 11/17/2020)

Policy 1445 Student Clubs & Organizations

The president, or designee, shall provide for co-curricular activities, the establishment of student clubs and organizations, and for the administration of such activities.

(Reviewed 2/18/2020)

Policy 1465 Student Liability Insurance

The president, or designee, will designate the programs and activities for which students are required to obtain specified professional liability insurance at their expense.

(Reviewed 2/18/2020)

Policy 1470 Student Record Confidentiality

The president, or designee, shall establish procedures for the protection of confidential student records and the release of information thereon. Procedures shall be in full compliance with the Family Educational Rights and Privacy Act of 1974, as amended.

(Reviewed 2/18/2020)

Policy 1500 Employee Evaluations

The president, or designee, is responsible for the development of procedures for the annual evaluation of all college employees.

(Reviewed 3/24/20)

Policy 1510 Selection of Staff

The president, or designee, has the responsibility of filling budgeted positions and bringing the names to the next District Governing Board Meeting. See also Policy 1020.

(Revised 3/24/20)

Policy 1521 Job Descriptions

The president, or designee, is authorized to prepare a job description for each employee or each group of employees.

(Reviewed 3/24/20)

Policy 1524 Contracts and Agreements for Employment

The president, or designee, is authorized to provide written agreements for employment and for the establishment of procedures for payment. All agreements for employment will specify salaries, wages and other certain terms and conditions of employment.

(Reviewed 3/24/20)

Policy 1525 Pay Periods and Compensations

The president, or designee, is authorized to establish procedures for pay periods, issuance of paychecks, issuance of employment agreements, and professional development compensation.

(Reviewed 3/24/20)

Policy 1527 Work Week and Flex Time

Hours and Compensation

The regular workweek for full-time employees is a forty (40) hours.

(Reviewed 3/24/20)

Policy 1535 Whistle-Blower Policy

No adverse personnel action will be taken against any Northland Pioneer College employee in reprisal for the disclosure of information on a matter of public concern to a public body, as defined in A.R.S. §38-531(4).

(Reviewed 3/24/20)

Policy 1538 Employee Record Confidentiality

The president, or designee, is authorized to establish procedures for the confidentiality of employee records and the release of information.

(Reviewed 3/24/20)

Policy 1540 Affirmative Action

The president, or designee, is responsible for the establishment of procedures whereby the college shall insure equal employment opportunity within all areas of the college, and equal opportunity in the educational services of the college. These procedures shall be in consonance with State and Federal regulations and guidelines.

(Reviewed 3/24/20)

Policy 1542 Reimbursement of Interview Expenses

The college may reimburse candidates for expenses related to interviews in an amount to be established by the president, in accordance with A.R.S. §15-1406.

(Reviewed 3/24/20)

Policy 1545 Nepotism

Members of the same family (spouse, siblings, or parents, and children) or immediate household members may be employed by the college except under the following circumstances:

1. When one member of a family would be responsible for institutional decisions involving possible direct benefit (including initial appointment, retention, promotion, salary, leave of absence, etc.) to another member of the same family; or
2. When one member of a family would be responsible for supervising, evaluating, or auditing the work of another member of the same family.

When circumstances or relationships conflict or threaten the best interests of the college, the president may make transfers and/or reassignments as needed.

(Reviewed 3/24/20)

Policy 1555 Outside Employment

It shall not be in violation of the policies of the college for full-time employees to be employed by entities other than the college; providing the outside employment shall not interfere with the employment duties of the individual at the college as determined by the employee's supervisor. In no case shall the outside employment interfere with the ability of the college employee to satisfactorily fulfill his/her duties and responsibilities at the college.

(Reviewed 3/24/20)

Policy 1556 Employee Attendance Obligations

The president, or designee, is authorized to establish procedures for employee attendance obligations.

(Reviewed 3/24/20)

Policy 1560 Drug-Free Workplace

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

1. Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. It is the college's intent and obligation to provide a drug-free and alcohol-free, healthful, safe and secure work environment.
2. The college prohibits the unlawful manufacture, distribution, dispensing, possession or use of controlled substances and alcohol on college premises, while conducting college business, or at any time which would interfere with the effective conduct of the employee's work for the college.
3. 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. Employees needing help in dealing with such problems are encouraged to seek help, either through their own resources or by requesting help or referral through the sources designated in the procedure based on this policy. Conscientious efforts to seek help will not jeopardize any employee's job.

4. Employees must, as a condition of employment, abide by the terms of this policy and report any convictions under a criminal drug statute for violation occurring on or off college premises while conducting college business. A report of a conviction must be made within five (5) days after the conviction as mandated by the Drug-Free Workplace Act of 1988.

(Reviewed 3/24/20)

Policy 1562 Political Activity

An employee shall not engage in any political activity while acting as an agent of the college.

An employee shall not use the authority of his or her position to influence or attempt to influence the vote or political activity of any subordinate employee or any person who is a student being instructed by the employee.

(Reviewed 3/24/20)

Policy 1570 Family and Medical Leave Act (FMLA)

The president, or designee, shall develop procedures for implementing the provisions of the Family and Medical Leave Act of 1993.

