



# **2023 Annual Security Report** ***for* Calendar Year 2022**

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**Northwestern Campus Safety & Security**  
10/01/2023

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# OVERVIEW:

## ABOUT THE REPORT

### **Annual Security Reports Are Published by Northwestern College**

Northwestern College publishes an annual security report for its campus in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The security report is published by the Campus Safety and Security Office.

### **How the Crime Statistics in this Report Are Compiled**

The crime statistics in this report have been compiled by the Campus Safety and Security Office in cooperation with the Student Life Office for all crimes reported to college officials, the Sioux County Sheriff's Department, and the Orange City Police Department. The totals include crimes reported to have occurred on campus or on public property immediately adjacent to campus (sidewalks, streets, parks, etc.).

### **How the Report is Disseminated**

The Clery Act stipulates that Northwestern College is to notify all current and prospective students, faculty and staff of the availability of this report no later than October 1 annually. The report will be located on Northwestern's campus security webpage. No later than October 1, an e-mail notification providing the URL address for the report will be sent to all current students, faculty and staff. Printed copies of the report are available upon request at the Student Life Office and the Campus Safety and Security Office.

Prospective students are notified of the availability of the report in the prospective student section of the college's website.

Prospective employees are notified of the availability of the report in the form of an electronic link on the college's website where job openings are listed, bottom of the page:

<https://www.nwciowa.edu/employment/application/instructions>

## SECURITY ON NORTHWESTERN'S CAMPUS

Northwestern College's Director of Campus Safety and Security is responsible for campus security. The Director of Campus Safety and Security works with 14 part-time student safety and security aides. The Director of Campus Safety and Security reports to the Vice President for Student Life. Campus Safety and Security employees are not sworn or commissioned officers. They do not carry weapons. They do not have arresting authority. The Campus Safety and Security Office is located in the Ramaker Center, 2nd floor. Office hours are Monday through Wednesday, 8:00am-11:00am and Thursday through Friday from 1:00pm-4:30pm. The office phone is 712-707-7475.

The Director of Campus Safety and Security works closely with the Orange City Police Department and the Sioux County Sheriff's Department and has a written Memorandum of Understanding (MOU) in place with both for the investigation of crimes. The Northwestern College Student Handbook stipulates that all students are required to cooperate with the Campus Security Department and student workers assigned to campus security on campus or at college-sponsored events. While on duty, the security staff is authorized by the college to:

- Respond to and assist with all security/safety concerns, requesting the assistance of law enforcement officials and other first responders as needed.

- Enter campus buildings, residence halls, parking lots and grounds to monitor campus safety and to ensure mechanical equipment is operating properly.
- Lock and unlock buildings.
- Report any criminal or suspicious activity to law enforcement authorities and/or college officials, as well as any policy violations for appropriate follow-up.
- Require any person on Northwestern property or at any college-sponsored event to show proper identification and to make a determination for the college as to whether or not that individual has a legitimate reason for being present. Security also has the authority to require any individual to vacate college property or leave a college-sponsored event. Anyone who does not cooperate will be reported to law enforcement officials for trespassing.
- Issue tickets that include monetary fines for parking and traffic violation on campus. If the fines are not paid within the time period specified, the fines will double and be billed to the student's or employee's account with the college.

In addition to the President, the Vice President of Student Life, Campus Safety & Security, the Athletic Director and the Dean for Residence Life, Residence Directors and Resident Assistants are authorized by the college to address security and safety concerns, illegal activity and violations of college policy when they occur. These individuals are authorized by the college to enter and search student residences, student lockers and other personal property belonging to the student following the protocol for searches set forth in the student handbook. The college reserves the right to conduct its searches with law enforcement officials present, as well as the right to request assistance from law enforcement officials in response to any emergency, criminal activity, or security concern on college property or at any college-sponsored event.

## HOW TO REPORT AN EMERGENCY

Emergency police, fire and medical services for all of Sioux County and Orange City are both dispatched from a combined city/county 911 service center. To summon emergency assistance:

**Dial 9-1-1** if you are calling from your cell phone.

**Dial 8-9-1-1** if you are calling from a phone located in a campus building.

As soon as it is safe to do so, please report the emergency to campus security by dialing 712-707-7475 (during office hours) or by dialing 712-395-1077. (after hours)

## GEOGRAPHY:

### ACCESS TO RESIDENCE HALLS AND CAMPUS FACILITIES

During normal operating hours, the library, classroom buildings, administrative offices, cafeteria, student center, "Hub" snack bar, and bookstore are accessible to the public. Operating hours for each facility vary depending on the activities and classes scheduled in that facility for the day.

When scheduled activities and classes end each day, security staff clear and lock buildings for the night. Buildings are unlocked each morning before the first scheduled class or activity. Buildings generally open each day by 8 a.m. and close when the last class or activity for the day is completed. Buildings remain locked when not in use.

Access to student residences is restricted to residents who live in the facility and their invited guests, to members of the college's maintenance, security, residence life and student Life staff, and to contractors hired by the college. Doors providing access to the residence hall portion of Bolks Apartments, Colenbrander Hall, Fern Smith Hall, Hospers Hall, North Suites Hall, and Stegenga Hall are locked 24 hours a day with an ID card reader.

Residents in these facilities are responsible for keeping the doors to their residences locked. If an ID card or key is misplaced or taken, notify the Student Life Office immediately so the old ID card can be deactivated.

Keys to buildings and facilities are issued only to faculty, staff, and students who are determined by the college to have a legitimate need for them. Those who are issued keys are prohibited from duplicating the keys or loaning them to any other individual. If a key is lost or stolen, an immediate report should be made to the appropriate Resident Director (RD) or the Student Life Office. Faculty and staff should report lost or stolen keys to the Maintenance Department.

## **IDENTIFICATION**

All students, faculty, and staff are required to carry their official Northwestern College identification card when on college property or when attending a college-sponsored event.

## **PUBLIC PROPERTY**

Crimes that occur within public property, including thoroughfares, streets, sidewalks and parking facilities that is within the campus or immediately adjacent to and accessible from the campus will be reported.

## **OFF-CAMPUS SAFETY RISKS AND CRIMINAL ACTIVITY**

Northwestern College operates no off-campus housing or off-campus student organizations. Northwestern College cooperates with law enforcement agencies to monitor any off-campus criminal activity that may jeopardize the safety and security of the college community. Campus officials meet and communicate regularly with officials from both the Orange City Police Department and the Sioux County Sheriff's Department. Both of these agencies provide timely notification to college officials of safety or security risks in the community, and when appropriate, the college will employ its emergency notification and security advisory procedures to alert students, faculty and staff to the risk that exists. Both agencies also inform college officials of any criminal activity occurring in the community involving Northwestern students.

## **EMERGENCY RESPONSE:**

It is the goal of Northwestern College to provide faculty, staff, students, and visitors with the safest possible environment. When a significant emergency or dangerous situation requires an emergency response or an evacuation, it is extremely important that the campus community be informed in a timely manner of the actions that people should take. Therefore, Northwestern College's policy is to notify, without delay and taking into account the safety of the community, all members of our campus community as to the nature of the emergency or danger and the response necessary unless, in the opinion of the police department, doing so would compromise efforts in assisting a victim or containing, responding to, or otherwise mitigating the emergency.

Ultimate responsibility for emergency response activities and implementation of any or all elements of the Emergency Response Plan rests with the President and the Administrative Council. The Vice President for Financial Affairs is the principal officer responsible for emergency response management at Northwestern College.

The Northwestern Emergency Response Team (ERT), comprised of the Vice President for Financial Affairs, Vice President of Student Life, Director of Facilities and Operations, Director of Campus Safety & Security, Director of Environmental Health, Athletic Facilities Director, Director of Public Relations, and Director of Computing Services (or their designees) collectively are responsible for recommending emergency response priorities to the President.

The College will review the emergency response plan on an annual basis to assess organizational effectiveness and update essential plan components.

When a significant emergency occurs, campus members are instructed to contact the Orange City police at 911 (8-911 from a campus phone) and Northwestern College's security department (707-7475) or cell number 712-395-1077), who then investigates the report and issues any alerts needed to protect or inform the campus community. If there is time or necessity for consultation with the Northwestern Emergency Response Team, that will occur, otherwise any member of the Emergency Response Team has the authority to initiate the alert.

Notification to students, faculty, and staff about emergency situations can be addressed in several ways -- the method(s) selected will depend on the circumstances of a particular event.

## EMERGENCY NOTIFICATION AND TIMELY WARNING NOTICES:

Northwestern College maintains close communication with local emergency management officials in order to keep the college community informed of emergencies. Depending on the nature of the situation, Campus Safety & Security, Title IX or Emergency Response Team will utilize any or all of the following methods to issue emergency notification and/or timely warning notices to keep the college community informed of important safety and security information as it becomes available:

- **NWC Alert Notification System** – This communication system allows Northwestern College to send out emergency messages via text, phone calls, email, Facebook, and Twitter. All campus email addresses and office phones are automatically sent emergency notifications. Individuals who have registered their cell phone numbers with Northwestern College, and have not opted-out of emergency notification, will also receive text and phone messages. The alert will provide notification and instructions. The system is also tied into the National Weather Service so tornado warnings for Sioux County are automatically sent out by the NWS. Because the campus is small, it is the general policy to send the alert to all areas on campus rather than segmenting the campus. Follow-up alerts are sent as needed to keep the campus community informed. Each semester Computing Services uploads the current campus contact information into the alert system, and the system is tested after the upload is complete (once per semester).
- **E-mail** – Notices and official security advisories can be sent via e-mail to the NWC e-mail address of students, faculty, and staff. All official notices and security advisories will be identified as such and will be identified as being sent from a member of the Emergency Response Team. Information regarding emergency response and evacuation procedures will be sent via e-mail annually.
- **Local Media (radio, television)** – When appropriate, announcements and advisories may be broadcast by the local media.
- **Social Media** – When appropriate, announcements and advisories may be posted on Facebook and Twitter.
- **Website Updates** – In some cases, information updates from the Emergency Response Team will be posted on the college's website.
- **Posted Copies of Notices and Advisories** – When appropriate, timely security advisories will be posted in visible locations across campus, including in residence halls. In such cases, the notices or advisories will be printed on official college letterhead and bear the signature of a member of the Emergency Response Team.

## EMERGENCY NOTIFICATIONS

Northwestern College will immediately notify the campus upon the confirmation of a significant emergency or dangerous situation involving immediate threat to the health or safety of a student, faculty or staff occurring on campus. An emergency notification will be issued as deemed necessary by

Campus Safety & Security or any member or the Emergency Response Team in consultation with other campus administrators.

This consultation will take into account the safety of the campus community and determine what information to release about the situation. Campus Safety and Security along with the Emergency Response Team and/or other administrators will determine how much information is appropriate to disseminate.

Northwestern College will notify the campus community as soon as the situation is confirmed a significant emergency or dangerous situation. The only reason for not issuing such a notification would be that initiating the notification would compromise efforts in assisting victim(s), containing the emergency, responding to the emergency or otherwise mitigate the emergency.

Because of the size of the campus, it is the general policy to send the alert to all areas on campus rather than segmenting the campus. Follow-up alerts are sent as needed to keep the campus community informed.

Emergency Notifications are typically written and distributed by the Director of Campus Safety & Security and/or a member of the Emergency Response Team. Emergency Notification will use the NWC Alert Notification System explained prior.

## **TIMELY WARNING NOTICES**

Northwestern College provides Timely Warning Notices to the College community when a situation occurs within Northwestern College's Clery geography and represents a serious or continuing threat. Decisions to disseminate a warning will be decided on a case-by-case basis in light of all the facts surrounding the crime and the continuing danger to the campus community. The purpose of the warning is aid in the prevention of similar crimes by alerting the community about the incident and providing information on the actions people can take to diminish their chances of being victimized.

The amount and information presented in the warnings will vary depending on the circumstances of the crime. If there is certain information that could compromise law enforcement efforts, it may be withheld from the Timely Warning Notice. An effort will be made to distribute a warning as soon as pertinent information is available so that the warning is a preventive tool, not solely a description of the incident. While there may be examples of a Timely Warning Notice being used to identify a suspect, it is not expected that a Timely Warning Notice will lead to the arrest of the suspect if described. Rather, Timely Warning Notices are intended to inform the community of an on-going risk so they can better protect themselves and aid in the prevention of similar crimes.

Northwestern College can collect information about crime reports from local law enforcement, campus security authorities, Residence Life Incident Reports and the online Raider Reporting Center. Timely Warnings are typically issued for the following crime classifications; major incidents of arson, aggravated assault, and murder/non-negligent manslaughter, robbery, and sex offenses.

Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by Campus Safety & Security, Core Emergency Response Team and/or Title IX Team. For example, if an alleged assault occurs between two students who have a disagreement, there may be no on-going threat to other Northwestern College community members and a Timely Warning Notice would not be distributed.

Cases involving sexual assault can often be reported long after the incident occurred, in which case there is no ability to distribute a "timely" warning notice to the community. Thus, whether to issue a Timely Warning Notice based on a reported sex offense will be determined on a case-by-case basis depending on when and where the incident occurred, when it was reported, and the amount of information known by Campus Safety & Security and the Title IX Team. The Director of Safety & Security and Title IX Team member(s) will collaborate in reviewing

reports to determine if there is an on-going threat to the community and if the distribution of a Timely Warning Notice is warranted.

Campus Safety and Security will assess reports of property crimes and may distribute a Timely Warning Notice in the event of a pattern of crime that poses serious or continuing threat to the community. Timely Warning Notices also may be posted for other crime classifications and locations, as deemed necessary.

Timely Warning Notices are typically written and distributed by the Director of Campus Safety and Security. Vice President for Student Life and Dean of Residence Life also are authorized to write and distribute Timely Warning Notices. Timely Warning Notices will be issued to the campus community in a manner that is timely, that withholds the names of the victims as confidential, and in a manner that aids in the prevention of future similar crimes. Timely Warning Notices are distributed to the Northwestern College community via mass email to faculty, staff and students.

Northwestern College is not required to issue a Timely Warning Notice with respect to crimes reported to the Dean of Christian Formation, Associate Dean of Christian Formation and Professional Counselors in the NWC Wellness Center; RSC.

## **CRIME PREVENTION AND SAFETY EDUCATION:**

Consistent with its educational mission, the college takes an active role in educating students, faculty and staff about crime prevention and safety practices. Recommended safety practices are included in this report (p. 44-49). In addition, Northwestern offers a variety of educational awareness programs throughout the academic year. Programs on alcohol abuse prevention, sexual assault prevention, and relationship violence prevention are offered throughout the year in campus-wide programs and in residence halls.

Northwestern places a high priority on providing educational and awareness programs intended to inform all students and employees (both men and women) about the college's emergency response and evacuation policies, and to help them learn how to prevent and report crimes appropriately. Evacuation procedures are tested once per semester in the form of fire drills in both academic and student housing buildings.

The following programs were provided to new faculty and staff members in calendar year 2022:

New Staff Orientation	September 2022
New Faculty Orientation	September 2022
Residence Life Staff Training	August 2022

The following programs were provided to all students, new and returning, in calendar year 2022:

All-Hall Meetings	August 2022
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## **THE IMPORTANCE OF REPORTING CRIMINAL ACTIVITY:**

Because Northwestern College does not have its own police department, students, faculty, staff and guests are strongly encouraged to report all criminal or suspicious activity to both local law enforcement and to college officials. Do not assume someone else has made the call. Try to provide the dispatcher with accurate, detailed information about the problem. Crimes can often occur in clusters. Prompt reporting of criminal activity enables the college and local law enforcement officials to more effectively protect the safety of the entire community. No matter how insignificant an incident might seem; the information you provide may be an important clue that may be helpful to the college and/or local law enforcement officials.

## HOW TO REPORT A CRIME TO LOCAL LAW ENFORCEMENT AGENCIES

The college's campus is located inside the city limits of Orange City, within the jurisdiction of the Sioux County Sheriff's Department. Contact information for the police and sheriff's departments is as follows:

### Orange City Police Department

125 Central Ave. SE, Orange City, IA 51041

Emergency service: 911 (on-campus line: 8-911)

Non-emergency phone: 712-707-4251

### Sioux County Sheriff's Department

4363 Ironwood Ave., Orange City, IA 51041

Emergency service: 911 (On campus line: 8-911)

Non-emergency phone: 712-737-2280

Website: [www.siouxcountysheriff.com](http://www.siouxcountysheriff.com)

When you make a report of criminal activity to the Orange City Police or Sioux County Sheriff's Department, investigative staff will be assigned to the case. The departments generally notify the college when they are investigating an incident. At the end of each calendar year, the departments provide the college with statistical information about crimes occurring on campus that have been reported to them. The information is included in the college's annual disclosure of crime statistics.

