

CHADRON STATE COLLEGE

Security, Crime Prevention, and Fire Safety

Policies and Statistics

2017-2018

Chadron State College is located within the city limits of the northwestern Nebraska community of Chadron, a city of approximately 5,000 with an additional 2,500 students. During the academic year, approximately 1,000 students live in seven residence halls and 41 family housing units. The incidence of crime is very low in this rural part of Nebraska, in the city of Chadron and on the campus. Still, Chadron State College strives to provide a safe environment for all individuals on campus, including students, staff and visitors. However, the primary responsibility for safety and security rests with each individual. CSC policies are designed to ensure a high level of security on campus and our staff works continually to increase the on-campus awareness of crime. Reporting of known crime is a part of Chadron State College's commitment to the safety of the members of our campus community.

TYPES OF POLICY

Chadron State College, Peru State College, and Wayne State College, along with the System Office and the Board of Trustees constitute the Nebraska State College System (NSCS). Policies set forth by the Board of Trustees of the Nebraska State Colleges are referred to in this report as "NSCS Board Policy" and supersede any college policy; otherwise all other policies are "CSC College Policy".

DISCLOSURE OF CRIME STATISTICS

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990, 20 U.S.C. 1092, Chadron State College annually compiles and releases information regarding crime statistics and policies to prospective students, prospective employees, current students, the U.S. Dept. of Education, and upon request. A link to this report is provided on the CSC Student Right to Know webpage. Paper copies of this report may also be obtained from the office of the Vice President, Enrollment Management, Marketing, and Student Services by calling (308) 432-6231.

Crime statistics for the CSC campus, certain non-campus properties, and certain public property areas, which have been reported to the Chadron Police Department and Campus Security authorities for the most recent three calendar years, are disclosed in this publication. A Public Crime Log is maintained by Campus Security and is available upon request.

MAKING IT SAFE FOR OUR STUDENTS

Chadron State College is sensitive to the needs and concerns of all students and actively promotes student respect toward each other. Open communication among students, and between students and the college community, will prevent and/or solve many problems. The primary responsibility for safety and security rests with each individual. Faculty, staff and students must observe all reasonable precautions to ensure their own well-being. Prompt and accurate reporting of criminal incidents is essential to a successful crime prevention program. The college takes steps to educate faculty, staff and students regarding the importance of these programs.

REPORTING CRIMES AND EMERGENCIES

CAMPUS SECURITY AUTHORITIES

Campus Security authorities are those officials to whom reports should be submitted for the purpose of making timely warnings and the annual statistical disclosure. CSC Campus Security authorities are listed below:

Security Authority Title	Phone
CSC Campus Security	308-432-6037
Vice President for Administration and Finance	308-432-6202
Senior Director of Student Affairs	308-432-6280
Director of Housing and Residence Life	308-432-6479
Associate Director of Housing and Residence Life	308-432-6403
Andrews Hall Director	308-432-2601
Brooks Hall Director	308-432-2603
Edna Work Hall & Wing Director	308-432-2612
High Rise Hall Director	308-432-2605
Kent Hall Director	308-432-2610

Emergency and Serious Injury Accidents Reports

On-Campus – Dial 9-911

Off-Campus – Dial 911

People who see or know of criminal activity or other emergencies on campus may report this in several ways. The campus is directly linked into the local government's Emergency 911 system. **Emergencies and serious injury accidents should be reported by dialing 911 from an off-campus phone or 9911 from an on-campus phone.** The dispatcher is able to locate the source of the call and the Campus Security officer on duty will be dispatched. Several agencies from the city, including the fire department/ambulance service, will respond to the campus.

Non-Emergency Reports

Non-emergency calls should be made to 432-0510. The Chadron Police Department is on duty 24 hours a day to respond to calls for assistance. Residence hall directors, and resident advisors are also on call 24 hours a day.

Anonymous Reports

Access to a form is provided on the Security website for anyone to anonymously and electronically report any criminal activity.

Reporting Assistance

Accurate crime reporting is essential to the investigative process and confidentiality is maintained. Students, faculty, and staff are encouraged to make accurate and prompt reporting of crimes to Campus Security or the appropriate law enforcement agency. CSC Campus Security will assist students who choose to ask for help in notifying the proper law enforcement officials of offenses committed.

Sex Offense Reporting

If a sex offense occurs, the victim should contact the Chadron Police Department (432-0510) or the CSC Title IX Coordinator (308-430-0980). If the victim is not comfortable discussing the situation with any of these, he or she may report the incident to any CSC official or call the office of the President (432-6201). **It is vital that evidence of the offense be preserved as it may be necessary to the investigation of the criminal sexual assault.** All allegations of sexual offenses will be immediately and confidentially investigated. If a claim is substantiated, disciplinary action will be taken according to policies developed by the Board of Trustees of the Nebraska State College System. A student found guilty of rape, acquaintance rape, or other sex offenses, forcible or non-forcible, may be subject to probation, suspension or expulsion. Public information concerning registered sex offenders can be obtained at the official Web site of the Nebraska Sex Offender Registry: <https://sor.nebraska.gov/>

Emergency Response Team

Coordinated planning and response is essential for campus safety in emergencies. The CSC Emergency Action Plan (EAP) Team and its members take the campus leadership role in the event of an emergency. The EAP Team reviews emergency response plans and keeps them current as well as works closely with campus, local, state, and federal authorities for emergency planning and coordinated response.

Keep Your Contact Information Current

In order to receive electronic notifications and warnings your cell phone number must be correct. Please check and update all of your contact information in your MyCSC account periodically. For assistance contact start@csc.edu or call (308) 432-6060.

Emergency Notifications

Depending on the extent of the situation, CSC will take into account the safety of the campus community and initiate to the appropriate segments of the campus, without delay, an emergency notification of a confirmed threat to health or safety; unless issuing a notification will, in the professional judgment of responsible authorities, compromise the efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. The content of the notification and the population to be notified will be determined by the EAP Team.

Timely Warnings

Students, faculty, and staff will be provided timely warning as required by federal law (20 U.S.C. § 1092) as to the occurrence of a serious crime that is thought to be a continuing threat to members of the campus community as soon as pertinent information becomes available. Warnings and notifications will be made through personal notification including text or email messages (if applicable) as well as flyers, the student newspaper, local radio, CSC website, and the employee newsletter. Cell phone numbers that are listed in the CSC student information system will be loaded in the CSC emergency alert system. Questions about adding or updating cell phone numbers should be directed to CSC START Office (308-432-6060)

SAFETY, CRIME, AND SUBSTANCE ABUSE PREVENTION EDUCATION

Students are routinely educated about issues that directly affect their welfare through student programming and contact with faculty and staff. Those issues include health topics, crime, and social and personal concerns. Students are encouraged to seek assistance from an academic advisor, counselor, and/or residence hall advisor in dealing effectively with safety-related needs and concerns.

Crime prevention education, including information addressing rape awareness, acquaintance rape, and other forcible and non-forcible sex offenses, is provided by a variety of sources. These sources include the Chadron radio stations, campus and Chadron newspapers, computer network, and in-service programs sponsored on campus, as well as in fliers distributed throughout the residence halls. Safety and crime experts such as the Chadron Police Department, Dawes County Sheriff's Office and Nebraska State Patrol participate in crime prevention and personal safety programs for residence hall students and other college groups annually. Chadron State College sponsors a variety of drug and alcohol education classes that are required of students who violate the college's drug and alcohol policy.

Prospective students who attend Orientation are acquainted with Campus Security. All students and employees may access the incident statistics and crime information through the Chadron State College website: www.csc.edu/documents/security/SafetySecurity.pdf

Students living in the residence halls receive security information from their residence hall director or resident advisor. Safety is also addressed in the CSC Student Handbook which can be found at www.csc.edu/publications/csc_student_handbook.pdf.

