

# Campus Security Report



**Northwest State Community College**

**October 1, 2015**

# **Campus Security Report**

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# Campus Security Report

Northwest State Community College's Campus Security Report includes crime statistics and prevention information to assist students in making decisions which affect their personal safety and that are required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This report also includes policy information for Northwest State Community College as required by the Higher Education Opportunity Act of 2008. A copy of the report can also be obtained by contacting the NSCC Police Department.

Northwest State Community College is committed to providing environments that facilitate student learning in all of its forms, as well as promoting responsible decision-making. The vitality of this commitment rests in the education and development of the whole person, including the manner in which students interact with others and the way in which they live out their rights and responsibilities as members of Northwest State Community College. As a college, we are dedicated to providing students with the resources they need to be successful members of the community. This includes the implementation of timely and appropriate intervention strategies and programs when students do not follow college policies. To this end, the Office of the Dean of Students and the NSCC Police Department collaboratively work together to hold students accountable for their behavior and provide education regarding decision-making and personal responsibility. Northwest State Community College is dedicated to modeling responsibility, character development and values education. Through the integration of new learning and reflection on one's behavior, students at Northwest State Community College learn what it means to be a responsible and respectful citizen in a community.

**Dr. Cindy Krueger**, Vice President of Academics and Student Services  
**Alan Word**, Chief of Police

## Contact Information:

### NSCC Main Campus Police

**Emergencies:** any campus or off-campus location: **419-267-1452 or 911**

**Non-emergencies:** Northwest State Community College Police: **419-267-1452**

Henry County Sheriff's Office: **419-592-8010**

### Toledo Scott Park Campus:

**Emergencies:** any campus or off-campus location: **419-530-2600 or 911**

**Non-emergencies:** University of Toledo Police: **419-530-2601**

Toledo Police: **419-936-2000**

### Van Wert Campus:

**Emergencies:** any campus or off-campus location: **911**

**Non-emergencies:** Van Wert Police: **419-238-2462**

Erie County Sheriff's Office: **419-238-3866**

# **POLICE**

## **Mission Statement**

The Northwest State Community College Police Department (NSCCPD) is a professional police agency that is committed to providing excellence in service and safety with a servant attitude while maintaining the mission of the college.

## **Vision Statement**

The vision of NSCCPD is to continually grow in knowledge and technology while maintaining the highest standard of service to all of those we serve.

## **About The Northwest State Community College Campus Police - Law Enforcement Authority**

The NSCCPD is located in the Atrium Room A-191, which is directly behind the Welcome Desk in the North Atrium, entrance door A-10. The NSCCPD provides uniformed police services during open hours of the College as well as for special functions during non-standard campus hours.

The NSCCPD officers are sworn State of Ohio Peace Officers commissioned by the Ohio Peace Officers Training Commission. Police Officers are entrusted through the Board of Trustees in accordance with Ohio Revised Code Section 3345.04. College officers have misdemeanor and felony arrest authority, as well as all other enforcement powers granted to peace officers in the state of Ohio. NSCCPD officers are subject to all training and education requirements established by the Ohio Peace Officers Training Council and the Northwest State Community College Administration.

NSCCPD officers are required to maintain a professional demeanor, and utilize sound judgment with a service attitude. Officers are carefully selected by their proven prior law enforcement service, experience, ability, knowledge, and dedication to the community they serve as well to their organization. In addition the officers continue to gain knowledge through continual training in relation to their career.

NSCCPD is a full service agency providing law enforcement service including criminal investigations, accident investigation, traffic and parking enforcement, enforcement of Court Orders such a Protection Orders both Civil and Criminal enforcement as well as enforcement of Northwest State Community College Policy and Regulations.