## HOW TO REPORT A CRIME TO THE COLLEGE

If you are a victim of a crime—or if you feel threatened by suspicious activity—**your first priority should be to get to a safe place.** If you encounter a crime scene (as in the case when your car or your apartment has been broken into) you may be in danger because the perpetrator may still be in close proximity. **Do not enter the crime scene!** Instead, go to a safe place and call 911.

Any suspicious activity or person observed on the grounds of the college, in the parking lots, inside buildings, or in or around the residence halls should be reported to the Director of Campus Safety & Security (during business hours) or to the college's Residence Life Staff (after hours). In addition, you may report a crime to one of the college's officials listed below. These individuals have been authorized by the college to receive reports of criminal activity on behalf of the college. All crimes reported to these individuals will be included in the college's annual crime statistics.

## COLLEGE OFFICIALS AUTHORIZED TO RECEIVE REPORTS OF A CRIME

Name/Title	Office Location	Telephone
Andrew Van Ommeren Director of Campus Safety and Security	Ramaker Center, 2nd floor	712-707-7475
Marlon Haverdink Dean of Residence Life	Ramaker Center, 2nd floor	712-707-7200
Julie Vermeer Elliott Vice President for Student Life	Ramaker Center, 2nd floor	712-707-7200

## THE COLLEGE'S RESPONSE TO A REPORT OF A CRIME

***Please note, there are special procedures for responding to a report of a sexual assault (Page 20-50).***

For all other crime reports, the college will respond in the following manner:

1. The first concern of the college is your safety and the safety of the entire college community. If the college perceives there to be an on-going risk to you or others, the college will make an immediate report of the incident to law enforcement officials on its own behalf. Depending on the circumstances, the college will rely on law enforcement officers to determine if it is safe before allowing access to the crime scene.
2. The college will encourage you to report the incident to law enforcement officials if you have not already done so (though it is *not* required of you), and you will be offered assistance in contacting the appropriate officials.
3. Sometimes members of the community are hesitant to make a report of crime because of the fear of retaliation. The college is committed to doing everything possible to protect those who report a crime from any form of retaliation. The college may also order perpetrators (if they are students or employees of the college) to avoid contact with you. In some instances, the college may be able to keep the identity of the person reporting a crime confidential. Finally, if the circumstances warrant, the college can assist those who report a crime with obtaining a legal restraining order.
4. When you report a crime to a college official, you will be asked to provide a written statement of what you know about the incident. You may also be asked to answer questions to clarify information you have provided. The college official who takes your report is responsible to submit an official report of the incident. Copies of the report are available at the Campus Safety and Security Office (712-707-7475, located in Ramaker Center). All reports will be submitted to the Director of Campus Safety within two business days.
5. All crimes reported to the college will be investigated. The college reserves the right to enlist the assistance of local law enforcement officials in any investigation involving criminal behavior.
6. When the alleged perpetrators of a reported crime are identified as students, the investigation is the responsibility of the Director of Residence Life with the help of the Campus Safety and Security Office. Any disciplinary action will be adjudicated internally in accordance with the procedures outlined in the Northwestern College Student Handbook. Students determined to have involvement in criminal activity are subject to disciplinary action whether the incident occurred on or off campus. As required by the Clery Act, and as permitted by the Family Education and Privacy Act (FERPA), the college will inform a victim of an alleged crime of violence of the outcome of the student disciplinary proceeding against the accused when the accused has been found to be responsible and exhausted allowable appeals. Such notification will be limited to the following information: the student judiciary final determination with respect to the alleged crime of violence and any sanction that is imposed against the accused. Reporting the outcome of proceedings of non-violent crimes is not permitted under FERPA and will remain confidential.
7. When the alleged perpetrators are employees of the college, internal disciplinary action may be pursued as outlined in employee handbooks. In this case, the investigation will be the responsibility of the Director of Human Resources and appropriate supervisors and administrators.
8. Internal judicial or disciplinary measures by the college are not intended to replace or interfere with action in the criminal justice system. Victims of crimes retain the legal right to pursue criminal charges in addition to any internal investigation or proceedings. Criminal investigation by local law enforcement officials, arrest and prosecution can occur independently before, during or after the campus judicial process or employee disciplinary actions. Likewise, the college may pursue its own internal disciplinary measures independent of whether or not criminal charges are filed and/or whether or not they are successfully prosecuted in the criminal justice system.
9. All reports of crimes reported to the college officials identified above will be entered in the college's daily crime log (located in the Campus Safety and Security Office) without any identifying information. In addition, the reports will be included in the crime statistics included in the annual security report.

10. If the information you provide in your report indicates there is a continuing risk to other members of the community, the college will issue timely security advisories to advise the community of the risk. These advisories will be issued in accordance with procedures outlined on page 5.

## **VOLUNTARY CONFIDENTIAL REPORTING**

If you are the victim of a crime and you do not want to pursue action within the college's disciplinary processes or the criminal justice system, you have the option of making a confidential report. When you make a confidential report, the college agrees to keep your identity private but is able to use information to provide for the future safety and security of the community. Reports filed in this manner are recorded without any identifying information in the daily crime log and included as statistics in the annual security report. Students who would like more information about making a voluntary confidential report of a crime are encouraged to contact the college's residence life department.

## **PASTORAL AND PROFESSIONAL COUNSELORS**

As a result of the negotiated rule-making process that followed the signing into law of the 1998 amendments to the Clery Act, 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus "pastoral counselors" and campus "professional counselors," when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a *voluntary confidential basis* (see above) for inclusion into the annual crime statistics.

### **Counselors are defined as:**

*Pastoral counselor:* An employee of an institution who is recognized by the NWC community as someone who provides confidential counseling and spiritual guidance.

**Mark De Younge, Dean of Christian Formation**  
Ramaker Center  
(712) 707-7191

**Patrick Hummel, Director of Missions**  
Ramaker Center  
(712) 707-7336

*Professional counselor:* An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

**Jenna Visser, Director of Counseling Services**  
NWC Wellness Center, RSC  
(712) 707-7315

## **LEGALLY MANDATED REPORTING**

There are instances when the college official taking a report of a crime may be legally mandated to report the incident to law enforcement officials. Examples include:

- Health care practitioners at the Wellness Center are legally mandated to report any incident for which they provide treatment to an individual suffering from wounds inflicted by a firearm or resulting from an assault or abuse.
- Educational administrators, teachers, counselors and clergy are required by law to make a report anytime they become aware of any abuse being perpetrated on a minor child.

If during the course of receiving a criminal report, college officials become aware there is an imminent threat to someone's safety, they must take appropriate steps to protect that person— which may include

making a report to appropriate law enforcement officials someone's safety, they must take appropriate steps to protect that person— which may include making a report to appropriate law enforcement officials.

## **POLICY STATEMENTS:**

### **DRUG AND ALCOHOL POLICIES**

#### **Alcohol**

The abuse of alcoholic beverages is contrary to biblical principles in which life, health and one's rational powers are sacred trusts that must not willfully be destroyed or impaired. While recognizing the principle of individual Christian liberty in certain areas of behavior not specifically prohibited in Scripture, Northwestern believes it is for the good of the community as a whole that all members agree to abide by a policy that calls for the discipline of abstinence on campus, in off-campus housing, and at off-campus college events, or while officially representing the college.

#### **Principles**

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs, such as the brain and the liver.

This policy is in force to a) ensure a campus climate where abstinence is respected as a pattern for all of life and b) to counteract the effect of peer pressure that leads some to engage in the misuse or abuse of alcohol.

#### **Alcohol Regulations**

The following regulations will be followed in implementing this policy:

1. The possession or use of alcoholic beverages on college-owned property, in off-campus housing, or at college-sponsored activities, functions, trips, etc., (on or off campus) is forbidden. On college-owned property, the presence of any alcoholic beverage container will be interpreted the same as actual possession by those in the area where the container is found. Any member of the college community found in violation of this policy will be subject to discipline.
2. Any member of the college community who is found on-campus and gives clear evidence of intoxication (i.e. incoherent speech, lack of physical coordination) or creates a disturbance on campus related to the consumption of alcohol will be subject to discipline.
3. An off-campus social event sponsored by a college organization or group, an event advertised on campus, or an event in any way related to the college shall be subject to the on-campus regulation.
4. Students who are underage should be aware they are violating the law if they consume alcoholic beverages. This fact is taken into consideration during the disciplinary procedure. Students can face campus discipline for on-campus or off-campus underage drinking. In accordance with Title II of public law 101-542, Crime Awareness and Campus Security Act of 1990, statistics will be kept on the frequency of underage liquor law violations on the Northwestern campus.

5. If the student who has been misusing alcohol seeks help from the college, the college reserves the right to suspend normal disciplinary action. A student seeking assistance for a substance abuse problem is encouraged to seek out a faculty/staff member. That faculty/staff member will assist the student in finding appropriate treatment and follow-up care. Professional confidentiality will be maintained. In special cases, such as the safety of the individual and community, the limits of confidentiality may need to be extended past the initially involved parties. The difficulties of freeing oneself from alcohol abuse are well known, and the college wants to surround the person with the best possible support to deal with this problem.
6. Northwestern College subscribes to the concept of a “Good Samaritan” policy. In the event that a Northwestern
7. College student is in physical or emotional danger due to the abuse of alcohol or drugs, a fellow student who chooses to intervene in the situation to guarantee the safety of the affected student may be absolved from formal discipline sanctions.

### **Sanctions for Alcohol Policy Violations**

Students found in violation of the policy for the first time will be required to complete a minimum of three hours of community renewal, as well as an educational component, and may be asked to go through an alcohol assessment with a local drug and alcohol counselor and be required to follow through with any recommended treatment. Students found in violation of the policy a second time will be required to complete an alcohol assessment with a local drug and alcohol counselor, follow through with any recommended treatment from that assessment, complete a more significant educational component, and complete a minimum of five hours of community renewal. Students found in violation of the policy a third time will be recommended to the VP for Student Life for dismissal from the College.

### **Illegal Drug Regulations**

The use or possession of illegal drugs will not be tolerated at Northwestern College or any college-sponsored event. The possession, sale, manufacture or distribution of any controlled substance is illegal in Iowa. These laws are strictly enforced at Northwestern by the VP of Student Life, the Dean of Residence Life, resident directors, coaches and administrators responsible for events and activities. Violators will be reported to law enforcement authorities and subject to college disciplinary action, criminal prosecution, fine and imprisonment.

The use of illegal or hallucinogenic drugs or intoxicants and the misuse of prescribed and over-the-counter drugs are destructive to the welfare of students. The illegal possession and the disposition or use of drugs, except as directed on over-the-counter drugs or as prescribed by a medical doctor, is prohibited.

### **Sanctions for Drug Policy Violations**

1. Any student who gives evidence of illegal possession, improper disposition, or use of drugs on or off campus shall be subject to dismissal by the Vice President of Student Life and may be reported to the proper legal authorities. The presence of these drugs will be interpreted as possession.
2. A student who gives evidence of illegal possession or use of drugs or intoxicants will be required to identify the individual from whom they were secured. Should the source identified be a student at Northwestern College, he or she shall be dismissed.
3. If a student who has been taking drugs seeks help from the college, the college reserves the right to suspend normal disciplinary action. Any student seeking assistance for a substance abuse problem is directed to go to the Wellness Center or other agreed-upon arrangements. Professional confidentiality will be maintained. In special cases, such as the safety of the individual and community, the limits of confidentiality may need to be extended past the initially involved parties. The difficulties of freeing oneself from a drug habit are well known, and the college wants to surround the person with the best possible support during the crucial period of withdrawal. Therefore, he or she will be expected to accept such help as is determined necessary after consultation with the counselors or other agreed-upon arrangements.

## Summary of Federal & State Laws and Sanctions Regarding Drugs

**Possession** of controlled substances, such as narcotics, stimulants, depressants or hallucinogens, carries criminal penalties including imprisonment up to 20 years and fines up to \$10 million under federal laws, depending on the type and quantity of drug and whether it is a first or subsequent offense. Moreover, personal property may be forfeited and federal benefits, such as student loans and grants may be denied on the first offense. Under State of Iowa and local laws, simple possession is a serious misdemeanor and criminal penalties may include up to a year imprisonment and/or a fine of up to \$1,875.

While Marijuana has become legal in some states, it remains illegal to manufacture, possess, consume, or distribute this substance in the state of Iowa.

**Drug Paraphernalia:** No person may use, possess, manufacture, or deliver drug-related paraphernalia. Drug-related paraphernalia is defined to be all equipment, products, and materials of any kind which will be used, intended for use or designed for use with regard to drugs in any manner.

**Trafficking** in a controlled substance carries criminal penalties including imprisonment up to life and fines up to \$20 million for an individual under federal law, depending on the type and quantity of the drug and whether it is a first or subsequent offense.

Under State of Iowa and local laws, trafficking an illicit drug carries criminal penalties of up to 50 years in prison and up to \$1 million in fines, depending on the type and quantity of the drug. Subsequent violations can triple the imprisonment sentence and fine. Moreover, there are special penalties for trafficking to minors.

### Suspension of Financial Aid for Drug-Related Offenses

Section 484(r), Higher Education Act of 1965, outlines that a student who has been convicted of any offense under any federal or state law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance under this title during the period beginning on the date of such conviction and ending after the interval specified below:

#### If convicted of an offense involving:

**The possession** of a controlled substance: Ineligibility period is:

First offense ..... 1 year  
Second offense ..... 2 years  
Third offense ..... Indefinite.

**The sale** of a controlled substance: Ineligibility period is:

First offense ..... 2 years  
Second offense ..... Indefinite.

A student regains eligibility the day after the period of ineligibility ends (i.e., for a 1st or 2nd offense); or when they successfully complete a qualified drug rehabilitation program that includes passing two unannounced drug tests given by such a program. Further drug convictions will make a student ineligible again.

Students denied eligibility for an indefinite period can regain eligibility after completing any of the following 3 options:

1. Successfully completing a rehabilitation program (as described below, which includes passing two unannounced drug tests from such a program);
2. Having the conviction reversed, set aside, or removed from the student's record so that fewer than two convictions for sale or three convictions for possession remain on the record; or
3. Successfully completing two unannounced drug tests which are part of a rehab program (the student does not need to complete the rest of the program).

A qualified drug rehabilitation program must include at least two unannounced drug tests and satisfy at least one of the following requirements:

- Be qualified to receive funds directly or indirectly from a federal, state, or local government program.

- Be qualified to receive payment directly or indirectly from a federally or state-licensed insurance company.
- Be administered or recognized by a federal, state, or local government agency or court.
- Be administered or recognized by a federally or state-licensed hospital, health clinic, or medical doctor.

## Summary of State Laws and Sanctions Regarding Alcohol

No one can have open containers of alcohol in a motor vehicle on a public street. Violation results in a fine of \$200.

No one can use or consume any alcoholic beverage on a public street. A court appearance is required.

No one can use or consume any liquor at an elementary or secondary school or on any elementary or secondary school premises.

No one can be intoxicated or simulate intoxication in a public place. A court appearance is required.

A person under age 21 cannot have any alcoholic beverage in his/her possession or control except in a private home with the knowledge, consent and presence of the parent or guardian. Violation results in a fine of \$200. Second offense: Unscheduled misdemeanor punishable by fine of \$500 and shall have an abuse evaluation or loss of driver license for no more than one year. Third offense: Unscheduled misdemeanor punishable by fine of \$500 and suspension of driver license, not to exceed one year.

No one can sell or give alcohol to a minor (with the exception stated above regarding alcohol in a private home with the knowledge, consent and presence of a parent or guardian).

No person can misrepresent their age for the purpose of obtaining alcohol.

*The penalty for the violation of any of the above crimes is up to 30 days in jail or up to a \$200 fine, except if someone gives alcohol to a person 19 or 20, and the "supplier" is under 21 the offense is a simple misdemeanor, while if the "supplier" is 21 or over the offense is a serious misdemeanor.*

No one shall operate a motor vehicle on a public street while intoxicated.