An on-campus safety escort service is available. Contact the Chadron Police Department at 432-0510 or Campus Security at 432-6037 for more information.

GENERAL CAMPUS SAFETY

Campus Community Member Role

To help ensure that the campus emergency and safety plans and procedures work effectively students and staff members have important roles in campus safety and crime prevention. All campus members should take responsibility for understanding and following the regulations and information provided by campus officials and within campus publications. Educational and informational sessions are also provided for the benefit of the campus members and attendance at these sessions provides additional knowledge about health, safety, and crime prevention. Up-to-date contact information is essential for personal and mass notification about safety issues. Students, faculty, and staff members should review and update personal and emergency contact information regularly to ensure accurate listing of contact information within MyCSC, the campus information system.

Access to Facilities

Keys to all buildings, except the residence halls, must be requested through and approved by the building manager. The Director of Housing and Residence Life is responsible for keys to the residence halls. All campus buildings are secured after normal working hours and access to them is controlled by personnel in conjunction with Campus Security. Campus Security officers and student employees patrol the campus at night to deter theft, vandalism and fire. Security deficiencies should be reported to either the building manager or Physical Facilities.

The Physical Facilities staff maintains the college buildings and grounds with a concern for safety and security. These individuals inspect campus facilities and make necessary repairs to ensure that appropriate safety and security standards are met.

Residence Halls

Access to campus residence halls is limited to residents, their guests, authorized employees, and others with a specific need to enter the hall. Each hall posts notification to that effect. In general, responsibility for access to the halls and the security within rests with residence hall directors, resident advisors, and occupants of each hall. The front and side doors of all halls are locked each evening and the front desk of each residence hall is staffed by security personnel from 11 p.m. to 7 a.m.

Campus Security officers patrol the residence hall areas and check the security of the halls during the late night and early morning hours. Security deficiencies are corrected and reported to the office of Housing and Residence Life. The Housing and Residence Life Office notifies Physical Facilities regarding necessary repairs and upkeep.

Students who believe the safety of their living arrangements has been jeopardized may request a room/residence hall change from the Director of Housing and Residence Life. If such changes are reasonably available, they will be made immediately. For further information, please contact the Chadron State College Office of Housing and Residence Life at 432-6355.

Security Staff

Chadron State College has an interlocal agreement with the Chadron Police Department that provides a Campus Resource Officer and the support of the Police Department to the campus. In addition, Chadron State College employs a Security Supervisor (who is a former Nebraska State Trooper) and a Security Officer to hire, train, and supervise a cadre of security workers for campus. The security workers patrol the campus and are responsible for reporting unusual or suspicious activity, building security, and front

desk coverage in the evening hours for the residence halls. To contact Campus Security, please call 432-6037.

The Campus Security Department works closely with city, county, and state law enforcement agencies. They coordinate information and provide assistance to each other as needed. The Chadron Police Department monitors and records criminal activity at off-campus student organizations which are recognized by the college and that are engaged in by students attending the college.

CONTROLLED SUBSTANCES & ALCOHOL

Alcohol and Drug Policy

The possession or consumption of alcoholic beverages or illegal drugs on college property is in violation of the policies of the Board of Trustees of the Nebraska State Colleges and this CSC policy. In [NCS Board Policy 3100 Conduct & Discipline; Students](#) provides over 30 acts that shall be considered to constitute misconduct for which an offending student may be subject to disciplinary sanctions. Specific act regarding alcohol and drugs are listed below:

1. Unlawful or unauthorized possession, use, distribution, dispensing, delivery, sale or consumption, manufacture, or being in the presence of any alcoholic beverage, including empty bottles/cans or any alcohol container on any part of the college campus including outdoor areas and parking lots;
2. Alcohol consumption that endangers the health, safety, or property of oneself or another, or requires medical treatment or college staff intervention;
3. Unlawful or unauthorized possession, use, distribution, delivery, dispensing, manufacture or sale, or being in the presence of any drug; being in possession of paraphernalia for drug use, except as expressly permitted by law, or being unlawfully under the influence of any drug unless directed by a licensed physician;

Residence hall staff will call law enforcement to assist in handling situations involving drugs or other controlled substances.

Residents who do not wish to be held accountable for a violation of policy should immediately leave the room/area in which these items are present. Reports of violations may be given to the Assistant Director - Residence Life.

Parents of CSC students under the age of 21 may be notified of alcohol/drug violations in accordance with FERPA guidelines.

MEDICAL MARIJUANA

The possession of a medical marijuana permit does not allow for the possession or use of marijuana in the residence halls. Marijuana obtained for medicinal purposes cannot be stored or used in the residence halls.

Additional information about alcohol and drug abuse education and services is available on the Health Services website at [Alcohol and Drug Abuse Education and Services](#).

MISSING STUDENTS

Missing Student Notification Policy

This policy establishes a framework for cooperation among members of the Chadron State College (CSC) community aimed at locating and assisting students who are reported missing.

1. A student shall be deemed missing when he or she is absent from CSC for more than 24 hours without any known reason.
2. All reports of missing students shall be directed to the Senior Director of Student Affairs and Student Life, the Director of Student Housing, and Campus Security who shall investigate each report and make a determination whether the student is missing in accordance with this policy.
3. Students will be given the opportunity during each semester registration process to designate an individual or individuals to be contacted by CSC no more than 24 hours after the time that the student is determined to be missing. Unless otherwise specified by the student to the Registrar, the College will consider the parent/guardian or other primary emergency contact provided to the College by the student to be the person to be contacted in the event the student is determined to be missing. The student should notify the Emergency Contact that he or she has been designated as an Emergency Contact. A designation will remain in effect until changed or revoked by the student.
4. At any point during a student's enrollment, he or she may choose to register or change Emergency Contact information with CSC by notifying the Registrar. This information is confidential but may be released to CSC Campus Security and the Chadron Police Department staff as necessary to carry out the purposes of this policy.
5. If a missing student is under the age of 18 and not emancipated, the Senior Director of Student Affairs and Student Life is required to notify the custodial parent(s) or guardian(s) of the missing student no later than 24 hours after the determination by the Senior Director of Student Affairs and Student Life and Campus Security that the student is missing.
 - a. No later than 24 hours after a student is reported missing, the Senior Director of Student Affairs and Student Life, or his designee, will be responsible for contacting the appropriate Emergency Contacts as established above.
 - b. The Senior Director of Student Affairs and Student Life and Campus Security will also notify the Chadron Police Department no later than 24 hours after it determines that the student is missing.
6. The Senior Director of Student Affairs and Student Life, or his designee, shall have the responsibility to make provisions of this policy and the procedures set forth below available to students.
7. The Senior Director of Student Affairs and Student Life, or his designee, will be responsible for filing all related missing person reports with other agencies as may be required and conduct an investigation.
 - a. The Senior Director of Student Affairs and Student Life, or his designee, will organize support personnel when a student is determined missing and make appropriate contacts within the university (Counseling Center, Academic Dean of student's school, and Campus Security).

Student Conduct

Code of Student Conduct Policy

Authority for Disciplinary Action

The Board grants authority to the Presidents of the State Colleges to designate appropriate officers, establish representative college committees, render initial decisions and provide appeal procedures in regard to allegations of academic dishonesty, grade appeals, failure to pay a financial obligation, or academic performance, achievement, probation and suspension. All disciplinary sanctions imposed for

misconduct identified in [NSCS Board Policy 3100 Conduct & Discipline; Students](#) are to be governed by terms of the policy and the due process requirements set forth in [NSCS Board Policy 3200 Due Process -- Students](#). Acceptance of this policy by the students is implied as a condition of his/her enrollment.