## **Mutual Aid and Public Safety Partnerships**

The NSCCPD maintains partnerships with local, state and federal public agencies. By virtue of concurrent jurisdictions and in some cases shared jurisdictions a close working relationship is in place with the Henry County Sheriff's Office, Ohio State Highway Patrol, Federal Bureau of Investigation, the Multi Area Drug Task Force, and the Attorney General's Bureau of

Investigation, Van Wert Police Department, Bryan Police Department as well as the Correction Commission of Northwest Ohio and their Special Weapon and Tactics Team.

## **Services Provided by Northwest State Community College Campus Police**

### **Escort Service**

- The NSCCPD provides escort service to and from vehicles upon request.
- The request may be made in person, or by calling the police office at 419-267-1452 or contacting the Welcome Center 419-267-5511.

### **Car Unlocks**

- The NSCCPD will provide auto unlocks should someone need this service.
- The individual must provide proper identification and sign a waiver of liability.
- The request can be made in person at the NSCCPD office room A-191 or at the Welcome Center.

### **Motor Vehicle Battery Jump Starts**

- The NSCCPD will provide motor vehicle jump starts should someone require this service.
- The individual must provide proper identification and sign a waiver of liability.
- The request can be made in person at the NSCCPD office room A-191 or at the Welcome Center.

### **Web Check Finger Print Background Checks**

- Fingerprinting for background checks can be done by NSCCPD. Appropriate identification, such as a state driver's license or other state or government-issued ID, must be provided as well as other pertinent information.
- Fingerprinting may be done Monday through Friday when officers are available. Calling ahead is recommended but not necessary.
- Cost for the service is \$27.50 for BCI and \$30 for FBI.

### **Photo IDs**

- College Photo IDs can be obtained at the NSCCPD office in the Atrium, Room A-191.
- Appropriate ID, such as a state driver's license or other state or government-issued ID, must be provided as well as the college ID number also known as the N number.
- A \$10 charge is required for a replacement ID.

### **Key Control**

- NSCCPD is assigned the key control of the College, both traditional keys and electronic access.
- Assignment of keys requires a written request via email to the campus police chief.
- Request will include the individual's name, who the key is to be issued to and the room number said key is needed for providing access.

## **Parking**

- Parking permits may be obtained at the Welcome Center.
- Faculty and Staff identified parking lot is the only lot where a parking permit is required.
- The Parking Permit must be visibly displayed or a parking citation will be issued.
- Faculty and Staff lot is located in the farthest southeast parking lot and is identified with signage clearly marked Faculty/Staff Parking.
- Visitor parking spaces are clearly marked and only visitors are permitted to use these spaces. Students are not visitors.
- Other special parking spaces are clearly marked for their intended users and violators will be cited for parking violations.
- Fines for violating parking regulations range from \$25 to \$50 per violation.
- Payment may be made in person at the Business Office, Monday - Thursday between the hours of 8 am to 4 pm.
- Receipts will be issued only for payments made in person during these hours. Payments may also be mailed to the NSCC Business Office, 22600 State Route 34, Archbold, Ohio 43502. Appeal forms may be obtained at the NSCCPD Office and must be submitted within ten days from the date of the citation.

## **Lost and Found**

- Lost and found items can be recovered at the Welcome Center in the Atrium. Lost and found flash drives will be collected at the circulation desk in the Library.

## **Emergencies on Campus**

### **Quick Alert Emergency Communication System**

Northwest State Community College utilizes the Quick Alert system as a fast and reliable means of sending urgent information to the campus community. It is important that all students log in to their Quick Alert account to update their contact information and communication preferences. This can be done by logging on to myNSCC and clicking on the Quick Alert link in the middle of the Home tab.

Announcements made through the Quick Alert system include campus emergencies, school closings and important student information and reminders.

### **Family Emergency**

In the event of an emergency, family members are to call the main switchboard at 419-267-5511. A switchboard operator is on duty from 7:30 a.m. until 6:00 p.m. Monday – Thursday and 7:30 a.m. until 4:00 p.m. on Friday and will be able to direct your call accordingly. When the switchboard is closed, follow the message prompts to contact the NSCC Campus Police Department.