*The penalty for OWI varies depending on whether it is a first offense, second offense, etc. For the first offense, the penalty is 48 hours in jail and, generally, a fine of about \$1,250. There is also a loss of driver's license privileges for roughly 6 months. For the second offense, the penalty is a minimum of 7 days in jail but not to exceed two years as well as a minimum fine of \$1,875 but no more than \$6,250 and loss of driver's license for a minimum of one year. For the third offense, the penalty of a minimum of 30 days in jail but could be up to a 5-year incarceration, a minimum fine of \$3,125 but not more than \$9,375 and loss of driver's license for 6 years.*

*Also a person under age 21 is subject to the "zero tolerance" law which went into effect July 1, 1995. For example:*

- "Zero Tolerance" is at least .02 blood alcohol content (BAC).
- .02 BAC can result from one beer or drink—or less.
- Any driver under 21 who is stopped and tests as little as .02 BAC will lose his/her driver's license for at least 60 days for the first offense.
- If a driver refuses to take the BAC test, the driver's license will also be suspended for one year.
- No school or work driving permit will be allowed.
- Cost of the Drinking Driving Course is approximately \$100, to be paid by the offender.
- Subsequent violations will result in license revocation for a minimum of 90 days with no school or work driving permit.

## List of Health Risks

Alcohol is the most abused drug in society as well as on college campuses. Nearly 88,000 people die from alcohol related causes annually, making it the third leading cause of preventable death in the United States. Each year, college students account for 1825 of those deaths. The majority of health and social problems contributed to alcohol come from binge drinking. The National Institute on Alcohol Abuse and Alcoholism defines binge drinking as a pattern of drinking that brings a person's blood alcohol concentration (BAC) to 0.08 grams percent or above. This typically happens when men consume 5 or more drinks, and when women consume 4 or more drinks, in about 2 hours. Over 24% of the population ages 18 or older report that

they have engaged in binge drinking in the last month.

According to the Centers for Disease Control and Prevention (CDC), Binge drinking is associated with many health problems, including unintentional injuries (e.g., car crashes, falls, burns, drowning), intentional injuries (e.g., firearm injuries, sexual assault, domestic violence), alcohol poisoning, and sexually transmitted diseases. The National Institute on Drug Abuse (NIDA) reports that alcohol abuse costs the United States \$235 billion in costs related to crime, lost work productivity, and healthcare.

The CDC also reports that 9.2% of the population 12 years of age and older have used illicit drugs in the last month. The NIDA calculates the cost to the United States to be \$193 billion in costs related to crime, lost work productivity, and healthcare. The health risks associated with the use of illicit drugs are numerous and vary depending on the type of substance used. Many of them are discussed in the chart below. However, the risk of overdose is a concern for almost all illicit substances. Overdose can result in coma, convulsions, psychosis or death. Combinations of certain drugs, such as alcohol and barbiturates, can be lethal. The purity and strength of doses of illicit drugs are uncertain.

Continued use of alcohol and illicit drugs can lead to an alcohol or substance use disorder. This is defined in the Diagnostic and Statistical Manual of Mental Disorders (DSM-5) as a problematic pattern of alcohol or substance use leading to clinically significant impairment or distress. Signs of the disorder include increased tolerance (requiring more and more of a drug to get the same effect), continued use despite persistent or recurring problems with interpersonal relationships, employment, or the legal system, or withdrawal (a painful, difficult and dangerous symptom when stopping use of alcohol or drugs).

The following is a chart of alcohol and illicit drugs that are commonly abused. The chart is based on information from the National Institute on Drug Abuse and lists drug names, how they're administered, and potentially harmful health risks. Additional information can be found at: [www.drugandalcoholabuse.com/commonly-abused-drugs-chart/](http://www.drugandalcoholabuse.com/commonly-abused-drugs-chart/)

## **Drug and Alcohol Counseling and Treatment Programs**

In addition to Northwestern's Wellness Center, various agencies provide prevention programs and will assist our students and employees who may need counseling for drug and alcohol abuse problems.

Rosecrance Jackson Centers  
19 Lincoln Street SE  
Le Mars, IA 51031  
712.546.7868

Keystone Treatment Center  
1010 E 2<sup>nd</sup> St  
Canton, SD 57013  
605.987.2751

Seasons Center for Behavioral Health  
147 South Main Street  
Sioux Center, IA 51250  
1.800.242.5101

New Life Treatment Center  
130 Dakota St.  
Woodstock, MN 56186  
507.777.4321

## **MISSING PERSONS POLICY AND PROCEDURES**

The purpose of this policy is to establish procedures for Northwestern College to respond to and assist with reports of missing students as required under the Higher Education Opportunity Act of 2008. This policy applies to students who reside on campus and are deemed missing or absent from the college for a period of more than 24 hours without any known reason or which may be contrary to usual patterns of behavior. Such circumstances could include, but are not limited to: reports or suspicions of foul play, suicidal thoughts, drug use, any life-threatening situations, or where a student may be known to be with persons who may endanger the welfare of the student.

All reports of missing resident students shall be directed to the Campus Safety and Security Office (712-707-7475), which will conduct an investigation to determine whether the student is missing in accordance with this policy. If a missing student is under 18 years of age, the college is required to notify the parent or guardian no later than 24 hours from the time the student was determined to be missing by the college in addition to the emergency contact person identified by the student.

Northwestern College will also notify the Orange City Police Department and the Sioux County Sheriff's Department after the student is determined to be missing, as well as to initiate the college's NWC Alert System. All resident students will also have the opportunity to designate an individual or individuals to be emergency contacts who will be notified by NWC no more than 24 hours from the time the student is determined to be missing. The designation of emergency contact will remain in effect until changed or revoked by the student.

### ***Procedures:***

- Any and all reports of missing students shall be directed to the Campus Safety and Security Office at 712-707-7475 or to 712-395-1077 (after hours).
- An investigation will be initiated to determine the validity and credibility of the missing person report. The Campus Safety and Security Office and Residence Life Office will gather all essential information about the student from the person making the report and from the students' acquaintances. The information to be obtained includes, but is not limited to, personal descriptors, clothing last worn, locations where student may be, witnesses who may have information, vehicle descriptions, information of the physical and mental well-being of the student, up-to-date photographs, class schedule, etc.
- Notification will be made to the Vice President of Student Life or his/her designee.
- Notification will be made to the individual(s) identified by the missing student as the confidential emergency contact once it's determined that the student is missing. All confidential emergency contact information is to be on file with Residence Life.
- In the event the student is under 18 years of age or is not emancipated, the college shall make notification to the custodial parent or guardian immediately.
- If the listed actions are proven to be unsuccessful in locating the missing student, notification will be made to the Orange City Police Department and the Sioux County Sheriff's Department. These departments will launch their missing persons' protocol.
- NWC Alert will be initiated.
- The Dean for Student Life's Office shall initiate whatever actions deemed appropriate and in the best interest of the missing student
- Northwestern College administration will be notified in accordance with this policy.

## **SEXUAL ASSAULT, DOMESTIC VIOLENCE DATING VIOLENCE, AND STALKING; PREVENTION AND RESPONSE**

Northwestern College is committed to providing a working, learning, and living environment that promotes personal integrity, civility, and mutual respect in an environment free of discrimination on the basis of sex, which includes all forms of sexual misconduct. Sex discrimination is contrary to the standards of the college community, as it violates an individual's fundamental rights and dignity as a person made in the image of God. Northwestern College considers sex discrimination in all its forms to be a serious offense and it will not be tolerated. The college is dedicated to preventing and educating all students, faculty, and staff regarding all forms of sexual misconduct. This policy refers to all forms of sex discrimination, including but not limited to: unfair treatment based on sex, sexual harassment, hostile environment harassment, sexual assault, sexual misconduct, sexual exploitation, domestic violence, dating violence, and stalking by other students, employees, or third parties

For the purposes of this report, information regarding Northwestern's policies on sexual assault, domestic violence, dating violence, and stalking will be presented. Information on all other forms of sex discrimination may be found in the **Title IX Sexual Assault and Discrimination Policy, available in its entirety at <http://www.nwciowa.edu/titleIX>**.

## EDUCATION AND PREVENTION PROGRAMS

Northwestern places a high priority on providing educational and awareness programs intended to inform all students and employees (both men and women) about the college's policies, and to help them learn how to prevent dating violence, domestic violence, sexual assault, and stalking. Literature about these topics is available at the Wellness Center.

**Title IX prevention and awareness programs** were provided to new faculty and staff members in calendar year 2022:

Student Orientation	August 2022
New Staff Orientation	September 2022
New Faculty Orientation	September 2022
Residence Life Staff Training	August 2022
Full Faculty	November 2022

**Title IX ongoing prevention and awareness programs** were provided to all students, new and returning, in calendar year 2022:

All-Hall Meetings	August 2022
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Starting in school year 2014-2015, educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

- Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking in the State of Iowa;
- Defines what behavior and actions constitute consent to sexual activity in the State of Iowa;
- Provides a description of safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander;
- Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks;
- Provides an overview of all other information contained in the Annual Security Report in compliance with the Clery Act.

## REDUCING THE RISKS OF SEXUAL ASSAULT

With no intent to blame victims, and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org/](http://www.rainn.org/)):

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (OCPD can be reached by calling 911).
- Don't leave your beverage unattended at any time. If you've left your drink alone, just get a new one.
- Don't accept beverages from people you don't know or trust. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately (OCPD can be reached by calling 911). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- If you need to get out of an uncomfortable or scary situation here are some things that you can try.
- Remember that being in this situation is *not* your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
- Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is *always* a good enough reason. Do what feels right to you and what you are comfortable with.
- Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
- Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you?

**TITLE IX Equal Opportunity, Harassment & Nondiscrimination Policy & Procedures<sup>1</sup>**  
**FOR ALL FACULTY, STUDENTS, EMPLOYEES, AND THIRD-PARTIES**  
***Effective September 1, 2022***

Northwestern College is committed to providing a working, learning, and living environment that promotes personal integrity, civility, and mutual respect in an environment free from discrimination, harassment, and retaliation. Discrimination, harassment and retaliation is contrary to the standards of the college community, as it

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<sup>1</sup> ATIXA 2020 One Policy, Two Procedures Model use and adaptation of this model with citation to ATIXA is permitted through a limited license to Northwestern College. All other rights reserved. ©2020. ATIXA

violates an individual's fundamental rights and dignity as a person made in the image of God. Northwestern College considers discrimination, harassment and retaliation in all its forms to be a serious offense and it will not be tolerated. The college is dedicated to preventing and educating all students, faculty, and staff regarding all forms of harassment, discrimination and retaliation. This policy refers to all forms of discrimination and harassment, including but not limited to: unfair treatment based on protected class, sexual and other harassment (including sexual assault, domestic violence, dating violence, and stalking), hazing, and bullying, by other students, employees, or third parties. Northwestern 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.

When an alleged violation of this anti-discrimination policy is reported, the allegations are subject to resolution using Northwestern College's "Process A" or "Process B," as determined by the Title IX Coordinator or designee, and as detailed below. This policy and procedures will be reviewed at regular intervals by the Title IX Coordinator. The College reserves the right to make changes to this policy as necessary, and once those changes are posted online, they are in effect. During any resolution process, the Title IX Coordinator may make minor modifications to procedures that do not materially jeopardize the fairness owed to any party. The Title IX Coordinator may also vary procedures materially with prior written notice to the Parties upon determining that changes to law or regulation require policy or procedural alterations not reflected in this policy and procedures.

This policy is not a contract, is not intended to afford contractual or third-party beneficiary rights to any individual, and does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such policies and codes, generally.

To support this policy, Northwestern College will conduct periodic orientation and ongoing educational programs for faculty, students, and staff concerning all areas of Title IX, Clery Act, VAWA, and Campus SaVE Act. Copies of this policy and procedures will be continuously available at appropriate college centers and offices.

### **Glossary of Policy Terms**

- *Complainant* means an individual who is alleged to be the victim of conduct that could constitute harassment or discrimination based on a protected class as prohibited by this policy; or retaliation for engaging in a protected activity.
- *Confidential Resource* means an employee, person, or entity, who by a legal privilege, professional obligation, or otherwise must maintain confidence of communications, including reports of harassment, discrimination, and/or retaliation (irrespective of Clery Act Campus Security Authority status).
- *Day* means a business day when Northwestern College is in normal operation.
- *Final Determination*: A conclusion by the preponderance of the evidence that the alleged conduct occurred and whether it did or did not violate policy.
- *Finding*: A conclusion by the preponderance of the evidence that the conduct did or did not occur as alleged.
- *Formal Grievance Process* means "Process A," a method of formal resolution designated by the College to address conduct that falls within the policies included below, and which complies with the requirements of 34 CFR Part 106.45.
- *Investigator* means the person or persons charged by Northwestern 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.

- *Official with Authority (OWA)* means an employee of the College explicitly vested with the responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of the College.
- *Parties* include the Complainant(s) and Respondent(s), collectively.
- *Process A* means the Formal Grievance Process detailed below and defined above for qualifying allegations of sexual harassment under Title IX (including sexual assault, dating violence, domestic violence, and stalking) in the United States involving students, staff, administrators, or faculty members which fall within the College's educational programs or activities. Process A complaints can be resolved formally or informally.
- *Process B* means the resolution procedures for offenses that violate policies on protected class harassment or discrimination, including but not limited to sexual harassment, sexual assault, dating violence, domestic violence and stalking, but that do not fall under the jurisdiction or scope of Title IX.
- *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; sexual harassment; and/or retaliation for engaging in a protected activity.
- *Sexual Harassment* is the umbrella category including the offenses of sexual harassment, sexual assault, stalking, and dating violence and domestic violence. [See Section 15.b.](#), for greater detail.
- *Student* means any individual who has accepted an offer of admission, or who is registered or enrolled for credit or non-credit bearing coursework, and who maintains an ongoing relationship with Northwestern College.
- *Title IX Coordinator* is at least one official designated by Northwestern College to ensure compliance with Title IX and the 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, investigators, hearing officers, decision-makers, or appeal decision-makers.

## 1. Policy on Non-Discrimination

Northwestern College adheres to all federal and state civil rights laws and regulations prohibiting discrimination in private institutions of higher education on the basis of race, color, creed, national origin, sex (including pregnancy), age, disability, or other characteristic protected by law, in admission, access to, or employment in its programs and activities. Northwestern College complies with Title VI of the Civil Rights Act of 1964, Title IX of the Educational Amendments Acts of 1972, the Age Discrimination in Employment Act of 1975, the Americans with Disabilities Act of 1990 (ADA), as amended, and Section 504 of the Rehabilitation Act of 1973. To ensure compliance with these and other federal and state civil rights laws, Northwestern College has developed policies and procedures that prohibit discrimination in all of its forms.

## 2. Title IX Coordinator

The Director of Human Resources serves as the Title IX Coordinator and ADA/504 Coordinator and oversees implementation of Northwestern College's disability compliance and policy of equal opportunity, harassment, and nondiscrimination. The Title IX Coordinator has the primary responsibility for coordinating Northwestern 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.

## 3. Independence, Conflict-of-Interest, and Training

The Title IX Coordinator oversees the Title IX process 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 other personnel involved in the process of investigating, responding, coordinating or otherwise assisting in the adjudication of complaints under this policy are vetted and trained as appropriate 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, misconduct, or discrimination committed by the Title IX Coordinator, contact Northwestern College's President Gregory E. Christy [president@nwcsiowa.edu](mailto:president@nwcsiowa.edu) or 712-707-7100. Concerns of bias or a potential conflict of interest, misconduct or discrimination committed by any other personnel involved in a process under this policy should be raised with the Title IX Coordinator.

#### **4. Administrative Contact Information**

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

##### **Title IX Coordinator**

Mindy Stichka, Associate Director of Human Resources  
101 7<sup>th</sup> St. SW  
Zwemer Hall  
Orange City, IA 51041  
712-707-7223 (office)  
515-783-4176 (cell)  
[mindy.stichka@nwcsiowa.edu](mailto:mindy.stichka@nwcsiowa.edu)

##### **Deputy Title IX Coordinator (in the event the coordinator acts as an investigator)**

Andrew Van Ommeren, Director of Campus Safety & Security  
101 7<sup>th</sup> St. SW  
Ramaker Center  
Orange City, IA 51041  
712-707-7475 (office)  
712-395-1077 (cell)  
[andrew.vanommeren@nwcsiowa.edu](mailto:andrew.vanommeren@nwcsiowa.edu)

##### **Title IX Investigators**

Julie Elliott, Vice President for Student Life  
101 7<sup>th</sup> St. SW  
Ramaker Center  
Orange City, IA 51041  
712-707-7204 (office)  
484-318-9063 (cell)  
[julie.elliott@nwcsiowa.edu](mailto:julie.elliott@nwcsiowa.edu)

Marlon Haverdink, Dean of Residence Life  
101 7<sup>th</sup> St. SW  
Ramaker Center  
Orange City, IA 51041  
712-707-7205 (office)  
712-454-0328 (cell)  
[marlon@nwcsiowa.edu](mailto:marlon@nwcsiowa.edu)

A party may also contact the Assistant Secretary for Civil Rights of the United States Department of Education.