Expectations for Students and their Behaviors

Students are responsible to obey the laws of the state and nation, the regulations and policies of the NSCS Board and of the Colleges, and to refrain from any conduct injurious to themselves, to others, or to the reputation or interests of the College.

Off-campus Conduct

Student misconduct identified under [NSCS Board Policy 3100 Conduct & Discipline; Students](#) or in violation of college regulations or policy, whether occurring on or off the campus, may result in disciplinary action being taken against the student.

Disruptive Behaviors

No student shall engage in any disorderly behavior with intent to disrupt the College's educational environment or the provision of College services. Faculties have a responsibility to maintain an effective learning environment in their classrooms and to deal with any disruptions that interfere. If a faculty member feels that a student is interfering with the right of other students to profit from attendance in that classroom or if they feel that they are being unreasonably hindered in the presentation of subject matter, the faculties have every right to eject the offending student from the class. Prohibited behavior includes, but is not limited to, fighting, making unreasonable noise, refusing to obey a reasonable request by the faculty, using abusive or obscene language or gestures in class, harassment, or threats.

Refusing a Reasonable Request

A student shall not ignore a summons from the president or other officer of administration of the College, or from a member of the faculty.

Conduct and Discipline

The following acts shall be considered to constitute misconduct at Chadron State College for which an offending student (or student organization) may be subject to disciplinary sanctions:

- 1 Participation in a demonstration on the campus which materially and substantially **disrupts or obstructs the normal operations**, activities or functions of the College, including unauthorized occupation of College premises;
- 2 **Failure to evacuate** campus facilities or willfully ignoring any emergency or alarm signal or request to evacuate by appropriate emergency personnel;
- 3 **Falsification** or willful suppression of any information for or on an application for admission, or falsification or misuse of College identification and other documents;
- 4 **Misuse of computers** or computing resources, including, but not limited to, violating the following federal regulations: the Copyright Act of 1976 and the Fair Use Guidelines, the Digital Millennium Copyright Act of 1998, and the Technology, Education and Copyright Harmonization Act of 2002;
- 5 Unlawful or unauthorized **possession**, use, distribution, dispensing, delivery, sale or consumption, manufacture, or being in the presence of any alcoholic beverage, including empty bottles/cans or any alcohol container on any part of the College campus including outdoor areas and parking lots;
- 6 **Alcohol consumption** that endangers the health, safety, or property of oneself or another, or requires medical treatment or College staff intervention;
- 7 Unlawful or unauthorized possession, use, distribution, delivery, dispensing, manufacture or sale, or being in the presence of any **drug**; being in possession of paraphernalia for drug use, except as expressly permitted by law, or being unlawfully under the influence of any drug unless directed by a licensed physician;
- 8 Inflicting **unwanted physical contact** on another person; conduct that intimidates, harasses, or threatens the safety, health, property, or life of others or oneself; participating or contributing to

- an incident of abuse or assault; causing, provoking or engaging in any fight, brawl or riotous behavior; or inflicting willful and repeated harm through the use of computers, cell phones, and other electronic devices;
- 9 Any act occurring on the College campus or on the premises of a student housing unit which intentionally **disturbs the peace and quiet** of any person or group of persons;
 - 10 **Sexual harassment, or sexual violence**, as [NSCS Board Policy 3020 Sexual Violence or Sexual Harassment Reporting, Policies and Procedures](#) defines those terms;
 - 11 Conduct which is unreasonably **dangerous to the health** or safety of other persons or oneself;
 - 12 **Theft** or attempted theft of any property or receipt of stolen property;
 - 13 Damaging or attempting to **damage property** of the College or of another individual;
 - 14 **Using or possessing bombs**, explosives, incendiary devices, or fireworks;
 - 15 **Setting or attempting to set any fire** on the campus or on the premises of any student housing unit, except in fireplaces or other facilities designated for fires;
 - 16 **Failing to report a fire** or any other extremely dangerous condition when known or recognized on the campus or on the premises of any student housing unit;
 - 17 **Possessing or selling firearms**, ammunition, weapons, explosives, or dangerous chemicals on College campus or on the premises of any student housing unit;
 - 18 **Obstructing or failing to comply** with the directions of a law enforcement officer, firefighter, or College official in the performance of his or her duty on College property, on the premises of any student housing unit or at any activity or event sponsored by the College or an organization;
 - 19 **Hazing** any person. Consent of the victim of the hazing will not constitute a defense to an allegation of misconduct for hazing. Hazing shall mean any activity by which a person intentionally or recklessly endangers the physical or mental health or safety of an individual for the purpose of initiation into, admission into, affiliation with, or continued membership with any organization;
 - 20 Committing any unlawful act of **indecent exposure** or public indecency;
 - 21 Participating in any **gambling** activity in violation of the laws of the State of Nebraska or of the United States;
 - 22 **Unauthorized use** of any College property, facilities, equipment or materials;
 - 23 Possessing, producing, manufacturing, or having manufactured without proper authorization, any **key or unlocking device** for use on any College facility or lock;
 - 24 Serious **traffic violations** on the campus, including but not limited to operating any vehicle while intoxicated, speeding, reckless endangerment, or reckless driving;
 - 25 **Violation of any student housing** unit policy, rule or regulation;
 - 26 Failure to redeem or make arrangements to redeem, within one week after receipt of written notice, an **insufficient funds or no account check** submitted to the College for cash or for payment of College goods or services;
 - 27 Abuse of College disciplinary proceedings which includes, but is not limited to, **failure to obey a request** to appear before a disciplinary officer or committee, falsification of testimony, disruption or interference with the orderly conduct of any hearing, attempting to discourage any person from using College disciplinary procedures or participating in such procedures, attempting to influence the impartiality of a member of a disciplinary committee prior to any proceeding, filing a malicious or frivolous complaint, verbal or physical harassment or intimidation of a member of a disciplinary committee prior to, during, or after a proceeding, failure to comply with any sanction imposed, influencing or attempting to influence another person to commit an abuse of disciplinary proceedings, and a violation of the privacy rights of any student or College employee in regard to a disciplinary proceeding;
 - 28 Any act by a student which occurs on the campus, while studying abroad, on the premises of any student housing unit or at any activity or event sponsored by the College or an organization which

is in violation of any ordinance of the municipality in which the College resides, shall constitute misconduct;

- 29 **Falsely setting off** or otherwise tampering with any emergency safety equipment, fire alarm, or other device established for the safety of individuals and/or college facilities;
- 30 **Harassing** or discriminating against any student, faculty or staff member, as defined in [NSCS Board Policy 3021 Unlawful Harassment \(Other\) Reporting, Policies and Procedures](#), on the basis of race, color, national origin, sex, disability, religion or age; and
- 31 Any other activity or conduct prohibited by the College in published policies.

Unreasonably Dangerous or Threatening Conduct Toward Self

Student behaviors and actions that are unreasonably dangerous to self or which threaten the student's own safety or health may constitute misconduct under this Policy and may be addressed by the College administration through the disciplinary process. When practicable and appropriate, efforts will be made to advise students regarding voluntary withdrawal options in lieu of initiating disciplinary due process as set forth in [NSCS Board Policy 3200 Due Process -- Students](#).

At the discretion of the Vice President responsible for student affairs/services, a student may be allowed to voluntarily withdraw when continued enrollment no longer appears to be in the best interests of the student and/or College in conjunction with mutually agreed upon conditions that will be required for the student to reapply for admission.