## **Emergency Phones**

Emergency phones are located throughout the campus for use in case of emergencies. The phone connects immediately to the Campus Police Department by lifting the handset.

## **Reporting Crimes on Campus**

Crimes, suspicious activity, safety hazards or campus emergencies (including medical and fire emergencies) should be reported promptly to NSCCPD from any emergency hallway phone by just picking up the handset, calling from any campus desk phone dialing 3 then send or calling 419-267-1452 or direct contact with NSCCPD at the office located in Room A-191 as well as the Welcome Center or any NSCC Faculty or Staff member.

## **Confidentiality**

Ohio's public records law (Ohio Revised Code 149.43) does not permit the College to promise confidentiality to those who report crimes to anyone except counselors at the College Counseling Center or under certain circumstances, to a physician or nurse at a hospital. Some off-campus reports also may be legally confidential - e.g. report to clergy or health care professionals.

To protect privileged relationships, reports to persons operating in the role of a professional counselor, medical professional, or pastoral counselor remain confidential in all but legally recognized exceptions and therefore are not included in the annual crime report.

False reporting to a police department is a criminal offense and a very serious matter. False reports unnecessarily create alarm in the community and direct police resources in inefficient ways, costing untold man hours. For these reasons, the NSCCPD pursues criminal charges in any verified case of false reporting. Never falsely report a crime or incident to a police department. Contact NSCCPD if you believe an erroneous report has been provided to the police or college official, please remember, missing or lost property is not stolen property. Report honestly and responsibly.

## **Reporting to a Campus Security Authority (CSA)**

Northwest State Community College Campus Police (NSCCPD) is the primary department accepting information about criminal activity. In some circumstances, a person may prefer to report a crime to other college officials. The college has designated employees who have significant responsibility for students and crime activities as Campus Security Authorities (CSA). The list of designated CSAs can be found here and include but are not limited to: Dr. Cindy Krueger, Vice President for Academics and Student Services (Room B105), Michael Black, Dean of Student Services (Room C102), Kathryn Soards, Chief Fiscal and Administrative Officer (Room B105), Todd Hernandez, Vice President for Innovation (Room B105) and Lori Robison, Dean of Allied Health and Public Service (Room A213).

The college recognizes that roles and responsibilities of college employees continually evolve and change. Therefore, in addition to the designated CSAs, the NSCCPD sends out an annual

communication to deans, directors and department heads defining a Campus Security Authority and discussing the responsibility of those that may fit the definition in an attempt to broadly promote a culture of reporting criminal events.

### **Missing Student Reporting**

The College takes the report of a missing person seriously. All missing persons shall be reported to the NSCCPD. If the student is determined to be missing from a location not within the jurisdiction of the Northwest State Community College, the reporting person will be directed to file a missing person police report with the agency of jurisdiction.

### **Daily Crime Logs**

The Daily Crime Log is maintained by the NSCCPD in an effort to provide members of the campus community a record of all incidents both criminal and non-criminal as well as fires reported to NSCCPD.

This log provides for both the most recent incidents as well as an archive listing of past incidents. The daily crime log is updated according to occurrence of incidents.

Current crime logs as well as the logs from the last three years may be viewed on the campus web site or a copy may be obtained at the NSCCPD office located in room A-191 in the campus atrium.

### **Emergency Plans**

In the event of various types of emergencies, the College has set forth various plans of action including fire, tornado, hazardous material spill, hostage or active shooter situations, etc. These plans are available for viewing on the campus website.

### **Closed Circuit Television Cameras (CCTV)**

The College deploys closed circuit television cameras in parking lots, buildings and other public areas. Cameras serve as a crime deterrent and provide an extra layer of security. Areas with cameras can be monitored quickly, providing valuable information to emergency responders. Video is also helpful during police investigations.