#### **5. Applicable Scope and Jurisdiction**

*General Scope:* The core purpose of this policy is the prohibition of all forms of discrimination and discriminatory harassment as defined herein. Members of the College community, guests and visitors have the right to be free from discrimination, harassment, and retaliation. All members of the community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The purpose of this policy is to promote compliance with applicable campus, state and federal regulations; to allow for behavior that is inconsistent with College policies to be appropriately reported, investigated, and sanctioned; and to educate all members of the College community about implications and consequences of their behavior.

This policy covers conduct that occurs at all College sponsored programs and activities, as well as conduct that occurs on the campus or on property owned or controlled by the College. The policy can also cover prohibited conduct that initially occurs off-campus when students or employees experience continuing effects of the off-campus acts in the educational or work setting that effectively deprive them of access to the College's educational program. The Policy covers conduct perpetrated by faculty, staff, students, and third parties, and if the Respondent is unknown or not a member of the Northwestern 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. Any person may file a complaint alleging a violation of this policy.

*Scope under Title IX for Sexual Harassment:* The College's scope under Title IX is limited to locations, events, or circumstances over which it substantially controls both the Respondent and the context in which the alleged harassment occurs, as well as any building owned or controlled by a student organization that is officially recognized by the College, such as a fraternity or sorority. The College's scope under Title IX is also limited to conduct against a person that occurs in the United States.

If a report or complaint falls under the College's scope under Title IX, the College will utilize Process A to respond, and will not proceed under any other College policy or procedure if doing so would interfere with any right or privilege provided to a party under Title IX. If the College determines that a report or complaint does not fall under the College's scope under Title IX, but nonetheless falls under this policy and/or its general scope, the College may still take action for such alleged conduct, including under Process "B" of this Policy.

## **6. Prohibited Conduct**

### **A. Discrimination**

As described in the College's Policy on Nondiscrimination, the College does not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of such protected class characteristics.

Any member of the College community whose acts deny, deprive, or limit the educational or employment access, benefits, and/or opportunities of any member of the 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 the College's policy on nondiscrimination.

When brought to the attention of the College, any such discrimination will be promptly and fairly addressed and remedied according to the appropriate resolution process described elsewhere in this Policy.

### **B. Discriminatory Harassment**

Students and employees are entitled to an employment and educational environment that is free of discriminatory harassment. Northwestern 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.

Discriminatory harassment is defined as unwelcome conduct on the basis of actual or perceived membership in a class protected by policy or law, and which creates a "hostile environment." Northwestern College does not tolerate discriminatory harassment of any employee, student, visitor, or guest, but will still act to remedy harassment whether or not it 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. 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, the College may also impose sanctions on the Respondent through application of the appropriate resolution process below. The College also 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 may not result in the imposition of discipline under the College's policy, but may be addressed through respectful conversation, remedial actions, education, effective alternate resolution, and/or other informal resolution mechanisms.

For assistance with reports, complaints, and resolution options and approaches, employees should contact the Director of Human Resources, and students should contact the Vice President for Student Life.

### C. Sexual Harassment

Prohibited 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 below:

1. Conduct on the basis of sex that satisfies one or more of the following:
  - a. Quid Pro Quo: An employee of Northwestern College conditions the provision of an aid, benefit, or service upon an individual's participation in unwelcome sexual conduct;
  - b. Hostile Environment: Unwelcome<sup>2</sup> conduct on the basis of sex that is so **severe, pervasive and objectively offensive** that it effectively denies a person equal access to a College education program or activity, including work. (Note: Alleged conduct that meets this criteria will be addressed through the Title IX resolution process, Process A. Unwelcome<sup>3</sup> conduct on the basis of sex that is so **severe or pervasive and objectively offensive** that it effectively denies a person equal access to a College education program or activity, including work, still constitutes discriminatory sexual harassment. Alleged conduct that meets this definition will be addressed outside of the Title IX resolution process under Process B).
2. *Sexual Assault*: One of the following offenses in which one has or attempts to have sexual contact or sexual penetration with another individual without their consent:
  - i. Rape: the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person without consent of the victim;
  - ii. Fondling: the touching of the private body parts of another person for the purpose of sexual gratification without consent of the victim;
  - iii. Incest: sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; or
  - iv. Statutory rape: sexual intercourse with a person who is under the statutory age of consent.
3. *Dating Violence*: Violence committed by a person who has been in a romantic or intimate relationship with another. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
4. *Domestic Violence*: Felony or misdemeanor crime of violence committed by:
  - i. Current or former spouse or intimate partner of the victim;
  - ii. Person with whom the victim shares a child in common;

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<sup>2</sup> Unwelcomeness is subjective and determined by the Complainant (except when the Complainant is below the age of consent). Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances ("in the shoes of the Complainant"), including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

- iii. Person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- iv. Person similarly situated to a spouse of the victim under the laws of the State of Iowa or the jurisdiction in which the incident reported occurred; and
- v. Any other person against an adult or youth victim who is protected from that person's act under the laws of the State of Iowa.

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.

5. *Stalking*: Engaging in a course of conduct toward another person under circumstances that would reasonably cause a person to fear bodily injury to themselves or others or to experience 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.

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

*Consent*: Consent is knowing, 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.

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. 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 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. Consent cannot be inferred from lack of resistance, passivity, or lack of response.

Consent is not effective if a party is incapacitated, or it results from the use of force.

*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. Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced.

*Incapacitation*: Incapacitation is defined as mentally and/or physically helpless, unconscious or unaware that the sexual activity is occurring. Where alcohol and/or other drugs (including prescription drugs) are involved, incapacitation is a state beyond drunkenness or intoxication. Warning signs that a person may be approaching incapacitation may include: slurred speech, vomiting, unsteady gait, odor of alcohol or other substance,

combativeness, and/or emotional volatility. 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.

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

#### **D. Other Prohibited Offenses**

In addition to the forms of discriminatory and sexual harassment described above, Northwestern College additionally prohibits the following offenses as forms of discrimination/harassment when the act is based upon the Complainant's actual or perceived membership in a protected class. In this section, the definition of "consent" is the same as defined above.

1. *Sexual Exploitation*, defined as: taking non-consensual or abusive sexual advantage of another for one's own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that conduct does not otherwise constitute sexual harassment under this Policy. Examples of Sexual Exploitation include, but are not limited to:
  - a. Sexual voyeurism (such as viewing another person's sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person's consent);
  - b. Invasion of sexual privacy;
  - c. Prostituting another person;
  - d. Recording images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness without that person's consent;
  - e. Distributing images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to such disclosure and objects to such disclosure, including the making or posting of revenge pornography;
  - f. knowingly transmitting a sexually transmitted disease (STD) or infection (STI) or human immunodeficiency virus (HIV) to another individual without informing the other person of the infection;
  - g. exposing one's genitals to another when the exposing individual knows or should have known that the other person did not consent to such exposure and objects to such exposure; causing another to expose genitals without that person's effective consent;
  - h. 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;
  - i. Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections;
  - j. 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;
  - k. Knowingly soliciting a minor for sexual activity;
  - l. Engaging in sex trafficking;
  - m. Creation, possession, or dissemination of child pornography.
2. *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;
3. *Intimidation*, defined as implied threats or acts that cause an unreasonable fear of harm in another;

4. *Hazing*, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the Northwestern College community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity;
5. *Bullying*, defined as: Repeated and/or severe unwelcome aggressive behavior that is likely to intimidate or intentionally hurt, control, or diminish another person, physically and/or mentally.

Violation of any other College policies may constitute prohibited conduct herein 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.

## **E. Retaliation**

Retaliation occurs when an individual harasses or intimidates another person because of that other person filed a complaint, participated in the resolution process of a violation of this policy, supported a Complainant or Respondent, and/or acted in good faith to oppose conduct that constitutes a violation of this policy. Harassment or intimidation includes but is not limited to threats or actual violence against the person or the person's property, adverse educational or employment consequences, ridicule, taunting, bullying or ostracism. Retaliation is prohibited under this policy and is expressly prohibited by Title VII, Title IX and other state and federal laws.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a resolution 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.

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

## **7. Seeking Help After Sexual Harassment or Violence**

**If you are sexually assaulted or experience other violence, your first priority is to find a safe place.** Next, seek medical attention; swift medical treatment is critical for protecting you from sexually transmitted diseases and preserving evidence. In Iowa, your medical exam and follow up visits are free, even if you don't report the assault to the police.

In the immediate aftermath of a sexual assault or violence, you may not know whether you will eventually want to press charges. Taking care to preserve and collect evidence does not commit you to reporting anything. It's important that you not shower, bathe, urinate, douche, smoke, brush your teeth or drink anything before going to the emergency room. It's best if you don't change your clothes, but if you do, the clothes you were wearing should be brought to the ER in a paper bag (not plastic). If you suspect you have been drugged, either refrain from urinating or urinate in a clean container and bring it with you to the ER. Leave the assault scene as is so you don't inadvertently destroy evidence before you've had time to make a decision about reporting the assault.

- Local Area Hospital: Orange City Area Hospital (712-737-2000)

Northwestern College also recommends and encourages victims involved in such incidents to seek counseling and/or identify a support person. A support person plays an important role in providing personal encouragement to a victim in a crisis situation. Information regarding counseling options, both on campus and in the community, can be obtained from the Wellness Center, located in the Rowenhorst Student Center, or the Student Life Office, located in Ramaker Center, 2<sup>nd</sup> floor.

Complainants may also contact the following:

- Family Crisis Center (1-800-382-5603)
- CAASA: Centers Against Abuse & Sexual Assault [www.caasaonline.org](http://www.caasaonline.org)
- Iowa Victim Service Call Center (1-800-770-1650)
  - [www.survivorshelpline.org](http://www.survivorshelpline.org)
  - Text: 'IowaHelp' to 20121

## 8. Notice/Complaints of Discrimination, Harassment, and/or Retaliation

Northwestern College encourages persons who have experienced any form of discrimination, harassment or retaliation to report the incident promptly, to seek all available assistance, and where appropriate, to report the incident to local law enforcement. Northwestern College takes reports of discrimination, harassment and retaliation very seriously and will work with all parties to ensure their safety and to investigate and adjudicate the situation.

### A. Official College Reporting Options

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

1. File a complaint with, or give verbal notice to, the Title IX Coordinator or a Deputy Coordinator at the contact information listed in Section 4. 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.
2. Report online using the Raider Reporting Center. Anonymous reports are accepted, but the College's response may be necessarily limited without the identity of the Complainant. Northwestern College tries to provide supportive measures to all Complainants, which is impossible with an anonymous report.
3. Report to a College Official with Authority (OWA)

An individual who is subjected to conduct covered by this Policy is encouraged to make an official college report directly to the Title IX Coordinator, but may also report to a College Official with Authority, or OWAs. At Northwestern College, the OWAs are:

- Northwestern College Office of Human Resources
  - *Mindy Stichka, Associate Director of Human Resources*
- Northwestern College Student Life Office (Resident Assistant, Resident Director, Dean of Residence Life, or Vice President for Student Life)
  - *Natalie Wheeler, Fern Smith RD*
  - *Lindsay Hubbell Simmelink, Bolks and Courtyard Village RD*
  - *Brian Follett, Colenbrander Hall RD*
  - *Dana Van Ostrand, Hospers Hall RD*
  - *Caylan DeLucia, Stegenga Hall RD*
  - *Jason Katsma, North Suites RD*
  - *Marlon Haverdink, Dean of Residence Life*
  - *Julie Elliott, Vice President for Student Life*
- Director of Campus Safety and Security
  - *Andy Van Ommeren*

A report to an OWA is expected to be transferred immediately to the Title IX Coordinator.

- i. Report to Other, Non-Confidential College Employees

At Northwestern College all employees (including student employees) are expected to report instances of alleged discrimination and harassment, including sexual harassment, to the Title IX Coordinator or an OWA, unless the employee is acting as a campus chaplain or campus counselor covered by confidentiality as listed elsewhere in this policy. When a complainant tells a College employee, other than the Title IX Coordinator, about an incident involving conduct covered by this policy, the individual should not expect confidentiality in that communication. Likewise, any College employee is expected to promptly share with the Title IX Coordinator all known details of a report made to them concerning conduct covered by this policy. College employees are not to investigate and are not required to obtain proof of any actual policy violation.

For these reasons, Complainants may want to carefully consider whether they share personally identifiable details with non-confidential College employees. To the extent possible, information reported to any College employee will be shared only with officials with authority responsible for handling the College's response to the report. College employees expected to report who knowingly condone, fail to report, or fail to take action to remedy incidents of discrimination, harassment, and/or retaliation is a violation of Northwestern College policy may themselves be subject to sanctions and/or disciplinary action, up to and including termination.

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 Northwestern College.

## **B. Confidential Reporting/Resource Options**

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

- Northwestern College Wellness Center
  - *Jenna Visser, Director of Counseling Services*
  - *On-campus therapists*
- Northwestern College Campus Ministries
  - *Mark De Younge, Dean of Christian Formation*
  - *Kristin Brouwer, Director of Discipleship*
  - *Patrick Hummel, Director of Missions*
- 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*
  - *Employee Assistance Program*
  - *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 treat or danger or abuse of a minor or individual with a disability, or when required to disclose by law or court order.

Northwestern 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.

## **C. When a Complainant Requests Confidentiality and/or 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 weigh the request for confidentiality/no formal action against the College's obligation to provide a safe, non-discriminatory environment for all students and employees, including the complainant. In conducting this analysis,

the Title IX Coordinator will weigh the complainant's request and preferences against factors such as: the seriousness of the alleged misconduct; the complainants' age; whether there have been other complaints against the accused that increase the risk of the campus community; whether the alleged incident involved threatened future sexual violence or use of force or a weapon; whether an incident involved multiple respondents; whether an incident involved alcohol, drugs, or any date rape drug; whether the school has other methods for obtaining relevant evidence (i.e., security cameras or physical evidence); and, when the matter is under the scope of Title IX, to what extent non-participation by the Complainant may impact the availability of evidence and the College's ability to pursue a Formal Grievance Process fairly and effectively.

Based on this assessment, the College may decide not to honor the complainant's desire for confidentiality, and investigate and adjudicate a violation of this policy, when doing so is not clearly unreasonable. If so, the Title IX Coordinator may sign a formal complaint to initiate a resolution process. The Title IX Coordinator will not become the Complainant. The Complainant retains all rights of a Complainant under this Policy irrespective of their level of participation. The College will not be able to ensure the complainant's confidentiality, but will still offer and provide supportive measures.

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

Note that Northwestern College's ability to remedy and respond to notice may be limited if the Complainant does not want Northwestern 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 Northwestern College's obligation to protect its community.

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 Northwestern College, and to have the incidents investigated and properly resolved through these procedures.

#### **D. Law Enforcement**

Along with the on-campus reporting options described above, Northwestern College strongly encourages a Complainant to make a report to local law enforcement, to the extent alleged discrimination or harassment constitutes a crime. Although reporting to law enforcement is strongly encouraged, at no time will any individual be forced to make a report to law enforcement as a precondition to using the internal reporting/resolution processes described in this policy. The Title IX Coordinator, Deputy Coordinators, OWAs or off-campus victim advocates can assist in notifying law enforcement, if a complainant chooses.

- Orange City Police Department (911)

### **9. After Notice/a Report is Made**

#### **A. Supportive Measures**

Northwestern 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 Northwestern College's education program or activity, including measures designed to protect the safety of all parties or Northwestern College's educational environment, and/or deter harassment, discrimination, and/or retaliation.

The Title IX Coordinator or Vice President for Student Life will promptly make supportive measures available to the parties upon receiving notice or a complaint. 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.

Northwestern College will maintain the privacy of the supportive measures, provided that privacy does not impair Northwestern College's ability to provide the supportive measures. Northwestern College will act to ensure as minimal an academic impact on the parties as possible, and without an unreasonable burden the other party.

These supportive measures 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 mutual contact limitations (no contact orders) between the parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- [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

In most instances, both the complainant and the respondent will be instructed to mutually avoid all contact with the other. Such a directive serves as notice to both parties that they must not have verbal, electronic, written, or third-party communication with one another. If these instructions are not heeded, disciplinary action may be taken. In addition, a party may seek an order of protection, "no-contact" order, restraining order, or similar order issued by a criminal, civil, or tribal court. If an individual obtains an order of protection from a court in Iowa, the Title IX Coordinator should receive a copy to be aware of any limitations or restrictions and to develop a plan to abide by the court order. The College cannot enforce a violation of a court order, but can assist an individual in contacting law enforcement to report a violation. If any terms of a court order are unclear in their application to the campus environment, it is up to the parties to seek clarification through the court – the College cannot render a legal opinion or give advice other than to develop a plan to reasonably prevent violations of the order.