Disciplinary Sanctions

Disciplinary sanctions may include warnings, demands for restitution or reimbursement, fines, a period of probation, remedial behavioral requirements, remedial educational requirements, suspension, or expulsion. In the event that a concurrent civil or criminal action for the same behavior which forms the basis of misconduct allegations under the provisions of this policy is in progress, the accused student may request in writing to the Vice President responsible for Student Affairs, or equivalent administrator, that the College delay the continuance of the due process procedures. By requesting to delay until the external civil or criminal proceeding has concluded, the student agrees that he or she shall not attend any College classes or College-sponsored events or activities or shall not enter or use College property without specific written authorization from the Vice President. See [NSCS Board Policy 3100 Conduct & Discipline; Students](#).

Temporary Suspension

Students may be ordered to leave the College campus under temporary suspension pending disciplinary action due process per [NSCS Board Policy 3200 Due Process -- Students](#) in the event the student's continued presence is believed to threaten the safety or health of another person or for other reasons at the discretion of the Senior Director of Student Affairs. Such order shall be given in writing by the Senior Director of Student Affairs.

Right to Due Process

It is the policy of the Board to grant procedural due process to students accused of misconduct under the terms of [NSCS Board Policy 3100 Conduct & Discipline; Students](#). Regarding allegations of academic dishonesty, grade appeals, failure to pay a financial obligation, or academic performance, achievement, probation and suspension each College will devise its own adjudication procedures. However, for allegations of misconduct identified in [NSCS Board Policy 3100 Conduct & Discipline; Students](#) that may result in disciplinary sanctions, the due process procedures outlined below shall be followed.

VIII. Student Misconduct Appeal

NSCS BOARD POLICY 3200 Due Process -- Students

It is the policy of the Board to grant procedural due process to students accused of misconduct under the terms of Board Policy 3100. Regarding allegations of academic dishonesty; grade appeals; failure to pay a financial obligation; or, academic performance, achievement, probation and suspension each College will devise its own adjudication procedures. However, for allegations of misconduct identified in Board Policy 3100 that may result in disciplinary sanctions, the due process procedures outlined below shall be followed.

PROCEDURE

1. The student shall be notified in writing by an appropriate College official that he/she is accused of misconduct. The student shall be made aware of grounds which would justify such action by way of the student handbook or other published College regulation.
2. The student shall be notified that he/she may elect one of three courses of action. The student shall be advised of a date (deadline) by which such an election must be communicated to the appropriate College official.
 - a. The student may admit the alleged violation and request, in writing, that the appropriate College official take whatever action seems appropriate.
 - b. The student may admit the alleged violation in writing and request a hearing before the appropriate hearing panel designated by the College.
 - c. The student may deny the alleged violation, in which case, the appropriate College official shall refer him/her to the appropriate hearing panel designated by the College.

NOTE: If the student fails to respond to the appropriate College official in a timely manner according to the date (deadline) and/or fails to elect one of the three courses of action, the

appropriate College official may address the alleged misconduct without providing further due process.

3. Under option 2a noted above, the College may address the alleged misconduct without providing further due process. The student's decision can be binding, if freely and knowingly made, even though suspension, expulsion or the imposition of a stigmatizing sanction might result. Students should be advised in writing of all risks associated with any waiver of due process rights and provided a reasonable amount of time to consider their decision and to confer with a family member or advisor.
4. If the student selects either option 2b or 2c as noted above, a hearing shall be conducted in accordance with the following procedure within ten (10) class days, unless the student requests an extension in writing, which shall not be unreasonably denied. Students studying abroad shall be under the direction of the accompanying College official until his/her return to campus, at which time, if needed, the due process procedures will commence.
 - a. Prior to the hearing, the student shall be entitled to the following:
 - i. Written notification of the time and place of the hearing with reasonable time allowed for grievant to prepare a presentation and defense.
 - ii. A written statement of the allegations (incident or behavior) with sufficient particularity so that the student may prepare his/her defense.
 - iii. The grounds which would justify disciplinary action cited in the student handbook or Board Policy and the possible sanctions that may be imposed.
 - iv. Written notification of the names of the witnesses who are directly responsible for having reported the allegations, or, if there are no such witnesses, written notification of how the allegations came to the hearing panel's attention, and
 - v. A copy of all documentary evidence to go before the hearing panel.
 - b. The student shall be entitled to appear in person before the hearing panel, and may call witnesses in his/her behalf. If the student does not appear before the hearing panel, the hearing shall be held in his/her absence.
 - c. The student shall be entitled to be accompanied by a person of his or her own choosing from the College community to assist in the proceedings or by counsel at the student's expense. An attorney or advisor, if present at the request of the student, may be present to counsel the student, but may not directly participate in the hearing by making oral presentations or arguments, examine or cross-examine a witness, or object to testimony of

a witness or to introduction of other evidence.

- d. The student shall be entitled to ask questions of the hearing panel or any witnesses.
 - e. The student shall be entitled to an expeditious hearing of the case.
 - f. The student shall be able to request that the hearing be either open or closed to the public. This request shall be made to the chair of the hearing panel.
 - g. A record of the hearing will be kept by the hearing panel.
 - h. The student shall be entitled to an explanation in writing of the reasons for any decisions rendered against him/her and the discipline imposed, and shall be given access to the hearing panel's decision for his/her personal records.
5. The hearing panel designated by the College shall be composed of College administrators, faculty, staff, and/or students. Such selection shall be at the approval of the President or designated Vice President. Individuals serving on this panel need not be disqualified because they have superficial knowledge of the background of the case, or because they may know the participants. The basic test shall be whether or not the panelist can judge the case fairly, without bias or prejudice, and solely on the evidence presented.
6. The hearing panel shall be the decision-making body acting independent of the President.
7. Technical rules of evidence or procedure need not be employed in hearing proceedings. A student's misconduct shall be determined by a preponderance of the evidence (i.e., it is more likely than not that misconduct occurred). Hearing decisions need not be unanimous. A simple majority vote shall be sufficient. Hearsay evidence is not required to be excluded, but a finding of misconduct on hearsay evidence alone is not appropriate in hearings, including a serious disciplinary case such as suspension or expulsion.
8. Members of the hearing panel shall have the opportunity to examine the case file beforehand, and to question the accused and witnesses at the hearing.
9. The student shall be notified of his/her right to appeal the decisions of the hearing panel to the Vice President responsible for student affairs/services. Appeals must be in writing and are due to the Vice President within five (5) class days after the student received the hearing panels' decision. If the Vice President was a member of the hearing panel, this step of the appeal process is not applicable and the student may appeal directly to the President. Appeals to the Vice President must be based on one of the following grounds:

- a. Procedural due process was violated;
- b. The sanction was excessive;
- c. The evidence did not support the decision; or,
- d. Substantive new information is available that was not available at the hearing.

10. The student shall be notified of his/her right to appeal the decisions of the Vice President to the President, who has final authority. Should the student appeal, any action assessed by the hearing panel shall be suspended until acted upon by the President. Appeals to the President are due within five (5) class days after the student receives the Vice President's decision. Appeals to the President must be based on one of the following grounds:

- a. Procedural due process was violated;
- b. The sanction was excessive;
- c. The evidence did not support the decision; or,
- d. Substantive new information is available that was not available at the hearing.

11. Appeals of the President's decision may be submitted to the Chancellor but shall be limited to allegations that fair procedural process has not been provided in accordance with Board Policy 3200. Appeals to the Chancellor must be in writing and are due within five (5) class days after the student receives the President's decision. Should the student appeal, any action assessed by the hearing panel shall be suspended until acted upon by the Chancellor.