### **Education and Prevention**

Northwest State Community College is committed to creating an environment free from violence. One of the concerns on every campus is violence and the response to such an event. The college offers training in being alert for such indicators, communicating to authorities and various responses that may be needed in such an event. The presentation of Shots Fired on Campus is a tool utilized in these training opportunities.



## **Sex Offenders**

The State of Ohio has a Sexual Offender Registry that contains the names of all persons convicted of Sex Offenses in the State of Ohio. The college recognizes that sex offender registries reflect convicted sex offenders, which are only a small percentage of actual sex offenders, and that most sex offenders commit assaults against people they know, rather than strangers.

The sex offender registry and access to related information can be found by visiting the following link: <http://northweststate.edu/security-safety/local-sex-offenders/>

## **Violence Against Women's Act - Sexual Misconduct, Domestic Violence, Dating Violence and Stalking.**

In 2013, President Obama signed into law the Violence Against Women Reauthorization Act imposing new obligations for colleges and universities as it relates to the reporting, education, services, and procedures in incidents of sexual assault, domestic violence, dating violence and stalking. At Northwest State Community College, sexual misconduct and relational violence of any kind is not tolerated and many resources exist for the survivor should an incident occur. The College collects any reported incidents of dating violence, domestic violence, sexual assault, and stalking occurring within the University's Clery geography and reported to a Campus Security Authority (CSA).

## **Education and Programs**

- All members of the College community play a role in preventing sexual misconduct and relational violence. The College is committed to delivering annual sexual misconduct and relational violence primary prevention and awareness training to all new students and employees to:
  - Promote healthy and respectful behavior.
  - Increase awareness of what constitutes sexual misconduct and relational violence.
  - Prevent circumstances that may lead to sexual misconduct or relational violence and empower bystanders to intervene in potential situations when safe to do so.
  - Create an environment that promotes reporting and instills confidence in the community that the College will provide a supportive, consistent and fair response to reports.
  - Promote bystander intervention in sexual misconduct and relational violence situations.

Northwest State Community College will not tolerate sexual misconduct and relational violence of any kind. The College has resources for the survivor should any such incident occur.

The College collects any reported incidents of dating violence, domestic violence, sexual assault, and stalking occurring within the College's Clery geography and that are reported to a Campus Security Authority (CSA).

A resource for training concerning the aforementioned as well as counseling and support for victims is available through The Center for Child and Family Advocacy, Inc. Northwest State Community College has partnered with the Center for such services such as training, individual, family and group therapy, marriage counseling, play therapy, child sexual abuse treatment, domestic violence treatment, anger management, trauma and loss, bereavement and intensive family-based therapy (home-based).

Additional services are domestic violence shelter, community education, teacher in-service training, prevention programming, victim advocacy and Family Justice Centers.

The Center for Child and Family Advocacy, Inc. has several locations.

- 219 E. Washington St., Napoleon, Ohio 43545 (419-592-0540)
- 511 Perry St., Defiance, Ohio 43512 (419-782-1071)

Family Justice Center, 118 ½ Clinton St., Defiance, Ohio 43512 (419-782-1314)

Also available is the Domestic Violence Hotline (800-782-8555)

## **Definitions:**

**Awareness Programs:** Information dissemination through the use of programs, training and professional development.

**Bystander Intervention:** Intervention conducted by a witness to assist another person.

**Consent:** Voluntary positive agreement to engage in sexual activity; past consent does not imply present or future consent; someone who is incapacitated cannot consent; according to Ohio law, consent cannot be provided by someone whose ability to consent is substantially impaired; the responsibility for obtaining consent lies with the person initiating or escalating sexual activity in an atmosphere free from coercion; consent should be obtained verbally throughout sexual interaction; silence does not constitute consent; consent may be withdrawn at any point during sexual activity.