## **B. Emergency Removal**

Northwestern College can act to remove a Respondent entirely or partially from its education program or activities on an emergency basis when the Respondent's presence constitutes an immediate threat to the physical health or safety of any student or other individual. This risk analysis is performed by the Title IX Coordinator in conjunction with the Office of Student Life using its standard objective violence risk assessment procedures.

In all cases in which an emergency removal is imposed, the Respondent will be given notice of the action and the option to request to meet with the Title IX Coordinator and/or Vice President for Student Life 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. 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 and/or Vice President of Student Life for the show cause meeting. 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.

### **C. Promptness**

All allegations are acted upon promptly by Northwestern 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 Northwestern College will avoid all undue delays within its control.

Any time the general timeframes for resolution outlined in Northwestern College's procedures will be delayed, Northwestern 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.

### **E. Privacy**

Northwestern 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 resolution processes in this policy, including the conducting of any investigation or hearing.

Northwestern College reserves the right to designate which Northwestern 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: Division of Student Affairs, Safety and Security Office, and the Human Resources Office. Information will be shared as necessary with Investigators, Hearing Officer/Decision Maker, 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.

Northwestern 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.

### **E. 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 Northwestern 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.

## **F. Federal Statistical and Timely Warning Obligations**

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Clery Act, Northwestern College must publish an annual report of certain crimes that fall within the scope of this policy that have occurred and their general location (on or off campus or in the surrounding area; no addresses are given). These reports contain statistical information only. All personally identifiable information is kept confidential.

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

## **G. 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 Northwestern College policy.

## **H. Amnesty for Complainants and Witnesses**

The Northwestern College community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report to Northwestern College officials or participate in resolution 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 the Northwestern College community that Complainants choose to report misconduct to Northwestern 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, Northwestern 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.

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

## **1. Overview**

Northwestern College will act on any notice or complaint of violation of the policy on Equal Opportunity,

Harassment, and Nondiscrimination (“the Policy”) that is received by the Title IX Coordinator<sup>4</sup> or OWA by applying these procedures, which includes two possible methods for resolution known as “Process A” or “Process B”.

## 2. Initiating a Formal Complaint

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

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

## 3. Initial Assessment of Applicable Scope/Process

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

Northwestern College will initiate at least one of three responses:

- a. Provide the Complainant with assistance and support only, based on the Complainant’s request that the College not take action, where that request is not clearly unreasonable and/or consistent with the College’s obligations under law;
- b. Determine the circumstances satisfy the jurisdictional requirements of Title IX at 34 CFR 106.45 and resolve the complaint under informal or formal “Process A” resolution procedures;
- c. Determine the circumstances do not satisfy the jurisdictional requirements of Title IX at 34 CFR 106.45 and dismiss the complaint under Title IX, but resolve the complaint under informal or formal “Process B” resolution procedures, or other policies and procedures, as applicable. Specifically, Process A procedures apply **only** to qualifying allegations of sexual harassment under Title IX (including sexual assault, dating violence, domestic violence, and stalking, as defined above) involving students, staff, administrators, or faculty members. If they do not, they must or may be “dismissed” as follows:

Northwestern College must dismiss a formal complaint or any allegations therein from Process A if, at any time during the investigation or hearing, it is determined that:

- 1) The alleged conduct would not constitute sexual harassment as defined in the policy hereinabove, even if proven;
- 2) The College does not substantially control both the Respondent and the context in which the alleged harassment occurs, nor did it occur in any building owned or controlled by a student organization that is officially recognized by the College, such as a fraternity or sorority; ;
- 3) The alleged conduct did not occur against a person in the United States; and/or
- 4) At the time of filing a formal complaint, a Complainant is not participating in or attempting to participate in the education program, activity or workplace of Northwestern College.

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

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<sup>4</sup> Anywhere this procedure indicates “Title IX Coordinator,” Northwestern College may substitute a trained designee.

- 1) A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; or
- 2) The Respondent is no longer enrolled in or employed by the College; or
- 3) Specific circumstances prevent Northwestern College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations.

Upon any dismissal, Northwestern College will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties. This dismissal decision is appealable by any party under the procedures for appeal below. A Complainant who decides to withdraw a complaint may later request to reinstate or refile it.

Dismissing a complaint under Title IX may be procedural, and does not limit the College's authority to address a complaint with an appropriate process and remedies. If the Title IX Coordinator determines that the misconduct alleged does not fall within the scope of Title IX, other policies may apply and the matter may be referred for resolution, including under Process B.

Process B applies to the resolution of offenses such as violations of policies on protected class harassment or discrimination above. Process B can also apply to sexual harassment (including sexual assault, dating violence, domestic violence, and stalking, as defined above) when jurisdiction does not fall within Process A, as specified by the Title IX Coordinator.

#### **4. Counterclaims**

Northwestern College is obligated to ensure that the grievance process is not abused for retaliatory purposes. Northwestern College permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith. Counterclaims by the Respondent may be made in good faith, but are, on occasion, also made for purposes of retaliation. Counterclaims made with retaliatory intent will not be permitted.

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

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

#### **5. Disabilities Accommodations in the Resolution Process**

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

Anyone needing such accommodations or support should contact the Academic Support Center if a student or the Human Resources Office if an employee, who will review the request and, in consultation with the person requesting the accommodation and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

#### **6. PROCESS A: Formal Grievance Process for Qualifying Allegations of Sexual Harassment Under Title IX**

Process A procedures apply only to qualifying allegations of sexual harassment under Title IX (including sexual assault, dating violence, domestic violence, and stalking, as defined in this policy) involving students, staff, administrator, or faculty members.

### **A. Right to an Advisor**

The parties may each have an Advisor of their choice present with them for all meetings and interviews within the resolution process, if they so choose. A party may elect to change advisors during the process and is not obligated to use the same advisor throughout.

#### **a. Who Can Serve as an Advisor**

A party may select whoever they wish to serve as their Advisor. The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The parties may choose Advisors from inside or outside of the Northwestern College community.

#### **b. Advisors in Hearings/Northwestern College-Appointed Advisor**

Under U.S. Department of Education regulations applicable to Title IX, cross-examination is required during the hearing, but must be conducted by the parties' Advisors. The parties are not permitted to directly cross-examine each other or any witnesses. If a party does not have an Advisor for a hearing, Northwestern College will appoint an Advisor for the limited purpose of conducting any cross-examination.

A party may reject this appointment and choose their own Advisor, but they may not proceed without an Advisor. If a party does not have an advisor at the hearing, the College will be in the College's sole discretion. Northwestern College cannot guarantee equal advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not, Northwestern College is not obligated to provide an attorney.

#### **c. Expectations of Advisors**

The parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present.

All Advisors are subject to the same Northwestern College policies and procedures, whether they are College-appointed or not. Advisors are expected to advise their advisees without disrupting proceedings. The Advisor may not make a presentation or represent their advisee during any meeting or proceeding and may not speak on behalf of the advisee to the Investigator(s) or Decision-maker except during a hearing proceeding, during cross-examination. In conducting cross-examination, the advisor will not be abusive towards any party or witness, and will act with appropriate decorum.

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

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

#### **d. Sharing Information with the Advisor**

Northwestern College expects that the parties may wish to have Northwestern College share documentation and evidence related to the allegations with their Advisors. Parties may share this information directly with their Advisor, but the Advisor will be under the same expectations of privacy as the party. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by the College. The College may seek to restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by the College's privacy expectations.

Northwestern College requires a consent and privacy form that authorizes Northwestern College to share such information directly with their Advisor. The parties must either complete and submit this form to the Title IX Coordinator, or provide similar documentation demonstrating consent to a release of information to the Advisor before Northwestern College is able to share records with an Advisor.

If a party requests that all communication be made through their Advisor, Northwestern College will not comply with that request.

## **B. Informal Resolution**

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

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

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

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

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

## **C. Grievance Process Pool**

The resolution processes below relies on a pool of trained investigators, administrators, or other individuals ("the Pool") to carry out the process. The Title IX Coordinator, in consultation with the President, appoints the Pool, which acts with independence and impartiality. The College reserves the right to appoint external Pool members with expertise in investigation and in chairing/ facilitating hearings.

Members of the Pool may serve in in the following roles, at the direction of the Title IX Coordinator:

- To act as an Advisor to the parties
- To serve in a facilitation role in informal resolution if appropriately trained
- To perform or assist with initial assessment
- To investigate complaints

- To serve as a hearing facilitator
- To serve as a Decision-maker regarding the complaint
- To serve as an Appeal Decision-maker

#### **b. Pool Member Appointment**

The Title IX Coordinator appoints the Pool, which acts with independence and impartiality. Appointments may be made to serve in all roles or only one or more specific roles. The Pool members receive annual training based on their respective roles. The materials used to train members of the Pool are publicly posted here:

<https://www.nwciowa.edu/campus-life/TitleIX>

### **D. Formal Resolution Process**

#### **a. Notice of Investigation and Allegations**

The Title IX Coordinator will provide written notice of the investigation and allegations (the “NOIA”) simultaneously to the parties.

The NOIA will include:

- The identity of the involved parties (if known),
- The misconduct being alleged,
- The date and location of the alleged incident(s) (if known),
- The policies potentially implicated,
- A statement that Northwestern College presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,
- The party’s right to have an Advisor of their choosing, who may be an attorney,
- A statement informing the parties that Northwestern College’s Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process, the consequence for which is up to and including suspension or expulsion of a student or termination of an employee’s employment;
- Detail on how the party may request disability accommodations during the interview process,
- The name(s) of the Investigator(s), along with a process to identify, in advance of the interview process, to the Title IX Coordinator any conflict of interest that the Investigator(s) may have.

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

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

#### **b. Resolution Timeline**

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

### **c. Appointment of Investigators**

Once the decision to commence a formal investigation is made, the Title IX Coordinator appoints one or more investigators to conduct the investigation who have received annual training to investigate campus matters of sexual harassment and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability to conduct the investigation. The investigation team may be composed of internal Pool members, external professionals, or a combination of both.

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

### **d. Investigation Timeline**

Investigations are completed expeditiously, normally within sixty (60) business days, though some investigations may take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

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

### **e. Delays in the Investigation Process and Interactions with Law Enforcement**

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

Northwestern College will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. Northwestern College will promptly resume its investigation and resolution process as soon as feasible. During such a delay, Northwestern College will implement supportive measures as deemed appropriate.

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

### **f. Steps in the Investigation Process**

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; and obtaining available, relevant evidence, both inculpatory and exculpatory.

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

All investigations will be conducted as discreetly as is practicable. No unauthorized audio or video recording of any kind is permitted during investigation meetings.

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

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

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

The Investigator(s) will evaluate all relevant evidence, both inculpatory and exculpatory. The Investigator(s) will only access, consider, disclose, or otherwise use a party's treatment records made or maintained by a health care provider, or other records protected under a legally recognized privilege, if the party provides the investigator(s) with voluntary, written consent to do so. The Investigator will also deem irrelevant questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

#### **g. Inspection and Review of the Evidence and Investigation Report**

Prior to the completion of the investigation report, the Complainant and Respondent and, unless directed otherwise by the respective parties, their Advisor, will be provided the opportunity to inspect all evidence directly related to the allegations of the formal complaint, including both inculpatory and exculpatory evidence, and evidence that the College does not intend to rely on in reaching a determination. The College may require both parties and their Advisors to enter into a written agreement prohibiting the use or dissemination of evidence for any purpose other than those directly related to the parties' participation in resolution process.

Complainant and Respondent will be given *at least ten days* to inspect and review the evidence collected during the College's investigation and to submit a written response the Investigator(s) will consider in preparing a final investigation report. The parties can waive all or part of this inspection period.

The final investigation report will summarize the information and include any documents gathered. The investigative report will not include determination of responsibility for the complaint itself. Complainant and Respondent will be given at least an *additional ten days* after receiving a copy of the College's final investigation report to respond to the investigation report, in writing. In their written response to the investigation report, Complainant and Respondent may provide written comments regarding the relevance of the evidence included in or excluded from the investigation report, provide factual or other corrections to the report, and otherwise provide context for the report.

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

#### **h. Hearing Decision-maker**

Northwestern College will designate one or more Decision-Maker, at the discretion of the Title IX Coordinator, with one Decision-Maker designated to Chair the hearing. The Decision-Maker(s) cannot also be Investigators, Advisors, witnesses, or otherwise have had any previous involvement with the investigation.

At the discretion of the Title IX Coordinator, a Decision-Maker/Chair may be appointed to facilitate the hearing and reach a decision on responsibility for a policy violation based on a preponderance of the evidence, and reserve a decision on sanctions for a separate Decision-Maker who may or may not attend the hearing. The Decision-Maker(s) may be internal or external to the College.

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

#### **i. Evidentiary Considerations in the Hearing**

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

Previous disciplinary action of any kind involving the Respondent may be considered in determining an appropriate sanction upon a determination of responsibility. This information is only considered at the sanction stage of the process.

After post-hearing deliberation, the Decision-maker renders a determination based on the preponderance of the evidence; whether it is more likely than not that the Respondent violated the Policy as alleged.

#### **j. Notice of Hearing**

No less than ten (10) days prior to the hearing, the Title IX Coordinator, Chair or a designee will send notice of the hearing to the parties. of the time and date of the hearing, as well as the identities of the Decision-Maker(s). Within five (5) calendar days, either the Complainant or Respondent may request, in writing to the Title IX Coordinator, that the Decision-Maker(s) be recused because of an identified conflict of interest. Decision-makers will only be removed if the Title IX Coordinator concludes that their bias or conflict of interest precludes an impartial hearing of the allegation(s).

If a party requests, the entire hearing will be conducted with the parties in separate rooms with technology enabling the Decision-Maker(s) and parties to simultaneously see and hear the witness answering questions.

#### **k. Notice of Witnesses**

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

- When notifying the parties of these witnesses, the Decision-Maker(s) will also request the parties identify any additional witnesses they wish to have present at the hearing for cross-examination.
- The Decision-Maker(s) or designee will notify relevant witnesses of the hearing date and time and that their presence has been requested by the party for cross-examination.

## I. Pre-Hearing Meetings

The Chair may convene a pre-hearing meeting(s) with the parties to invite them to submit the questions or topics they wish to ask or discuss at the hearing, so that the Chair can consider and discuss their relevance ahead of time. However, this advance review discussion does not preclude a party from introducing evidence or an advisor from asking any cross-examination question at hearing.

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

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

### m. Hearing Procedures

At the hearing, the Chair has the authority to hear and make determinations on all allegations of discrimination, harassment, and/or retaliation.

The hearing is closed to the general public. Participants at the hearing will include the Chair, any additional Decision-Makers, the parties, Advisors to the parties, any called witnesses and anyone providing authorized accommodations or assistive services. Any additional persons present must be approved by the Chair.

The Chair will answer all questions of procedure and make all evidentiary rulings. There shall be no formal pleadings, legal memorandum, or motions filed in the hearing process.

Hearings (but not post-hearing deliberations) are recorded by the College for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

The Chair conducts the hearing, which may include, but is not limited to, the following steps, in the Chair's discretion:

- The Chair explains procedures and introducing participants;
- The Chair will advise the parties if opening statements or closing statements are permissible;
- Investigator(s) may be asked to present a summary of the final investigation report, and will be subject to questioning by the Chair and the parties (through their Advisors). Neither the parties nor the Chair should ask the Investigator(s) their opinions on recommended findings, or determinations. If such information is introduced, the Chair will direct that it be disregarded.
- The parties may be asked if they have any additional evidence they wish the Decision-Maker(s) consider, and if the parties wish to comment on the Investigation Report and evidence. Any new evidence presented by a party, if admitted as relevant, will be provided to the other party to review and provide comment

*Testimony and questioning:* Parties will be allowed, through their Advisors, to cross-examine all other parties and any witnesses, including fact and expert witnesses, and to ask all relevant questions and follow-up questions including those challenging party or witness credibility, directly, orally and in-real time. Any party without an Advisor will be appointed an Advisor by the College, with selection of the Advisor being at the sole discretion of the College. The following applies to cross-examination:

- All questions are subject to a relevance determination by the Chair. The advisor, who will remain seated during questioning, will pose the proposed question orally, electronically, or in writing. The

Chair will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive.