SEXUAL ASSAULT, DOMESTIC VIOLENCE, & STALKING

[NSCS Board Policy 3020 Sexual Violence or Sex Harassment Reporting, Policies and Procedures](#)

BOARD POLICY

The Board of Trustees of the Nebraska State Colleges is committed to providing an environment in which all students who participate in College programs and activities can work together in an atmosphere free from unlawful discrimination, harassment, or violence. Sexual violence and sex harassment are prohibited by law and by Board policy and the Colleges will not tolerate sexual violence or sex harassment in any form, including, but not limited to, sexual assault; stalking; dating violence; domestic violence; acquaintance, date or stranger rape; non-consensual sexual intercourse; sexual cyber harassment or sexual bullying. The Colleges will take appropriate action to prevent, correct, and

discipline harassing or violent behavior that is found to violate Board policies and principles of equal opportunity and access.

This policy provides guidance for what students should do if they have been victims of sexual violence or sex harassment, and what the Colleges will do if such violence or harassment occurs. This policy applies to students regardless of whether the other party involved is a fellow student, an employee, or a third party. A student alleged to have committed sexual violence or sex harassment can be disciplined under the Code of Student Conduct and/or prosecuted under Nebraska criminal statutes. Additional Board Policies, Employee Handbooks and Collective Bargaining Agreements apply to employees alleged to have committed sexual violence or sex harassment.

The Colleges have a responsibility to respond to reports of sexual violence or sex harassment and attend to the needs of the students who are involved. Reports of sexual violence and sex harassment are taken with the utmost seriousness, and the student will be promptly referred to the appropriate persons or resources for assistance. The Colleges are also responsible for ensuring that the individual charged with committing such violence or harassment is treated fairly. Individuals are presumed innocent unless proven responsible, and will also be referred to appropriate resources and services for assistance.

Scope

1. To Whom Does this Policy Apply?

a. Students

This policy applies to all students, including traditional students, online or distance education students, and students participating in dual enrollment programs.

2. Where Does this Policy Apply?

This policy applies to the following:

a. The campuses of the Nebraska State Colleges

b. Areas owned or controlled by the Colleges

c. Off campus, to the extent that the conduct occurring off campus has continuing adverse effects on campus or creates a hostile environment for a student. College educational programs or activities (whether on or off campus), including, but not limited to, internship and clinic programs and placements and College sponsored study-abroad programs.

Conduct Prohibited by Board Policy 3020 and Definitions

Note: Being impaired by drugs or alcohol is not a defense to any violation of this policy.

Dating Violence: Dating violence is violence (violence includes, but is not limited to sexual or physical abuse or the threat of such abuse) committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the following factors: (i) the length of the relationship, (ii) the type of relationship, (iii) the frequency of interaction between the persons involved in the relationship.

Dating violence can occur when one person purposely hurts or scares someone they are dating. Dating violence can be physical, emotional, and/or sexual abuse.

Domestic Violence: Domestic violence shall mean felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws.

Domestic violence includes patterns of abusive behavior in relationships used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behavior that intimidates, manipulates, humiliates, isolates, frightens, terrorizes, coerces, threatens, blames, hurts, injures, or wounds someone.

Under Neb. Rev. Stat. §28-323, domestic assault occurs when a person; (a) intentionally and knowingly causes bodily injury to his or her intimate partner; (b) threatens an intimate partner with imminent bodily injury; or, (c) threatens an intimate partner in a menacing manner. Intimate partner means a spouse; a former spouse; persons who have a child in common whether or not they have been married or lived together at any time; and persons who are or were involved in a dating relationship.

Sexual Assault: Sexual assault shall mean an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. Sexual assault is contact or sexual penetration that occurs without the consent of the recipient.

Sexual contact means the intentional touching of a person's intimate parts or the intentional touching of a person's clothing covering the immediate area of the person's intimate parts. Sexual contact also includes when a person is forced to touch another person's intimate parts or the clothing covering the immediate area of the person's intimate parts. Sexual contact shall include only such contact which can be reasonably construed as being for the purpose of sexual arousal or gratification of either party.

Sexual penetration means sexual intercourse in its ordinary meaning, cunnilingus, fellatio, anal intercourse or any intrusion of any part of the person's body or of a manipulated object into the genital or anal openings of another person.

Sex/Gender Harassment: Sex/gender harassment is unwelcome conduct of a sexual nature that is sex or gender-based. Sex/gender harassment can include (but is not limited to) the following:

- Unwelcome sexual advances
- Requests for sexual favors
- Cyberbullying
- Other verbal, nonverbal, online, or physical conduct of a sexual nature

- Physical aggression, intimidation, or hostility based on sex or sex-stereotyping, sexual orientation and/or gender identity, even if those acts do not involve conduct of a sexual nature.

Harassment does not have to include an intent to harm, be directed at a specific target, or involve repeated incidents. Sex/gender harassment is a violation of this policy.

i. Quid Pro Quo Harassment

Quid Pro Quo harassment is defined as unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual nature, by a person who has authority or power over another, when submission to the sexual conduct is made (either explicitly or implicitly) a condition of a person's academic standing, employment, participation in College programs or activities, or is used in evaluating a person's educational or employment performance, development, or progress or in making another decision that will affect the person's relationship with the Colleges.

ii. Hostile Environment Harassment

Sex and/or gender harassment creates a hostile environment for a student-victim when it is so severe, pervasive, or persistent that it interferes with, denies, or limits the student's ability to participate in or benefit from the Colleges' services, activities, or opportunities because of their sex or gender. A single incident, if sufficiently severe, can constitute a hostile environment. If conduct is sufficiently severe, it can create a hostile environment without being repetitive. Likewise, conduct that is less severe may not be sufficient to create a hostile environment without repeated incidents.

The determination regarding whether a hostile environment has been created requires objective and subjective consideration of the pertinent circumstances, including the type of conduct alleged, its severity, duration, and frequency, the context, including the parties' age, sex, and relationship to each other, and any history of similar behavior.

iii. Retaliatory Harassment

Retaliation is any adverse or negative action taken against an individual due to their report of a policy violation, their cooperation in an investigation into an alleged policy violation, or their engagement in any other protected activity.

Sexual Violence: Any intentional act of sexual contact (touching or penetration) that is accomplished toward another without their consent. Such acts may include, but are not limited to, forced oral sex, forced anal penetration, insertion of foreign objects into the body, and any act of sexual intercourse "against someone's will." This includes, but is not limited to, the use of a weapon, physical violence or restraint, verbal threats, intimidation, and threats of retaliation or harm. Sexual Violence includes Sexual Assault as defined in this policy. Note: It is never appropriate for allegations of sexual violence to be resolved by mediation.

Stalking: Stalking shall mean engaging in a course of conduct directed at a specific person that would cause a reasonable person to; (a) fear for their safety or the safety of others; or, (b) suffer substantial emotional distress.

- i. “Course of conduct” is defined as two or more acts (including, but not limited to) acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
- ii. “Reasonable Person” is defined as a reasonable person under similar circumstances and with similar identities to the victim.
- iii. “Substantial emotional distress” is defined as significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Stalking includes a pattern of repeated and unwanted attention, harassment, contact or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear. Stalking may include: repeatedly communicating with, following, threatening, or spreading rumors about a person who does not want the attention.

Retaliation: Any adverse or negative action taken against an individual due to their report of a policy violation, their cooperation in an investigation into an alleged policy violation, or their engagement in any other protected activity.

Additional Definitions

Student: An individual who is currently enrolled or registered in an academic program or who has completed the immediately preceding term and is eligible for re-enrollment.

Employee: An individual who is paid by the College to perform specific job duties, including faculty and staff, whether they are employed part-time or full-time.