**Dating Violence:** Committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

(1) The existence of such a relationship shall be determined based on the reporting party's statement and by the victim with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

(2) For the purpose of this definition:

- (a) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- (b) Dating violence does not include acts covered under the definition of domestic violence.

**Domestic Violence:** Ohio law that indicates "no person shall knowingly cause or attempt to cause physical harm to a family or household member. No person shall recklessly cause serious

physical harm to a family or household member. No person, by threat of force, shall knowingly cause a family or household member to believe that the offender will cause imminent physical harm to the family or household member “[abbreviated]. The penalty for domestic violence is based on a several factors and can range from a 4th degree misdemeanor to a 3rd degree felony with mandatory prison sentence.

**Ongoing Prevention and Awareness Campaigns:** Repeated attempts to disseminate information to a group of people through the use of programs, training and professional development opportunities.

**Primary Prevention Programs:** Educational initiative aimed at preventing events or circumstances before they occur.

**Risk Reduction:** A systematic approach to identifying, assessing and reducing risks.

**Proceeding:** The process of appearing before a College Hearing Committee so a decision can be made regarding an argument or claim.

**Rape:** Defined by the NSCCPD as 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 the consent of the victim. This definition includes any gender of victim or perpetrator. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.

In Ohio, rape is a felony of the first degree and is punishable from 5 years to life imprisonment.

**Relational Violence:** Umbrella term that includes domestic violence, dating violence and stalking.

**Result:** The outcome of a formal or informal process.

**Sexual Misconduct:** Umbrella term for a spectrum of unwanted or unwelcomed conduct of a sexual nature that may include sexual harassment, sexual assault or other forms of non-consensual sexual activity, or criminal forms of non-forcible sex offenses such as incest or statutory rape.

**Sexual Assault:** Umbrella term for actual or attempted sexual activity perpetrated upon a person without the consent of that person and against that person's will.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress.

## **Reporting Sexual Misconduct, Relational Violence and Stalking**

The College strongly encourages any person with knowledge of a sexual misconduct or relational violence incident to immediately report the incident. In some cases, bulletins or alerts may be issued however the names of victims are not included.

Compliance Protection: Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

## **Disciplinary Proceedings for Dating/Domestic Violence, Sexual Assault, Stalking**

In cases of alleged dating violence, domestic violence, sexual assault or stalking:

- Officials are properly trained and do not have a conflict of interest or bias for or against the accuser or the accused.
- The accuser and the accused have equal opportunities to have others present, including an advisor of their choice.
- The accuser and accused receive simultaneous notification, in writing, of the proceeding results and any available appeal procedure.
- The proceeding is completed in a prompt time frame.
- Accuser and accused are given timely notice of meetings.
- Accuser and Accused are given timely and equal access to information that will be used during informal and formal disciplinary meetings and hearings.

### **Procedure No.5-08(J): CODE OF STUDENT CONDUCT**

Effective Date: July 01, 2012

(1) Report possible code violations to the Vice President for Academics. All cases related to harassment, sexual harassment, or sexual misconduct will follow the procedures outlined in Procedure 3-21 Harassment. In cases where the alleged activity may involve a violation of criminal law in addition to a violation of the code, information and/or complaints should be provided to the campus police and the appropriate law enforcement agency.

- (a) Determine if preliminary investigation is warranted.
- (b) If preliminary investigation is authorized:
  - (i) Notify student in writing about alleged violation and investigation
  - (ii) Schedule meeting with student and other witnesses to gather information.
- (c) Determine outcome of preliminary investigation
  - (i) No further action
  - (ii) Deferring further action with or without conditions
  - (iii) Initiating disciplinary proceedings.
  - (iv) In the event that there is reasonable cause to believe that the student has violated college rules and that the student's presence on College premises or College activities poses a significant risk of substantial harm to the health or safety of others or to property, the student may be immediately and temporarily suspended from all or any portion of college premises, college-related activities

and is not permitted to participate in, or complete academic coursework until the conclusion of a full hearing or administrative decision.