- The Chair may ask advisors to frame why a question is or is not relevant from their perspective, if the Chair so chooses. The Chair will explain any decision to exclude a question as not relevant. The Chair has final say on all questions and determinations of relevance, subject to any appeal.
- If a party's Advisor of choice refuses to comply with the College's established rules of decorum for the hearing, the College may require the party to use a different Advisor. If a College-provided Advisor refuses to comply with the rules of decorum, the Title IX Coordinator may provide that party with a different advisor to conduct cross-examination on behalf of that party.

*Refusal to Submit to Cross-Examination and Inferences:* If a party or witness chooses not to submit to cross-examination at the hearing, either because they do not attend the meeting after being called, or they attend but refuse to participate in questioning, then the Decision-maker(s) may not rely on any prior statement made by that party or witness at the hearing (including those contained in the investigation report) in the ultimate determination of responsibility. Evidence provided that is something other than a statement by the party or witness may be considered. The Decision-maker(s) may not draw any inference solely from a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

#### **n. Deliberation, Decision-Making, and Standard of Proof**

The Decision-maker(s) will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. The preponderance of the evidence standard of proof is used, which generally means "more likely than not." The Decision-Maker(s) will independently evaluate the evidence, without deference to the investigative report.

A written decision called a Notice of Outcome will be provided simultaneously to the parties and include the following information:

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

The Title IX Coordinator will be responsible for coordinating the effective implementation of remedies, as well as any non-punitive or non-disciplinary supportive measures imposed.

The possible range of sanctions and remedies are detailed below. The Notice of Outcome, including the imposition of any sanctions, will become final upon written notification to the parties of the outcome of an appeal or, if there is no appeal, the date on which an appeal would no longer be considered timely. The Appeal Rights and Procedures are detailed below.

#### **o. Joint Hearings**

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

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

#### **p. Recording Hearings**

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

The Decision-maker, the parties, their Advisors, and appropriate administrators of Northwestern College will be permitted to listen to the recording in a controlled environment determined by the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

#### **q. Sanctions**

##### **Student Sanctions**

The following are the usual sanctions<sup>5</sup> that may be imposed upon students or organizations singly or in combination<sup>6</sup>:

- *Warning*: A formal written statement that the conduct was unacceptable and a warning that further violation of any Northwestern College policy, procedure, or directive will result in more severe sanctions/responsive actions.
- *Required Counseling*: A mandate to meet with and engage in either Northwestern College-sponsored or external counseling to better comprehend the misconduct and its effects.
- *Community service*: A requirement to complete a specific number of community service hours at an approved site.
- *Required training or education*: Required reading, writing, and/or reflection that enables the student to consider the effects of his/her actions and choices.
- *Probation*: A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- *Suspension*: Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at Northwestern College.
- *Expulsion/Dismissal*: Permanent termination of student status and revocation of rights to be on campus for any reason or to attend Northwestern College -sponsored events. This sanction will be noted permanently as a Conduct Expulsion on the student's official transcript.
- *Building or Facility*: A directive that prohibits or limits access to a building or facility.
- *Activity Restriction*: A directive that prohibits or limits participation in an academic and/or non-academic program or activity.
- *Organizational Sanctions*: Deactivation, loss of recognition, loss of some or all privileges (including Northwestern College registration) for a specified period of time.
- *Other Actions*: In addition to or in place of the above sanctions, Northwestern College may assign any other sanctions as deemed appropriate.

##### **Employee Sanctions**

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

- *Warning*: Formal written discipline
- *Performance Improvement/Management Process*
- *Required Counseling*
- *Required Training or Education*
- *Probation*
- *Loss of Annual Pay Increase*
- *Loss of Oversight or Supervisory Responsibility*

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<sup>5</sup> Recipient policies on transcript notation will apply to these proceedings.

<sup>6</sup> Subject to Northwestern College's Student Code of Conduct.

- *Demotion*
- *Suspension with pay*
- *Suspension without pay*
- *Termination/Revocation of Tenure*
- *Other Actions:* In addition to or in place of the above sanctions, Northwestern College may assign any other sanctions as deemed appropriate.

**r. Withdrawal or Resignation While Charges Pending**

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

However, Northwestern College will continue to address and remedy any systemic issues, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged sexual harassment, sexual misconduct, and/or retaliation. The student who withdraws or leaves while the process is pending may not return to Northwestern College. Such exclusion applies to all campuses of College. A hold will be placed on their ability to be readmitted. They may also be barred from Northwestern College property and/or events.

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

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

However, Northwestern College will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged sexual harassment, sexual misconduct and/or retaliation.

The employee who resigns with unresolved allegations pending is not eligible for rehire with the Northwestern College, and the records retained by the Title IX Coordinator will reflect that status.

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

**s. Appeals**

Any party may submit a request for appeal (“Request for Appeal”). Only requests for appeals submitted in writing to the Title IX Coordinator within five (5) days of the delivery of the Notice of Outcome may be considered under these procedures. The Title IX Coordinator will transmit a timely Request for Appeal and the case file to the appropriate Appeal Officer (see Section A below) within three (3) days of receiving the Request for Appeal.

A single Appeal Decision-maker will Chair the appeal. The Decision-maker will not have been involved in the process previously, including any dismissal appeal that may have been heard earlier in the process.

Upon receiving a timely Notice of Appeal, the Title IX Coordinator will determine if the request meets the grounds for appeal (A Review for Standing). This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

**a. Grounds for Appeal**

Appeals are limited to the following grounds:

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

#### **b. Response to Appeal**

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

If a timely submitted Request for Appeal meets the grounds above, then the Title IX Coordinator will notify all parties and their Advisors that an appeal is proceeding and will provide each of them the Request for Appeal by mail, email and/or hard copy as appropriate.

No later than five (5) business days after delivery of the Request for Appeal, each of the parties may submit a response to the portion of the appeal that involves them. All responses will be forwarded by the Title IX Coordinator to all parties for review and comment. The Title IX Coordinator will ensure that the Appeal Decision-Maker is provided with the following materials in addition to the Request for Appeal: (a) the Notice of Investigation and Allegations; (b) the Investigators' Final Investigation Report; and (c) the Notice of Outcome.

Once the time to submit a response to Appellant's Request for Appeal has lapsed, no party may submit any new request for appeal.

#### **c. Appeal Outcome**

The Appeal Officer will render a decision in no more than five (5) business days, barring exigent circumstances. All decisions apply the preponderance of the evidence standard. The Appeal Officer will send the decision ("Appeal Outcome") to the Title IX Coordinator.

The Title IX Coordinator will send Notice of Appeal Outcome to all parties simultaneously. The Notice of Appeal Outcome will affirm, reverse, or modify the Notice of Outcome. When the Appeal Office issues its decision in writing and simultaneously to the parties, the matter is final.

#### **d. Sanctions Status During the Appeal**

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

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

#### **t. Long-Term Remedies/Other Actions**

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

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

- Education to the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees

- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term support or measures may also be provided to the parties even if no policy violation is found, as long as the measures are not disciplinary nor constitute an unreasonable burden on either party.

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

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

#### **u. Recordkeeping**

Northwestern College will maintain for a period of at least seven years records of:

1. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation;
2. Any disciplinary sanctions imposed on the Respondent;
3. Any remedies provided to the Complainant designed to restore or preserve equal access to Northwestern College's education program or activity;
4. Any appeal and the result therefrom;
5. Any Informal Resolution and the result;
6. All materials used to train Title IX Coordinators, Investigators, Decision-makers, and any person who facilitates an Informal Resolution process; and
7. Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, including:
  - a. The basis for all conclusions that the response was not deliberately indifferent;
  - b. Any measures designed to restore or preserve equal access to Northwestern College's education program or activity; and
  - c. If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

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

### **PROCESS B: Informal and Formal Resolution of All Other Complaints Outside the Scope of Title IX**

Process B applies to the resolution of offenses such as violations of policies on protected class harassment or discrimination involving students, staff, faculty members, or third parties. Process B can also apply to sexual harassment (including sexual assault, dating violence, domestic violence, and stalking, as defined above) when jurisdiction does not fall within Process A, as determined by the Title IX Coordinator. All other allegations of misconduct unrelated to incidents covered by this policy will be addressed through the procedures elaborated in the respective student, faculty, and staff policies.

Any non-confidential College employees should report any information about potential violations of this policy to the Title IX Coordinator as soon as possible. The report should not be made to the person who is engaging in discrimination, harassment, or retaliation.

A report may be filed at any time regardless of the length of time between the alleged occurrence and the decision to report. However, the College strongly encourages persons to report promptly in order to facilitate an effective investigation and access to information. A delay in reporting may compromise the investigation,

particularly if neither the reporter (and alleged victim if different from the reporter) nor the accused are employed by the College or enrolled as a student at the time.

**a. Informal Resolution**

Individuals are encouraged to tell the person causing or contributing to alleged discrimination or harassment that the conduct is unwelcome, and to stop. If this effort is unsuccessful or the complainant is not comfortable confronting the alleged perpetrator directly, the complainant may reach out to their immediate supervisor (if an employee) or the Title IX Coordinator.

The Title IX Coordinator will conduct a preliminary assessment of the report. Every effort will be made to handle such reports fairly, impartially, discreetly, and efficiently to every extent possible. If the report is under the scope of Title IX Sexual Harassment, the Title IX Coordinator will refer the complaint to Process A. If not, the Title IX Coordinator will proceed under this Process B.

Before pursuing the formal complaint process, every reasonable effort shall be made to constructively resolve issues with students, faculty, and staff. Whenever possible and safe, the problem or complaint should first be discussed with the individual involved in the complaint. If satisfactory resolution is not reached after discussion with the individual, the formal process will be initiated.

**b. Formal dispute resolution and investigation process.**

Upon a determination that a report or formal complaint of discrimination, harassment, and/or retaliation will not be resolved informally, the Title IX Coordinator will initiate a formal process which shall include assigning appropriate, trained college representatives to direct the investigation.

The parties will each have the opportunity to be advised by a personal advisor of their choice, at their expense, and to be accompanied by that advisor at any meeting or hearing. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing.

**Investigation protocol:**

The assigned investigator(s) shall:

- Meet with the complainant to finalize the complaint;
- Investigate the complaint as necessary based on the circumstances, including party and witness interviews and evidence gathering. The parties will each have the opportunity to participate in the investigatory process, and suggest witnesses and evidence;
- Making a finding, based on a preponderance of the evidence whether a policy violation has occurred (preponderance of the evidence means “more likely than not”).

**Following the investigation:**

1. If the respondent is a student: Upon a finding by the investigator that the accused individual violated the policy, the matter will be referred for a potential sanctions and an appeals hearing under the Student Discipline Process in the Student Handbook.
2. If the accused individual is an employee: Upon a finding by the investigator that the accused individual violated the policy, the matter will be referred to the appropriate administrator/department for disciplinary action or other appropriate action as appropriate under applicable College procedures, handbooks/manuals, or contracts.

Under applicable law in cases of alleged sexual assault, dating violence, domestic violence, and stalking, the complainant will be permitted to participate in the full disciplinary process as a party. The parties will also be notified simultaneously in writing of the outcome of any disciplinary proceeding, as well as any changes to those results or disciplinary actions prior to the time that such results become final. If there is a right to appeal, the right is granted co-equally to the parties. The parties will be notified simultaneously in writing of the final outcome of an appeal, if applicable.

In all other cases, the complainant will be kept informed as appropriate to resolve the complaint and provide remedial measures.

Sanctions for policy violations may include all sanctions listed above under Process A.

## **INFORMATION REGARDING REGISTERED SEX OFFENDERS**

The information about sex offenders in this section is provided to members of the Northwestern College community in compliance with the Campus Sex Crimes Prevention Act of 2000 (CSCPA). The CSCPA requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a state concerning registered sex offenders may be obtained. This federal law also requires state law enforcement agencies to provide the college with a list of registered sex offenders who have indicated they are either enrolled, employed or carrying on a vocation at the college. It also requires sex offenders required to register in a state to provide notice to each institution of higher education in that state at which the person is employed, carries a vocation, or is a student. Information about sex offenders in the Orange City/Sioux County area may be found by contacting the Sioux County Sheriff's Department at 712-737-2280 or by viewing the Iowa Sex Offender Registry at <http://www.iowasexoffender.com>.

In Iowa, a person who is a resident of Iowa and who has a qualifying sex conviction is required to maintain current registration with the police department or sheriff's office in the jurisdiction where the person resides. In some circumstances, out-of-state registrants are required to register their in-state employment or college addresses. The Iowa Attorney General's Office Sex Offender Website includes offenders who are identified as lifetime registrants as defined by law, or those who have been designated as high-risk offenders by the Attorney General's Risk Level Committee. Information about registered sex offenders is updated continuously based on information provided by federal, state and local government agencies and the registrants themselves. Members of the Northwestern College community are advised that registrants may fail to give proper notice of their status to the college at the time of their enrollment or they may fail to notify law enforcement agencies as required of their address or status at the college. As a result, Northwestern, the Iowa Bureau of Criminal Investigation and the Iowa Office of the Attorney General cannot guarantee the completeness or the accuracy of the status at the college or the address information of every registrant. The last known residence address verification date is provided for those offenders living in Iowa.

The purpose of this information is to promote public protection from the potential risks posed by individuals who have committed offenses in the past. This method of public notification is an acceptable way of reducing that risk and enhancing public protection. Any actions taken by persons against these subjects, including vandalism of property, intimidation, harassment or verbal or written threats of harm against these subjects or their families, landlords or employers are not acceptable and will likely result in arrest and prosecution of those persons.

# WEAPONS AND HUNTING POLICIES

Northwestern College faculty, staff, students and visitors to Northwestern College are prohibited from possessing firearms, weapons or explosives on the premises of the College without the explicit authorization of Northwestern College, whether or not a federal or state license to possess the same has been issued to the possessor.

Northwestern College is committed to maintaining a safe and secure environment in which to conduct educational activities and house its students. This policy is moves in the direction of reducing the risk of injury or death associated with intentional or accidental use of weapons.

The only exceptions to this policy are as follows: Commissioned law enforcement officers to the extent they are legally permitted to possess weapons in the State of Iowa.

Anyone possessing a weapon other than those in the exception categories will be asked to remove them from the campus or event immediately. They may also be subject to arrest and/or disciplinary action. Any student, faculty or staff member violating this policy shall be subject to the disciplinary policies and procedures applicable to students, faculty or staff. Additionally, possession of unlicensed firearms or weapons may lead to criminal prosecution by the appropriate jurisdiction.

## Carrying firearms on school grounds

1. A person who goes armed with, carries, or transports a firearm of any kind, whether concealed or not, on the grounds of a school commits a class "D" felony.

## Definition of Offensive and Dangerous Weapons

### Offensive Weapons

1. An offensive weapon is any device or instrumentality of the following types:
  - a. A machine gun. A machine gun is a firearm which shoots or is designed to shoot more than one shot, without manual reloading, by a single function of the trigger.
  - b. Any weapon other than a shotgun or muzzle loading rifle, cannon, pistol, revolver or musket, which fires or can be made to fire a projectile by the explosion of a propellant charge, which has a barrel or tube with the bore of more than six-tenths of an inch in diameter, or the ammunition or projectile therefor, but not including antique weapons kept for display or lawful shooting.
  - c. A bomb, grenade, or mine, whether explosive, incendiary, or poison gas; any rocket having a propellant charge of more than four ounces; any missile having an explosive charge of more than one-quarter ounce; or any device similar to any of these.
  - d. A ballistic knife. A ballistic knife is a knife with a detachable blade which is propelled by a spring-operated mechanism, elastic material, or compressed gas.
  - e. Any part or combination of parts either designed or intended to be used to convert any device into an offensive weapon as described in paragraphs "a" through "d", or to assemble into such an offensive weapon, except magazines or other parts, ammunition, or ammunition components used in common with lawful sporting firearms or parts including but not limited to barrels suitable for refitting to sporting firearms.
  - f. Any bullet or projectile containing any explosive mixture or chemical compound capable of exploding or detonating prior to or upon impact, or any shotshell or cartridge containing exothermic pyrophoric misch metal as a projectile which is designed to throw or project a flame or fireball to simulate a flamethrower.

2. An offensive weapon or part or combination of parts therefor shall not include the following:

- a. An antique firearm. An antique firearm is any firearm, including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system, manufactured in or before 1898 or any firearm which is a replica of such a firearm if such replica is not designed or redesigned for using conventional rimfire or centerfire fixed ammunition or which uses only rimfire or centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.
- b. A collector's item. A collector's item is any firearm other than a machine gun that by reason of its date of manufacture, value, design, and other characteristics is not likely to be used as a weapon. The commissioner of public safety shall designate by rule firearms which the commissioner determines to be collector's items and shall revise or update the list of firearms at least annually.
- c. Any device which is not designed or redesigned for use as a weapon; any device which is designed solely for use as a signaling, pyrotechnic, line-throwing, safety, or similar device; or any firearm which is unserviceable by reason of being unable to discharge a shot by means of an explosive and is incapable of being readily restored to a firing condition.