Responsible Employee/Mandatory Reporter:

Any employee who has been tasked with reporting incidents of sexual misconduct by students to the Colleges’ Title IX Coordinator. This includes employees who have the authority to take action to address sexual violence, and employees whom a student could reasonably believe has this authority or duty. See “Reporting a Policy Violation to the Colleges” on the subsequent page for additional information.

Confidential Employee: A College employee who does not have a duty to report incidents of sexual misconduct to the College’s Title IX Coordinator. Medical or mental health professionals employed by the Colleges (Licensed Student Counselors and Nurses) are Confidential Employees and respect and protect confidential communications from students, faculty, and staff to the extent they are legally able to do so. Employees may have to breach a confidence, however, when they perceive an immediate and serious threat to any person or property.

Reporting Party: An individual that makes a report to the College of a potential policy violation. This may be the alleged victim or a third party.

Alleged Victim: An individual who alleges to have been the victim in an incident(s) of sexual misconduct in violation of this policy.

Alleged Perpetrator/Responding Party: An individual who is alleged to have committed an act of sexual misconduct in violation of this policy.

Consent:

a. **Definition**

Consent is positive cooperation in an act or expressing intent to engage in an act. Consent is indicated through words or conduct. An absence of words or conduct does not constitute consent. An individual who consents to a sexual act must give that consent voluntarily, and with knowledge and understanding of the nature of the act and their participation in it. Consent to one type of sexual activity does not necessarily constitute consent for another type of sexual activity. Consent can be withdrawn by any party at any time through words or conduct.

b. **Capacity to Consent**

Consent can be invalidated (in other words, a person cannot give consent) in a number of situations.

- a. A person cannot give consent if they are incapacitated by drugs or alcohol, unconscious, passed out, asleep, coming in and out of consciousness, or if they have a disorder, illness, or disability that would impair their understanding of the act and their ability to make decisions.
- b. A person cannot give consent if they are under the threat of violence, injury, or other forms of coercion or intimidation.
- c. A person cannot give consent if they are forced, coerced, intimidated, or deceived into providing consent. Consent cannot be inferred from silence or passivity alone.

The fact that the alleged victim was under the influence of drugs/alcohol may be considered in determining whether that person had the capacity to consent to the act in question. If the person was incapacitated, the question of whether the alleged perpetrator knew, or should have known, that the alleged victim was incapacitated will be considered.

c. **Lack of Consent**

A person may express a lack of consent through words or conduct. A person need only resist, either verbally or physically, so as to make the person's refusal to consent genuine and real and so as to reasonably make known to the other party that person's refusal to consent. A person need not resist verbally or physically where it would be useless or futile to do so. The

presence or absence of consent is based on the totality of circumstances, including the context in which an alleged incident occurred.

Hostile Environment: Sex and/or gender harassment creates a hostile environment for a student-victim when it is so severe, pervasive, or persistent that it interferes with or limits the student’s ability to participate in or benefit from the Colleges’ services, activities, or opportunities because of their sex or gender.

The determination regarding whether a hostile environment has been created requires objective and subjective consideration of the pertinent circumstances, including the type of conduct alleged, its severity, duration, and frequency, the context, including the parties’ age, sex, and relationship to each other, and any history of similar behavior.

Reporting a Policy Violation to the Colleges

There are multiple options available to an individual who wishes to report a policy violation to the College. Reports can be filed by the alleged victim or a third party. Reports can be made to the College’s Title IX Coordinator, or to designated employees who are “Mandatory Reporters” (also known as “Responsible Employees”). Mandatory Reporters shall communicate the report to the College’s Title IX Coordinator.¹ Pursuant to federal law, the College has a legal responsibility for documenting and reporting an incidence of sexual violence and sex harassment.

¹ An individual considering making a report to a Mandatory Reporter should be aware that any personally identifiable details they share with the Mandatory Reporter will be communicated to the Title IX Coordinator.

<u>Title IX Coordinator</u>	<u>Mandatory Reporters</u>
<p>Ted Tewahade Chadron State College 1000 Main Street Chadron, NE 69337 (308) 430-0980</p> <p>Eulanda Cade Peru State College PO Box 10 Peru, NE 68421-0010 (402) 872-2230</p> <p>David McMahan Wayne State College 1111 North Main Street Wayne, NE 68787 (402) 375-7213</p>	<ul style="list-style-type: none"> • President • Vice Presidents • Deans • College Title IX Coordinator and Designees (contact information is listed to the left) • Dean of Students • Housing/Residence Life Staff to include: <ul style="list-style-type: none"> ○ Directors ○ Managers ○ Assistant Directors ○ Senior Residence Hall Advisors ○ Residence Hall Advisors • Coaches and Assistant Coaches • Campus Security Officers <p>Reports to the above designated employees will constitute “notice” to the College for the purposes of considering an investigation and institutional response in conjunction with the Title IX Coordinator.</p>

	<p>College employees (even medical or mental health professionals identified below) are required by law to report any allegations of sexual abuse or assault of a minor to either law enforcement or the Department of Health and Human Services.</p> <p>Exception Regarding Employee Reporting: The law recognizes and protects the confidentiality of communications between a person seeking care and a medical or mental health professional. Medical or mental health professionals employed by the College (Licensed Student Counselors and Nurses) respect and protect confidential communications from students, faculty, and staff to the extent they are legally able to do so. Employees may have to breach a confidence, however, when they perceive an immediate and serious threat to any person or property.</p>
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i. **No Time Limit on Reporting**

There is no time limit for reporting a policy violation to the College. However, the more time that passes between the alleged policy violation and the report to the College the more difficult it becomes for the College to respond and/or investigate the matter to determine whether the alleged perpetrator is responsible for the alleged behavior. Additionally, if the alleged perpetrator graduates or otherwise leaves the College, the College will not have the ability to hold them accountable if they are found responsible for sexual misconduct. Therefore, the College encourages early reporting of incidents that may be policy violations.

ii. **Requests for Confidentiality, No Investigation, or Informal Resolution**

An alleged victim may request the following: (1) for their name to be kept confidential, (2) for there to be no investigation into the alleged incident, or (3) for an informal resolution process. The College will take all reasonable steps to investigate and respond to the report consistent with the alleged victim's request. In determining whether it is possible to grant a request, the Title IX Coordinator must balance the request with their overall duty of providing a safe and non-discriminatory campus environment. Alleged victims who make these requests should understand that their request may limit the College's ability to respond fully to their concern. The College will offer appropriate resources and support to the alleged victim.

iii. **Interim Measures**

A range of interim measures are available to protect the alleged victim, as necessary, throughout the Title IX investigation. Any interim measures required will be put in place as soon as reasonably possible. The following are examples of interim measures that the College can implement: a no-contact order; a no trespass order; a temporary suspension; a change in academic or living situations; access to counseling and academic support; the option to complete courses online, via independent study, or from a distance; the option to re-take a course or withdraw

without penalty; and assistance working with professors to make up tests or assignments. Interim measures will be taken at no cost to the alleged victim.

Reporting Conduct to Law Enforcement

Violations of this policy that constitute criminal conduct may be reported to law enforcement. Reporting conduct to the College and reporting conduct to law enforcement are two separate processes. A reporting party can choose to report the conduct only to the College,² or only to law enforcement, or to both the College and law enforcement.

Alleged victims should be advised that physical evidence can be collected at the same time as medical care is provided, but that medical evidence for a criminal prosecution cannot be collected without a report being made to local law enforcement. It is important that students make an informed decision regarding important physical evidence that can be preserved.

Regardless of whether or not the law enforcement authorities choose to prosecute a reported offense, the College can pursue formal disciplinary action against a student or employee alleged to have committed sexual violence or sex harassment.