(Reviewed 3/24/20)

Policy 1575 Sabbatical Leave

The president, or designee, is authorized to develop procedures for sabbatical leave.

(Reviewed 3/24/20)

Policy 1580 Retirement of College Employees

The president, or designee, is authorized to establish procedures and guidelines for retirement and for emeritus and meritorious service recognition.

(Reviewed 3/24/20)

Policy 1595 Separation from Employment

The president, or designee, is authorized to develop procedures for separation from employment with the college.

(Reviewed 3/24/20)

Policy 1710 Faculty Workload

The president, or designee, shall establish procedures for the determination of faculty workload.

(Reviewed only 1/19/21)

Policy 1730 Faculty Assessment

The president, or designee, is authorized to establish faculty assessment procedures.

(Reviewed only 1/19/21)

Policy 1810 Academic Freedom

Northland Pioneer College recognizes that its faculty members are entitled to:

1. Freedom in the classroom to discuss and teach their subject(s) in accordance with college-approved curriculum and the Policies and Procedures of the college. Faculty using relevant materials and/or examples of their particular discipline which may include materials or examples considered controversial by others (students, other faculty, or community members) may do so without being threatened by institutional censorship or discipline.
2. Freedom in research and in the publication of its results, being individually responsible and accountable for its rigor and accuracy.
3. Freedom to speak as private citizens outside instructional settings while making every effort to indicate that their utterances are personal opinion and do not represent Northland Pioneer College.

The college further recognizes that, in the case of faculty, it must provide an environment where the rights of academic freedom described in this Policy are ensured.

Faculty members recognize that free expression is essential to the mission of higher education, and that with freedom comes responsibility. The faculty encourages civil discourse, reasoned thought, sustained discussion and constructive engagement free from behaviors which degrade, abuse, harass, or deny others the opportunity to be heard.

(Revised 2/16/2021)

Policy 1900 Collection of College Funds

The president, or designee, is authorized to establish procedures for the collection of college funds.

(Reviewed only 5/18/2021)

Policy 1902 Out-of-County Tuition Reimbursement

Counties which do not have operating, organized community colleges will be billed for their students' tuition in accordance with A.R.S. §15-1469.

(Revised 5/18/2021)

Policy 1903 Funds from College Events

Funds raised through and by college-sponsored activities are deposited with the Business Office and accounted for in accordance with policies of the Uniform System of Accounting and Financial Reporting for Arizona Community College Districts (USAFR).

(Reviewed only 5/18/2021)

Policy 1915 Budget Transfer

The president, or designee, is authorized to establish procedures for budget transfers.

(Reviewed only 5/18/2021)

Policy 1920 Accounting

The president, or designee, is responsible for the establishment and maintenance of an accounting system in accordance with the guidelines set forth in the Uniform System of Accounting and Financial Reporting for Arizona Community College Districts (USAFR), guidelines published by the American Institute of Certified Public Accountants (AICPA), and A.R.S. §15-1473.

(Reviewed only 5/18/2021)

Policy 1921 Financial Guidelines

The Uniform System of Accounting and Financial Reporting for Arizona Community College Districts (USAFR) as prescribed by the State Auditor General's Office will be the guidelines for all financial activity.

(Reviewed only 5/18/2021)

Policy 1922 Financial Audit

A financial audit will be conducted by the State Auditor General within six (6) months after the close of each fiscal year. If such audit cannot be completed in reasonable time by the Auditor General, the president, or designee, is authorized to hire a Certified Public Accountant to perform such audit.

(Revised 5/18/2021)

Policy 1923 Financial Condition

The president shall avoid fiscal jeopardy and material deviation from District Governing Board priorities as described in the current Strategic Plan.

The president will:

1. Authorize to expend less than or equal to the amount that has been received and carried forward in the fiscal year in the General Fund.
2. Establish and maintain cash management practices that provide for the timely settlement of payroll and other debts and obligations of the District.
3. Make tax payments and other government-ordered payments and filings on an accurate and timely basis.
4. Inform the District Governing Board of contractual breaches, losses or potential losses from grant or contractual arrangements in the amount exceeding \$50,000.
5. Submit a fiscally solvent budget that is in accordance with the District's Mission and Strategic Plan.
6. Submit a balanced budget ensuring that planned expenditures will not exceed the projected disbursements for the fiscal year.

(Revised 5/18/2021)

Policy 1930 Expenditure of College Funds

The president, or designee, is responsible for the development of procedures for the expenditure of college funds in accordance with the Uniform System of Accounting and Financial Reporting for Arizona Community College Districts (USAFR) and guidelines published by the American Institute of Certified Public Accountants (AICPA).

(Reviewed only 5/18/2021)

Policy 1960 Reimbursement for Damages

The president, or designee, is authorized to establish procedures for pursuing reimbursement for damage to District-owned property or equipment.

(Revised 5/18/2021)

Policy 1961 Agency and Club Funds Authorization

The president, or designee, is authorized to establish procedures for acceptance, control, and expenditure of agency and club funds.

(Reviewed only 5/18/2021)

Policy 1962 Travel

The president, or designee, is authorized to establish procedures for expenditures for travel in accordance with the Arizona Revised Statutes. (See A.R.S. §15-1406)

(Revised only 5/18/2021)