### **Dangerous Weapons**

A "dangerous weapon" is any instrument or device designed primarily for use in inflicting death or injury upon a human being or animal, and which is capable of inflicting death upon a human being when used in the manner for which it was designed, except a bow and arrow when possessed and used for hunting or any other lawful purpose. Additionally, any instrument or device of any sort whatsoever which is actually used in such a manner as to indicate that the defendant intends to inflict death or serious injury upon the other, and which, when so used, is capable of inflicting death upon a human being, is a dangerous weapon. Dangerous weapons include but are not limited to any offensive weapon, pistol, revolver, or other firearm, dagger, razor, stiletto, switchblade knife, knife having a blade exceeding five inches in length, or any portable device or weapon directing an electric current, impulse, wave, or beam that produces a high-voltage pulse designed to immobilize a person

## **CRIME STATISTICS:**

### **DAILY CRIME LOG**

Campus safety and security personnel maintain a daily crime log of all crimes and suspected crimes reported to Northwestern officials. It is available in the Campus Safety and Security Office. To view a copy of the daily crime log, call 712-707-7475, e-mail [andrew.vanommeren@nwciova.edu](mailto:andrew.vanommeren@nwciova.edu), or visit the Campus Safety and Security Office in the Ramaker Center, 2<sup>nd</sup> Floor.

No identifying information is included in the log. Information that does appear is listed below:

- The incident number
- The date the incident was reported to officials
- The date the incident reportedly occurred
- The location where the incident reportedly occurred
- A description of the type of incident reported (e.g. "theft," "minor in consumption," etc.)
- The disposition or current status (e.g. "under investigation," "closed," etc.)

## UNDERSTANDING THE CRIME STATISTICS TABLES

1. Crime statistics presented in the tables are the total number of crimes or suspected crimes occurring at the specified locations and reported to either college or local law enforcement officials during the calendar year (January 1 through December 31). Crimes or suspected crimes reported to both college and law enforcement officials are counted only once. The statistics do not reflect any reports that might have been made to other departments or individuals at the college unless those individuals or departments informed Campus Safety & Security of the incident. These statistics are based on reports of crimes. The statistics do not show how many of the reports were verified; nor do the statistics show the number of convictions that resulted from the reports.
2. Institutions of higher education are required to compile and report crime statistics in four categories by location. These categories are “On-Campus”, “In Residence Halls”, “Non-Campus Buildings or Property”, and “Public Property”. “Non-Campus Buildings or Property” is defined as buildings or property not part of the main campus or a separate campus, which is owned or controlled by the college; and used in support or in relation to the college’s educational purposes, including student housing areas. For the purpose of gathering and classifying statistics for this report, properties listed as “non-campus” include programs that are not classified as separate or branch campuses, as these properties are not physically attached to the main part of the campus. The term “Public Property” relates to offenses occurring on: All public property, including thoroughfares, streets, sidewalks, parks and parking facilities that are within the campus or immediately adjacent to and accessible from the campus. Information on crimes occurring on “Public Property” is also collected from the Orange City Police Department and other area law enforcement agencies.
3. The crimes included in the table are those crimes mandated by the Clery Act. As stipulated by the Clery Act, the crime definitions for sex offenses are from the FBI National Incident-based Reporting System; the definitions for domestic violence, dating violence, and stalking are from section 4002(a) of the Violence Against Women Act of 1994; and the definitions of all other crimes are from the FBI Uniform Criminal Reporting System. The definitions are as follows:

**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 and probably would result in serious personal injury if the crime were successfully completed.)

**Arson** – Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

**Burglary** – The unlawful entry of a structure to commit a larceny-theft or felony. For reporting purposes, this definition must include: 1) evidence of unlawful entry (trespass). Both forcible entry and unlawful entry – no force are counted (including attempted forcible entry). 2) The unlawful entry must occur within a structure, which is defined as having four walls, a roof, and a door. 3) The unlawful entry into a structure must show evidence that the entry was made in order to commit larceny-theft or a felony.

**Dating Violence** – “violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such relationship shall be determined based on a consideration of the following factors:

- The length of the relationship;
- The type of relationship; and
- The frequency of interaction between the persons involved in the relationship”

**Domestic Violence** – “a felony or misdemeanor crime of violence committed by:

- A current or former spouse or intimate partner of the victim,
- A person with whom the victim shares a child in common,
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Iowa, or
- Any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of State of Iowa”

**Drug Law 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 but are not limited to: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone), methamphetamine; and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Hate Crimes** – Crimes that manifest evidence of bias based on race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, and disability.

**Larceny-Theft** – the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. “Constructive possession” means control or dominion over a property without actual possession or custody of it. Examples include pick-pocketing, purse-snatching, theft of bicycles, shoplifting, theft from a motor vehicle, and theft from buildings.

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

**Manslaughter** – Manslaughter is defined as “the reckless or grossly negligent killing of a human being, excluding traffic fatalities.”

**Motor Vehicle Theft** – The theft or attempted theft of a motor vehicle. Motor vehicle theft is classified as all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joy riding.

**Murder and Non-Negligent Manslaughter** – The willful (non- negligent) killing of one human being by another.

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

**Weapons 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; and all attempts to commit any of the aforementioned.

**Stalking** – “engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress”

**Sex offenses** – There are two categories of sex offenses, forcible sex offenses and non-forcible sex offenses:

**Forcible sexual offenses** – 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** is the carnal knowledge of a 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 temporary or permanent mental or physical incapacity (or because of his/her youth).
- b) **Forcible sodomy** is oral or anal sexual intercourse with 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.
- c) **Forcible fondling** is 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.
- d) **Sexual assault with an object** is 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.

**Non-forcible sex offenses** – Any act of 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.

3. The Clery Act stipulates that statistical information for offenses reported by the college must be broken down into specific categories indicating where the crime was reported to have occurred. The Clery Act defines these locations as follows:

**On Campus** – Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including the residence hall. Any property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as food or other retail vendors).

**Student Residences** – A subset of "on campus" crime statistics, which includes only those crimes that were reported to have occurred in the dormitories or other residential facilities.

**Noncampus** – Any building or property owned or controlled by a student organization recognized by the institution, and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution. Northwestern does not currently have any noncampus property.

**Public Property** – All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used in direct support of or in a manner related to the institution's purpose.

## HATE CRIMES

A hate crime is one that manifests evidence that the victim was intentionally selected because of the perpetrator's bias. The categories of bias include race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, and disability. The Clery Act requires colleges and universities to disclose all instances of Clery Act crimes listed in the crime statistics table above, as well as all instances

of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property that manifest evidence that the crime is a hate crime. The disclosure of each hate crime must include information about the geographic location where it occurred and the category of bias that was involved.

Any type of hate crime is contrary to Northwestern's value of respect that recognizes the God-given dignity of every human person and is therefore unacceptable at Northwestern College. Anyone who is the target of a hate offense or any other type of harassment because of a personal characteristic is encourage to report it to both law enforcement officials and the Northwestern Campus Safety and Security Office. Any Northwestern student or a member of the faculty or staff who is found responsible for the commission of a hate crime or hate offense is subject to disciplinary action up to expulsion or dismissal.

## **HIERARCHY RULE**

When counting multiple offenses, we are required to use the FBI's UCR Hierarchy Rule. Under this rule, when more than one criminal offense was committed during a single incident we must only count the most serious offense. A single incident means that the offenses were committed at the same time and place. Beginning with the most serious offense, the hierarchy for reporting Clery offenses is: Murder and Non-negligent Manslaughter, Manslaughter by Negligence, Sexual Assault, Robbery, Aggravated Assault, Burglary, and Motor Vehicle Theft. The crimes of Arson, Domestic Violence, Dating Violence and Stalking are not governed by the hierarchy rule, and statistics for these incidents are reported in these categories in addition to in any other crime category covered under the hierarchy rule if applicable.

## Crimes Reported in Clery Act Categories, 2020-2022

<b>Criminal Offenses – On-Campus</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Rape	0	0	0
d. Fondling	1	0	1
e. Incest	0	0	0
f. Statutory Rape	0	0	0
h. Robbery	0	0	0
i. Aggravated assault	0	0	0
j. Burglary	3	0	1
k. Motor vehicle theft	0	0	0
l. Arson	0	0	0
m. Domestic Violence	0	0	0
n. Dating Violence	0	0	0
o. Stalking	0	0	0

<b>Criminal Offenses – On-Campus Student Housing Facilities</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Rape	0	0	0
d. Fondling	1	0	0
e. Incest	0	0	0
f. Statutory Rape	0	0	0
h. Robbery	0	0	0
i. Aggravated assault	0	0	0
j. Burglary	1	0	0
k. Motor vehicle theft	0	0	0
l. Arson	0	0	0
m. Domestic Violence	0	0	0
n. Dating Violence	0	0	0
o. Stalking	0	0	0

<b>Criminal Offenses – Public Property</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Rape	0	0	0
d. Fondling	0	0	0
e. Incest	0	0	0
f. Statutory Rape	0	0	0
h. Robbery	0	0	0
i. Aggravated assault	0	0	0
j. Burglary	0	0	0
k. Motor vehicle theft	0	0	0
l. Arson	0	0	0
m. Domestic Violence	0	0	0
n. Dating Violence	0	0	0
o. Stalking	0	0	0

## Hate Crimes – On Campus

Criminal Offense	Occurrences of Hate Crimes								
	2022 Total	Category of Bias for crimes reported in 2022							
		Race	Gender	Religion	National Origin	Sexual Orientation	Gender Identity	Ethnicity	Disability
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0	0	0
d. Sex offenses – Non-forcible	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0	0	0
j. Simple Assault	0	0	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0	0	0
m. Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0
Criminal Offense	Occurrences of Hate Crimes								
	2021 Total	Category of Bias for crimes reported in 2021							
		Race	Gender	Religion	National Origin	Sexual Orientation	Gender Identity	Ethnicity	Disability
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0	0	0
d. Sex offenses – Non-forcible	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0	0	0
j. Simple Assault	0	0	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0	0	0
m. Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0
Criminal Offense	Occurrences of Hate Crimes								
	2020 Total	Category of Bias for crimes reported in 2020							
		Race	Gender	Religion	National Origin	Sexual Orientation	Gender Identity	Ethnicity	Disability
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0	0	0
d. Sex offenses – Non-forcible	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0	0	0
j. Simple Assault	0	0	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0	0	0
m. Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0

## Hate Crimes – On Campus Student Housing Facilities

Criminal Offense	Occurrences of Hate Crimes								
	2022 Total	Category of Bias for crimes reported in 2022							
		Race	Gender	Religion	National Origin	Sexual Orientation	Gender Identity	Ethnicity	Disability
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0	0	0
d. Sex offenses – Non-forcible	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0	0	0
j. Simple Assault	0	0	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0	0	0
m. Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0
Criminal Offense	Occurrences of Hate Crimes								
	2021 Total	Category of Bias for crimes reported in 2021							
		Race	Gender	Religion	National Origin	Sexual Orientation	Gender Identity	Ethnicity	Disability
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0	0	0
d. Sex offenses – Non-forcible	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0	0	0
j. Simple Assault	0	0	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0	0	0
m. Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0
Criminal Offense	Occurrences of Hate Crimes								
	2020 Total	Category of Bias for crimes reported in 2020							
		Race	Gender	Religion	National Origin	Sexual Orientation	Gender Identity	Ethnicity	Disability
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0	0	0
d. Sex offenses – Non-forcible	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0	0	0
j. Simple Assault	0	0	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0	0	0
m. Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0

## Hate Crimes – Public Property

Criminal Offense	Occurrences of Hate Crimes								
	2022 Total	Category of Bias for crimes reported in 2022							
		Race	Gender	Religion	National Origin	Sexual Orientation	Gender Identity	Ethnicity	Disability
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0	0	0
d. Sex offenses – Non-forcible	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0	0	0
j. Simple Assault	0	0	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0	0	0
m. Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0
Criminal Offense	Occurrences of Hate Crimes								
	2021 Total	Category of Bias for crimes reported in 2021							
		Race	Gender	Religion	National Origin	Sexual Orientation	Gender Identity	Ethnicity	Disability
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0	0	0
d. Sex offenses – Non-forcible	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0	0	0
j. Simple Assault	0	0	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0	0	0
m. Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0
Criminal Offense	Occurrences of Hate Crimes								
	2020 Total	Category of Bias for crimes reported in 2020							
		Race	Gender	Religion	National Origin	Sexual Orientation	Gender Identity	Ethnicity	Disability
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0	0	0
d. Sex offenses – Non-forcible	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0	0	0
j. Simple Assault	0	0	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0	0	0
m. Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0

<b>Arrests – On Campus</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0
<b>Arrests – On-campus Student Housing Facilities</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0
<b>Arrests – Public Property</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0
<b>Disciplinary Actions – On Campus</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	1	0	0
c. Liquor law violations	29	19	11
<b>Disciplinary Actions – On-campus Student Housing Facilities</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	28	19	11
<b>Disciplinary Actions – Public Property</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0

### **Caveat:**

As an institution we both acknowledge and investigated the incident on the social media platform on 03/31/2022; and although unacceptable, does not fit the Clery criminal definition of hate crimes.

### **UNFOUNDED CRIMES**

If a crime is reported as occurring on campus, in on-campus residential facilities, in or on non-campus buildings or property or public property, and through investigation by the Orange City Police Department or Sioux County Sheriff’s Office and it has been determined the initial crime report was false or baseless, i.e. a student reports a burglary to their residence hall and it is determined through investigation a roommate had authorization to enter the space and remove an item, that crime will be classified as “Unfounded”. Northwestern College Campus Safety & Security or any individual or department of Northwestern College cannot determine if a crime report is unfounded. A crime is considered unfounded for Clery Act purposes only if a sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.

**2022** – There were zero unfounded crimes.

**2021** – There were zero unfounded crimes.

**2020** - There were zero unfounded crimes.

# RECOMMENDED SAFETY AND SECURITY PRACTICES

## PERSONAL SAFETY RECOMMENDATIONS

Northwestern College places a high priority on maintaining a safe campus environment. An important part of this goal is to make the community aware of the need for individual responsibility with regard to implementing effective personal safety and security practices.

A working cell phone (especially one with GPS technology) and common sense are perhaps the two most important safety precautions available to today's college student. The cell phone should have 911 and the local emergency contact information programmed into speed dial (page 47) and should be readily available. Common sense involves being informed of potential risks, being appropriately vigilant, and knowing what to do when dangerous situations present themselves.

### 1. Safety in Residence Halls

Research shows that nationally, on-campus living is the safest option for students after their parents' home. Nevertheless, it's important to use common sense and take appropriate safety and security precautions including:

- Never allow access to the building to anyone you don't know. Don't allow anyone to "tailgate" you into the building. Don't prop open doors that are supposed to be closed.
- Never leave the door to your room or residence unlocked when you are not there, even if you only plan to be gone a few minutes. Make sure your roommate agrees to do the same.
- Keep your room door locked when you are sleeping or napping.
- Never let unauthorized persons enter your residence hall or building. Instead, offer to go get the person they have come to visit.
- Do not hide keys outside your room or student residence. Do not put your name or address on your keys.
- Avoid working or studying alone in a campus building.
- Never dress in front of a window. Draw blinds or curtains after dark.
- If you are awakened by an intruder inside your room, scream and make noise till others come to your aid. Try to get an accurate description of the intruder and call the police immediately.
- Safeguard your cash, checkbook, credit cards and all valuables. Never leave them unattended.
- Immediately report any suspicious activity in or around the residence halls to college officials or campus security.

### 2. Online Safety

In the past few years, the growing popularity of online social communities such as Facebook and Twitter have made online safety a major concern on college campuses. Please use common sense when using the Internet:

- Identity theft is a real possibility for college students (as it is for everyone), and many cases of identity theft happen over the Internet. Never disclose your Social Security number, date of birth, names of your parents, or your savings or checking account numbers while online. Be aware of scams where an e-mail notifies you that you have won a contest or there is a problem with your credit card or bank account requiring you to respond by providing any of the information above. No legitimate contest, credit card company or bank will send you this type of e-mail notification and then ask you to submit personal identification numbers.