If a report is made to law enforcement and the agency pursues an investigation, the College will cooperate with the law enforcement agency.

² There is one exception: employees (even medical or mental health professionals who are Confidential Employees) are required by law to report any allegations of sexual abuse or assault of a minor to either law enforcement or the Department of Health and Human Services. In Nebraska, the age of majority is 19.

Confidentiality

The College appreciates the privacy concerns inherent in allegations of sexual violence or sex harassment. To protect students' privacy rights, the names of students or other identifying information, especially that which is contained in written documents and notes, will only be disclosed to third parties if; (a) prior written permission is given by the student concerned; (b) the disclosure is necessary to conduct an investigation or implement an interim measure; (c) the disclosure is necessary to pursue disciplinary action; or, (d) the disclosure is otherwise required by law.

Victims will be informed that the College has a legal duty to include information about reports of criminal sexual misconduct in annual security report statistics which do not identify either the person claiming to have been subject to criminal sexual misconduct or the alleged perpetrator.

If an alleged victim is under the age of eighteen (18) years, the College will obtain consent from the parents or guardians prior to beginning an investigation or disclosing information, unless otherwise required by law.

Disciplinary Processes and Consequences

Processes and procedures described in Board Policies 3100 and 3200 may be used subsequent to a sexual violence or sex harassment investigation to address cases of student misconduct, due process and discipline. If the alleged perpetrator is an employee, other Board Policies or Collective Bargaining Agreements will determine the due process steps and disciplinary consequences.

Disciplinary consequences may include, but are not limited to: warnings, disciplinary probation, loss of privileges, restitution, remedial work assignments, remedial educational requirements, service requirements, remedial behavioral requirements, College housing relocation, College housing suspension, removal from College housing, suspension, and expulsion.

Investigation Procedures

Note: While this policy and procedures are written primarily for the benefit of students, the same procedures shall also apply in the event either the individual reporting the sexual violence or sex harassment, or the alleged perpetrator, is not a student. Similarly, while the procedures assume that the incident occurred on or near College property or at an official College function or activity, some of these procedures may also apply if an alleged incident occurs off-campus or in a setting unrelated to College functions/activities.

- 1) An initial report may occur by telephone, email, in writing, or in person. When an initial report of sexual violence or sex harassment is received by any designated administrator or employee (listed in this Policy under “Reporting a Policy Violation to the Colleges”), the initial report shall be shared with the Title IX Coordinator as quickly as possible.
- 2) The Title IX Coordinator or designee will contact the alleged victim for the following purposes:
 - i. To ask questions in order to gain a better understanding regarding the nature of the incident;
 - ii. To explain confidentiality and reporting requirements;
 - iii. To explain the investigatory process, law enforcement options, and possible consequences;
 - iv. To provide information about resources that are available to the individual; and,
 - v. To ask if the alleged victim wishes for the report to be pursued through an investigation or not. (If the alleged victim requests confidentiality, or asks that the report not be pursued, the College will take all reasonable steps to investigate and respond to the report consistent with the request for confidentiality or request not to pursue an investigation, if possible. The request will be evaluated and weighed against the College’s responsibility to provide a safe and nondiscriminatory environment.)
- 3) The Title IX Coordinator or designee, after consultation with the System Director for Title IX, will determine if an investigation will be conducted.

- 4) If an investigation will be conducted, the Title IX Coordinator or designee will immediately begin an investigation and will take steps to complete the investigation within sixty (60) calendar days after receipt of the report, if possible. The College is committed to a complete and impartial investigation of reports of sexual violence or sex harassment, including the opportunity for both parties to present witnesses and other evidence. Investigations will occur as quickly as possible, but the complexity of the investigation, the severity and the extent of the harassment, or number of involved parties can impact the duration.

The investigation shall consist of:

- Reviewing all related written statements or reports;
 - Interviewing the alleged victim, alleged perpetrator and other witnesses;
 - Reviewing applicable College records; and,
 - Reviewing other relevant material and evidence.
- 5) The Title IX Coordinator or designee will provide parties involved in the investigation with periodic updates while an investigation is pending, consistent with Family Educational Rights and Privacy Act (FERPA) restrictions.
 - 6) At the conclusion of the investigation, the Title IX Coordinator or designee will make a determination regarding the report using a “preponderance of the evidence” standard (which means he or she will assess whether it is more likely than not that alleged sexual violence or harassment occurred) and will provide the recommendation to the Vice President responsible for Student Affairs and the President. The Title IX Coordinator will also issue separate written statements to the alleged perpetrator and the alleged victim, informing them of the determination and recommendation to the Vice President for Student Affairs and the President.
 - 7) Within ten (10) working days from receipt of the Title IX Coordinator’s or designee’s recommendation, the Vice President will issue a written statement to the alleged victim, the alleged perpetrator and the Title IX Coordinator regarding the outcome of the investigation and a decision as to whether or not disciplinary proceedings will commence in accordance with Board Policies 3100 and 3200. In the event that disciplinary proceedings commence at the conclusion of the investigation, the College has an obligation to disclose the outcome of the disciplinary proceedings to the student who reports being the victim of sexual violence.
 - 8) If the alleged victim and alleged perpetrator agree with the decision of the Vice President, the matter is considered resolved without any further rights of appeal by either party. If either the alleged victim or the alleged perpetrator object to the decision of the Vice President, either individual may appeal the decision in writing to the President within seven (7) calendar days. (Any sanctions imposed during the disciplinary process will go into effect after the 7-day window for appeals closes, and if an appeal occurs, after it is

complete. However, existing interim measures [such as a temporary suspension] may remain in place.) Requests to extend the 7-day window for appeals for good cause must be submitted in writing to the Vice President and will be decided on a case-by-case basis. The President will review the matter and then issue his/her decision to; (a) affirm the Vice President's decision; (b) refer the matter for further investigation; or, (c) refer the matter for disciplinary proceedings. The President's decision will be final.

Note: Title IX prohibits retaliation for reporting parties and any individuals participating in an investigation. The College will not only take steps to prevent retaliation but will also take strong responsive action if it occurs.

Conflicts of Interest in Investigations

Conflicts of interest (whether real or perceived) by those handling a Title IX investigation or response will not be permitted. A party who wishes to raise a concern regarding a conflict of interest in the investigation or response process may submit their concern in writing as soon as possible to the Vice President for Student Affairs.

Resources and Assistance

The Title IX Coordinator or Designee will have available contact and referral information for counseling/mental health services, medical services, law enforcement, judicial remedies/restraining orders, and educational resources, and will share resource information with victims and alleged perpetrators. Assistance options including, College no contact orders, changes in academic, living, transportation and working situations may be made available as remedies to protect alleged victims, alleged perpetrators, and witnesses.

COUNSELING

Students who have experienced any crime or assault are encouraged to contact college counseling services at 432-6268 or 432-6232. The Panhandle Mental Health Center (877-492-7001) is a counseling service provider. A student's privacy will be protected. Professional mental health and pastoral counselors are encouraged; if and when they deem it appropriate, to inform persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Students may request a change in an academic schedule or living accommodations, if available and reasonable, and can submit a request to the Senior Director of Student Affairs for short-term escort service to and from class.

CAMPUS CRIME STATISTICS

The following is a summary of crime incidents reported to Chadron State College by the Chadron Police Department for January 1, 2014 through December 31, 2016.