- Online social networks are very popular on college campuses, and if used carefully, they can be a fun way to keep in contact with your friends. It is also important to keep in mind that these sites can be accessed by just about anyone, including sex offenders and other criminals. Don't be fooled by the false perception that only other students can access the site.
- When creating an online profile, never disclose your full name, your address, your phone number (or your parent's address and phone numbers) to anyone you don't know well. Be careful about the content you post about yourself and about others. Never post anything (pictures or blogs) that could later be embarrassing to you or to others. A good rule of thumb is to avoid posting anything you would not want your family or a future employer to see. Be aware that some employers now report they routinely check for objectionable content on the profiles of prospective employees. Keep in mind that it is difficult to remove content from the Web once it has been posted. You can never be certain that, when you remove content, someone else has not copied the material to another location in cyberspace.
- Never disclose personal information about your friends to a third party and ask your friends to do the same. Be aware that sexual predators sometimes get personal information about their victims by posing as a friend of the victim.
- Never post information that is false or illegal about another person. You could be subject to criminal or civil charges for posting false information or posting pictures that violate another person's right to privacy.
- Stalking or other forms of harassment that begin online are potentially very dangerous. If anyone online harasses you or threatens you in anyway, report it right away to the police and to the company hosting the website. Save and print any harassing messages or e-mails that you receive. Terminate all contact with the person who harassed or threatened you.
- When chatting with someone online, remember that some people may not tell you the truth about themselves. Nationally there have been numerous reports of college students being victimized by someone they met online. The risk is real. If you meet someone online, never invite the person to your place of residence and don't meet the person at his/her place of residence or in any secluded location. If you do meet someone, never go alone. Have a friend (or more than one friend) go with you and meet in a public place such as a coffee shop or restaurant.
- Be cautious when shopping online. For payment, consider using a service such as PayPal. If you use a credit card for payment, it is recommended that you maintain one credit card account exclusively for online purchases. This allows you the opportunity to monitor your statements carefully to make sure there are no abuses.

### **3. Vehicle Safety and Safety in Parking Lots**

Having a cell phone and using it properly is one of the most important safety precautions you can have when it comes to vehicle safety and safety in parking lots. It is recommended you always have the number for local 911 service programmed in your speed dial. When going to and from your vehicle, have your cell phone handy, and carry your vehicle keys so you can enter quickly. Always check around and under your vehicle as well as the rear seat for intruders before entering your vehicle. Never talk on you cell phone while driving. Pull over to a safe place if you get a call so you can talk safely.

Avoid going to and from campus parking lots alone after dark. Have friends accompany you or watch you from the door of the residence hall when you go to your vehicle after dark. When returning to campus after dark, use your cell phone to let friends know when you are arriving on campus and have them meet you.

Park in a well-lit location as close as possible to your building.

Always lock your doors and keep windows rolled up whenever possible.

Always drive with your doors locked and stay on routes with which you are familiar. As much as possible, use well-traveled and well-lit routes.

Never hitchhike or pick up hitchhikers.

If someone tries to enter your stopped vehicle, sound the horn and drive away.

If your vehicle breaks down, call for help on your cell phone and wait in your locked car for help.

Be aware that an accident may be staged to provide the other driver with an opportunity to commit a criminal act. If you come upon an accident or a stranded vehicle, use your cell phone to call for help.

Leave enough room between your car and the one ahead so you can drive around if necessary.

#### 4. Personal Safety While Walking or Jogging

It is best to avoid walking or jogging alone. If you do, invest in a cell phone, carry it with you and have 911 and the local emergency contact information programmed into speed dial (page 44). Avoid secluded routes. Always walk or jog along well-traveled routes and stay where you are clearly visible to passersby.

Never go for a walk or jog alone after dark.

Be alert to your surroundings. If you suspect you are being followed, run in a different direction, go to the other side of the street and yell for help, or head quickly for a lighted area or a group of people.

Have your keys ready when returning to your residence hall or apartment, and keep your personal valuable items concealed and close to your body.

#### 5. Personal Safety While Socializing

Always carry your cell phone with you and have 911 and the local emergency contact information programmed into speed dial (page 50).

Do not place yourself in a situation where you are alone with people you do not know well. Do not accept an invitation to go alone to the residence, apartment or room of someone you do not know well. Instead, arrange to meet in a public place where there are other people or arrange to be accompanied by friends.

Do not accept a beverage from someone you do not know and trust. Beverages can be spiked with alcohol, and alcoholic beverages can contain more alcohol than you are used to consuming. Alcoholic and non-alcoholic beverages can be laced with drugs that are tasteless and odorless (e.g. "the date rape drug").

Do not engage in binge drinking of alcoholic beverages. Binge drinking is defined as five or more drinks at a setting for adult males and four or more drinks at a setting for adult women. Binge drinking is associated with serious safety and health risks, and statistics show that college populations are especially vulnerable to these risks. Individuals who engage in binge drinking are at risk for alcohol poisoning, a potentially fatal condition that can also cause brain and central nervous system damage. It is advisable for all students who drink or attend social gatherings where alcohol is served to be aware of the symptoms of alcohol poisoning. When there is a question about whether or not someone is experiencing these symptoms, medical attention should be summoned.

Statistics show that as many as one-in-four college women will be the victims of sexual assault before graduation, and a large number of sexual assaults are associated with binge drinking. Persons who engage in binge drinking are also at substantially increased risk for injury or death from motor vehicle accidents, academic failure, depression, alcoholism and substance abuse, unwanted pregnancy, and sexually transmitted diseases.

No one deserves to be abused. If you are in a relationship where your partner is emotionally or physically abusive and you are in danger, get help by contacting the Wellness Center. If you have abused someone or fear you may be abusive (even if you have not been physically violent), help is available for you. Please get help before you abuse or hurt someone again.

Be cautious about whom you date. Do not go out on a date alone with someone until you know him or her well. Do not continue to see someone who pressures you to do things you do not want to do. Do not continue to see someone who does not respect your wishes, your limits or who tries to control you. Do not continue to see someone who expresses anger inappropriately, is impulsive or disrespectful to you or other people. Take the time to get to know the character of those individuals you date. Check with mutual friends about the character of those who want to get to know you. You deserve friends of good character. Make it a point to insist upon it.

## CAMPUS VIOLENCE

Because Northwestern College is located in one of the safest states and in close proximity to two of the safest cities in the United States (according to FBI crime statistics,) there have been very few instances of violence reported at the college. There is, in fact, a danger that some members of our college community may take campus safety for granted, making themselves vulnerable by not taking appropriate safety precautions. ***It is important for everyone to be aware the potential for violence exists, to be aware of what to look for, and to have knowledge about what measures can be taken to prevent it.***

## Shootings on Campus

There has been a national discussion about campus security in the media and in Congress. The discussion is an important one, and hopefully it will yield some realistic strategies for making our campuses as safe as possible.

Some important considerations to this discussion are:

- Security experts stress it is not possible to institute security procedures (on the scale of those employed by airports) to make colleges and universities immune from the type of violence that occurred at Virginia Tech without severely restricting the ability of students, faculty, staff and the public to access campus and move about.
- Shootings on campus, although horrific, are rare. When they have occurred in the past, the perpetrator has often been a person with a history of mental or social problems who feels mistreated in some way. Experts emphasize that in many cases, the perpetrator has communicated his intentions to someone in advance.

Based on this information, experts are advising the single most important things colleges and universities can do to prevent a Virginia Tech-type tragedy from being repeated are:

- Institute a method of communicating with students, faculty, staff and the public in the event of a campus crisis or emergency (NWC Alert, page 5).
- Prevention Education provided to the community of the signs to look for and what to do if any of the signs are observed:

### Warning Signs of Potential Violence

With regard to educating the community, starting and continuing from the 2014-2015 school year, training will be provided to residence life staff to help them identify individuals and situations that may indicate that a person may become violent. This information will be also passed on to students in all-hall meetings: The large majority of previous school shooters have been males.

Active Shooter Reference Guide Review, facilitated by Campus Safety & Security:	
Residence Directors and Resident Assistants:	August 2022
All Hall Meeting: Includes All New & Returning Students	August 2022
New Staff Orientation:	September 2022

In many cases, the shooters were individuals who had social or emotional problems, such as a history of being bullied or abused. Often people who have known the shooter have described him as isolated and having few friends.

In many cases, the shooters communicated or evidenced a propensity for violence. This may have come in the form of writing about violence in course assignments, posting information on websites indicating a fascination with death or violence, or the person may have made reference to getting even with someone or a group of people because of perceived mistreatment or abuse.

In some instances, the shooter has been a student who is unhappy with a grade or a decision negatively impacting his academic progress, such as denial of admission to a program.

In some cases, gun violence on college campuses is a form of relationship violence precipitated by a breakup or impending breakup of a romantic relationship.

Anyone who has reason to believe that someone may resort to violence is urged to treat the situation **extremely seriously**. The information should be reported immediately to either the Orange City Police Department or the Sioux County Sheriff's Department (in an emergency, 911), and then to one of the Northwestern College officials listed below:

Andrew Van Ommeren, Campus Safety & Security	707-7475
Julie Elliott, Vice President for Student Life	707-7200
Marlon Haverdink, Dean of Residence Life	707-7200

This information is presented not to cause fear, but to create awareness that although small, the risk is real for college and university students. There is a need for appropriate precautions. In particular, it is important for students, both males and females, to be cautious with strangers and to remain vigilant to the actions of strangers. Avoid being alone. Immediately report anyone who follows you, stalks you, sends unwanted electronic communications or phone calls. Take all instances of such behavior by a stranger seriously.

If someone tries to abduct you, experts say it is important to try and do everything possible to avoid getting in a vehicle with your abductor. Scream, kick, fight, scratch, or do whatever you have to do to avoid being forced into the vehicle. If you are forced into the vehicle, do everything possible to escape. Jump out of the vehicle when it slows to stop. Signal people in passing cars that you are in trouble. Use your cell phone to call 911.

## **PRACTICES TO SAFEGUARD PROPERTY**

In addition to your personal safety, Northwestern College is also committed to working with you to protect your personal property from theft and damage. The college also asks your cooperation in protecting Northwestern property.

With this goal, the following procedures are recommended.

1. All students residing on campus are encouraged to carry insurance that specifically covers losses associated with theft and vandalism of personal property, including vehicles. Statistically, college students are more likely to be the victim of theft than any other crime. Theft of electronic equipment such as computers, TVs, personal and vehicle audio equipment, compact discs and other electronic and video equipment is particularly common on college campuses.
2. If you have a vehicle on campus, keep a record of the vehicle identification number. Make an immediate report to campus security at 712-707-7475 (during office hours) or 712-395-1077 (evenings) if your vehicle is damaged, broken into or stolen.
3. Protect your valuables by keeping a current inventory of your possessions on file. Record the description and serial number of each item and keep purchase receipts and brochures on equipment purchased.
4. Lock the door to your residence hall room or apartment when you are sleeping or napping.
5. Lock the door to your residence hall room or apartment whenever you leave your room, even when gone for only a few minutes.
6. Always lock all car doors. Don't store valuables in your car. If you must keep items in your car, don't store them in plain view. Use the trunk or—at the very least—put items out of sight. If possible, remove all electronic equipment from your car when not in use.
7. Protect all valuables in your room. Don't leave valuables like wallets, jewelry, credit cards, cash and electronics in plain view.
8. Don't loan your keys to anyone. Make a report immediately to resident staff if your keys are lost or stolen.
9. Take all valuable items home with you during vacations.
10. In public places, keep your valuable items out of sight or in a safe place. If you must leave an area for any length of time, take personal items with you.
11. Report all thefts no matter how small. Each theft that is reported is a clue to investigators and may be useful in apprehending those responsible for a series of thefts.

12. Engrave your Operation ID number on your bicycle and use a high-quality lock. U-bolt locks are the best for bicycles. Place the chain, cable or lock through both wheels, the frame and around a bicycle rack.
13. Be good stewards of the campus. Report any suspicious activity, theft or vandalism immediately. Notify college personnel if you discover doors unlocked that should be locked or other irregularities in security measures.
14. If you are the last person to leave a room, make certain windows and doors are locked and all equipment is properly secured.

## REPORTING SUSPICIOUS ACTIVITY

Northwestern College depends upon all members of the community to assist with campus safety efforts. If you see any suspicious activity or people on or near college facilities or at college-sponsored events, immediately report what you have seen. Call the police (page 47). After completing the call to the police, phone campus security at 712-707-7475 (during office hours) or 712-395-1077 (evenings) or contact an appropriate college official. Don't assume what you see is an innocent activity or that another individual has already called security. Don't worry about being overly cautious. Instead, choose to err on the side of safety by calling security or college officials.

1. **Suspicious Behavior to Report:** Suspicious behavior you should report includes any of the following: a) a person loitering at unusual hours and locations; b) a person running, especially if something of value is being carried; c) a person or persons carrying property or equipment that doesn't belong to them out of a building or residence; d) a person or persons going from room to room or apartment to apartment trying doorknobs; e) a person or persons entering or leaving a room or apartment without the occupant being home; f) persons not belonging to the Northwestern College community. (Do not assume the person is a visitor or college staff member that you haven't seen before); g) a person or persons exhibiting unusual behaviors that might suggest drug or alcohol use, or some other need for medical or psychiatric assistance.
2. **Other Suspicious Circumstances to Report:** Other unusual circumstances to report include: a) broken or damaged doors or windows; b) doors or windows that are open or unlocked after hours; c) unusual noises—anything suggestive of foul play, danger or illegal activity; d) anyone who appears to be stalking another person, abusing another person, or holding or controlling them against their will; e) people sitting in parked vehicles for an extended period of time; f) vehicles driving slowly in a parking lot at night.

## WHAT TO DO IF YOU ARE THE VICTIM OF A CRIME

1. Your first priority should always be your own survival and that of others who may be in danger. Survival may require that you scream for help, that you fight back, or it may require that you cooperate with the perpetrator. Whatever you do, your first goal should be to survive and to get to a place of safety.
2. Make certain the perpetrator is gone before entering a crime scene. If you return to your room or apartment and notice that an intruder has been present, get out immediately. Go to a safe place and call authorities to assist you.
3. Preserve the crime scene. Don't disturb or destroy evidence or allow others to do so until authorities have had an opportunity to investigate the scene.
4. If you have been physically attacked or sexually assaulted, don't wash or bathe until you have been examined by a health care professional. Even if you don't wish to press charges at the time of the attack, DNA evidence can be taken and preserved so it's available in the event you wish to file charges at a later date.
5. If you're the victim of a crime, your immediate recall is often the best. Write down as much information as you can immediately after a crime. If you see the perpetrator of a crime, try to notice as many details about him or her as you can, including:

Gender	Approximate age
Height	Weight/build
Dress/clothing	Facial hair

Glasses	Distinguishing marks, including scars
Distinguishing walk	Voice
Description of face, including eye color, hair color, hairstyle (short, curly, etc.) jaw, nose	

## EMERGENCY PHONE NUMBERS AND CONTACT INFORMATION

**Dial 9-1-1** if you are calling from your cell phone.

**Dial 8-9-1-1** if you are calling from a phone in a campus building.

### Orange City Police Department

125 Central Ave SE Orange  
 City, IA 51041  
 Emergency service: 911  
 Non-emergency phone: 712-707-4251

### Sioux County Sheriff's Department

4363 Ironwood Ave  
 Orange City, IA 51041  
 Emergency service: 911  
 Non-emergency phone: 712-737-3307

### Northwestern Campus Safety and Security Office

Located in the Ramaker Center  
 Andrew Van Ommeren  
 101 7th Street SW  
 Orange City, IA 51041  
 Office phone: 712-707-7475  
 After-hours phone: 712-395-1077

### Northwestern Student Life Office

Located on the 2<sup>nd</sup> Floor of Ramaker Center  
 Julie Elliott/Marlon Haverdink  
 101 7th Street SW  
 Orange City, IA 51041  
 Office phone: 712-707-7200

### Northwestern College Wellness Center

Located in the Rowenhorst Student Center  
 Jenna Visser  
 Office phone: 712-707-7315

<b>Colenbrander Hall RD:</b>	Brian Follett	719-313-7041
<b>Fern Smith Hall RD:</b>	Natalie Wheeler	641-891-5208
<b>Hospers Hall RD:</b>	Dana Van Ostrand	402-405-1936
<b>North Suites Hall RD:</b>	Jason Katsma	712-707-7212
<b>Stegenga Hall RD:</b>	Caylan De Lucia	712-707-7216
<b>Bolks Apartments RD:</b>	Lindsay Hubbell Simmelink	909-747-5507
<b>Courtyard Village Apartments RD:</b>	Lindsay Hubbell Simmelink	909-747-5507

***\*Anytime a student contacts the police, he or she should immediately contact their RA, RD, or some member of the staff listed above.***