Report of Criminal Offenses	On-Campus (Includes Res Halls)			Residence Halls			Non-Campus Building or Property			Public Property		
	'16*	'15*	'14*	'16*	'15*	'14*	'16*	'15*	'14*	'16*	'15*	'14*
Homicide												
<i>Murder & Non-Negligent Manslaughter</i>	0	0	0	0	0	0	0	0	0	0	0	0
<i>Negligent Manslaughter</i>	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses***												
<i>Forcible</i>	1	3	*	1	3	*	0	0	*	0	0	*
<i>Non-Forcible</i>	0	0	*	0	0	*	0	0	*	0	0	*
Rape	1	3	2	1	3	2	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence**	0	0	1	0	0	1	0	0	0	0	0	0
Dating Violence**	0	2	0	0	2	0	0	0	0	0	0	0
Stalking**	1	0	0	1	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	1	0	0	1	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	1	0	0	0	0	0	0	0	0	0	0	0
Arrests (Referrals for Campus Disciplinary Action)												
Liquor Law Violations	2(65)	7(76)	16(70)	2(65)	4(76)	10(70)	0(0)	0(0)	0(0)	0(0)	0(0)	0(0)
Drug Abuse Violations	8(3)	2(9)	7(8)	8(3)	2(9)	6(7)	0(0)	0(0)	0(0)	0(0)	0(0)	0(0)
Weapons: Carrying, Possessing, Etc.	0(2)	0(1)	0(0)	0(2)	0(1)	0(0)	0(0)	0(0)	0(0)	0(0)	0(0)	0(0)

*No victims of crimes reported were identified as being intentionally selected because of a category of prejudice. For further information, contact the Chadron Police Department at 432-0510 or Senior Director of Student Affairs at 432-6280.

**VAWA Reporting for Domestic Violence, Dating Violence, Stalking started in 2013

***Sex Offenses categories updated in 2014

CAMPUS CRIME STATISTICS DEFINITIONS

Murder/Non-Negligent Manslaughter: the willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

Negligent Manslaughter: the killing of another person through gross negligence.

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

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

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

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

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

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

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadones); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Liquor Law Violations: The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Larceny: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Vandalism: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

Sex Offenses-Forcible

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

A. Forcible Rape

The carnal knowledge of a person, forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

B. Forcible Sodomy

Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

C. Sexual Assault With An Object

The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

D. Forcible Fondling

The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Sex Offenses-Non-forcible

Unlawful, non-forcible sexual intercourse.

A. Incest

Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

B. Statutory Rape

Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Hate Crime

A hate crime is a crime that manifests evidence that the victim was intentionally selected because of the perpetrator's bias in a belief whether actual or perceived of the victim's race, gender, religion, national origin, sexual orientation, gender identity, ethnicity or disability.

Unfounded Crime

If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is "unfounded". **Only sworn or commissioned law enforcement personnel may determine the crime to be unfounded.**

FIRE SAFETY

FIRE SAFETY SYSTEMS

Fire safety and education is a cooperative effort between CSC and the Chadron Community. Communication and planning regarding fire safety is coordinated through administrative and residence hall staff and includes emergency evacuation procedures, alarm and extinguisher inspections, as well as fire education programs offered through local and state agencies. Fire Alarm Systems installed in the campus buildings are equipped with horns and strobes for occupant notification. The panel monitors smoke detectors, heat detectors and/or pull stations in order to detect fire. This fire alarm system is inspected every six months for proper operation by licensed personnel.

SELECTED FIRE POLICIES

The following actions are a violation of student conduct:

- **Setting or attempting to set any fire** on the campus or on the premises of any student housing unit, except in fireplaces or other facilities designated for fires;
- **Failing to report a fire** or any other extremely dangerous condition when known or recognized on the campus or on the premises of any student housing unit;
- **Possessing or selling firearms**, ammunition, weapons, explosives, or dangerous chemicals on College campus or on the premises of any student housing unit;
- **Obstructing or failing to comply** with the directions of a law enforcement officer, firefighter, or College official in the performance of his or her duty on College property, on the premises of any student housing unit or at any activity or event sponsored by the College or an organization
- **Falsely setting off** or otherwise tampering with any emergency safety equipment, fire alarm, or other device established for the safety of individuals and/or college facilities;

Open Flame and Hazard Prohibitions

Open Flame Policy

Open flames and devices are prohibited within CSC buildings except in specific controlled lab environments such as science. The definition of an open flame includes any lighting or heat-generating device which produces smoke or a flame/ember that is not protected. Examples include candles (with or without wicks), warmers, incense, smoking, burning, halogen lamps, oil or tiki lamps, torches, plug-in oil/scent devices, etc. Exceptions may be requested at least one week in advance of the event to the Vice President Administration and Finance, (432-6202, Sparks Hall, Room 226).

[Campus Clean Air Policy](#)

Smoking is prohibited in campus facilities and vehicles except as designated below. Smoking on the grounds of CSC is allowed as long as such use is not within close proximity (defined as within 10 feet) of any facility entrance or work site, unless other restrictions prevail. Signage reflecting this policy and smoking product waste receptacle placement will be the responsibility of the CSC Department of Physical Facilities (432-6225, Physical Facilities, Room 115). Noncompliance with these provisions will be handled in accordance with existing employee and student disciplinary policies.

Smoking, second-hand smoke and the use of tobacco products have been found to pose definite health hazards. To provide a safe and healthy environment for working and learning, smoking is not permitted in College facilities or vehicles, including Residence Halls.

1. Smoking on College grounds is allowed as long as such use is not within close proximity (defined as within 10 feet) of any facility entrance or work site, unless other restrictions prevail.
2. Campus buildings are posted with “No Smoking” signs notifying all visitors of the smoke-free environment. Appropriate receptacles will be available for proper disposal of smoking waste.
3. Noncompliance with these provisions will be managed in accordance with existing faculty, staff, and student guidelines.

Electronic cigarettes and hookahs are banned from the residence halls. Students who smoke outside a residence hall/apartment must do so in designated areas and far enough from the building to avoid having smoke drift into the hall or neighboring apartments. Cigarette butts, packaging and other tobacco debris must be disposed of properly.

See the following documents for additional information:

CSC Student Handbook

http://www.csc.edu/documents/publications/csc_student_handbook.pdf

Residence Hall Handbook

<http://www.csc.edu/housing/policies.csc>

FIRE REPORTING

If you are the first person to observe a fire in a campus building, do not try to put it out. Activate the building fire alarm through the nearest box. Leave the building using the nearest evacuation route. Buildings are to be reentered only after the appropriate officials have indicated that there is no longer an emergency. Turning in a false alarm or tampering with alarm equipment, in addition to being a state violation, is interpreted as endangering the lives of others and may result in suspension from the college and/or civil court action.

Additional information regarding campus fire emergency procedures and regulations are available in the Residence Life Handbook <http://www.csc.edu/housing/policies.csc>

CAMPUS FIRE STATISTICS

Name of Facility	Street Address	Number of Fires			Number of Fire Related Injuries			Number of Fire Related Deaths		
		2016	2015	2014	2016	2015	2014	2016	2015	2014
Andrews Hall	1051 Chapin Street	0	0	0	0	0	0	0	0	0
High Rise	501 East 10th Street	0	0	0	0	0	0	0	0	0
Kent Hall	1050 Shelton Street	0	0	0	0	0	0	0	0	0
Brooks Hall	245 East 10th Street	0	0	0	0	0	0	0	0	0
Edna Work Hall/Wing	1065 Main Street	0	0	1 (Unintentional) Damage Est. \$100-\$999	0	0	0	0	0	0
Family Housing	1000 Chadron Avenue	0	0	0	0	0	0	0	0	0
Eagle Ridge -A	709 East 12 th Street	0	0	0	0	0	0	0	0	0
Eagle Ridge -B	715 East 12 th Street	0	0	0	0	0	0	0	0	0
Eagle Ridge -C	721 East 12 th Street	0	0	0	0	0	0	0	0	0

10/1/2017