(2) Notice of Charges

(a) Formal written complaints must be filed within 60 days of the identification of the student allegedly committing the violation.

(b) Charges may be presented in person, or by mail to the accused student's address on file in the registrar's office. Following notification of charges, students are strongly encouraged to and shall be afforded the opportunity to meet with an identified authorized college official for the purpose of explaining the discipline proceedings, due process, and charges.

(3) Hearing

(a) A student who is formally charged with a code violation will have their case heard at an administrative proceeding to be arranged within 14 calendar days of the charges being filed. Failure of the accused student to respond to the initiation of charges or schedule a preliminary meeting will not prevent the college from scheduling an administrative hearing and conducting the hearing in the student's absence.

(b) In cases where a charged student admits such violation, the student may request in writing to have an administrative decision without a hearing.

(4) Administrative Decision

(a) In all cases, a student charged with one or more violations of the student code has the right to a hearing. However, in cases where a charged student admits such violations the student may request in writing to have an administrative decision as to appropriate action made by a hearing officer.

(b) In such situations, the student waives the right to a committee hearing and the related procedural guarantees of a committee hearing.

(c) Following an administrative decision, the student retains the right to request an appeal of the original decision, based upon the grounds established under Section 8 (Appeal Process) below.

(5) Notice of Hearing

(a) If a hearing is to be held, written notification will be provided. The notice may be hand delivered or postmarked to the last known address of the student, no fewer than ten (10) calendar days prior to the hearing.

(b) Unless already provided to the student, the notification will include the charge(s), date, time and location of the hearing, the designated hearing officer or committee, a statement of the student's rights, information on the hearing procedures, and copies of the Code of Student Conduct.

(c) The accused student may request a postponement for reasonable cause, or a hearing separate from other persons who may have been involved in the violation. A request for a postponement for reasonable cause must be made in writing, include supporting rationale and be received in the office of the Vice President for Academics, or the person sending the hearing notification at least three (3) calendar days before the scheduled hearing.

(6) Hearing Committee

(a) The Hearing committee will be appointed by the Vice President for Academics or designee.

(b) Any grade level I or II employee may serve as the Hearing Officer.

(c) Additional members include two faculty or staff members, a currently enrolled student, and a person of the accused student's choice (person must be a present student, faculty member, or other employee of the college). If the accused student does not select a representative, an individual will be appointed.

(7) Hearing Procedures

(a) All students have a right to a due process hearing. Hearings are conducted in order to review the facts and circumstances of the allegation in order to determine whether or not a violation of the code occurred.

(b) Case file Review

(1) A student charged with misconduct may review the witness documents within three (3) calendar days prior to the hearing by contacting the Office of the Vice President for Academics.

(c) Accused Student Attendance

(1) Because the most accurate and fair review of the facts can best be accomplished when all parties are present, the accused is expected to attend and participate.

(2) If an individual does not choose to attend a hearing, waiving their right to personally appear, the charges will be reviewed as scheduled on the basis of the information available, and a decision will be made.

(3) Although no inference may be drawn against a student for failing to attend a hearing or remaining silent, the hearing will proceed and the conclusion will be based on the evidence presented.

(4) No decision shall be based solely on the failure of the accused student to attend the hearing or answer the charges.

(d) Attendance limitations

(i) Attendance at hearings is limited to the accused student, advisor, committee members, and witnesses.

(ii) The hearing officer or body will take reasonable measure to assure an orderly hearing, including removal of persons who impede or disrupt proceedings.

(e) Advisor

(i) The accused student may have an advisor present at the hearing. The advisor is an employee of the college.

(ii) The advisor may only counsel the student and may not actively participate in the hearing, unless clarification is needed as determined by the hearing officer or committee.

(f) Witnesses

(i) The accused may submit a written statement(s), may invite relevant witnesses to attend, may ask questions of witnesses called by others, and will be notified of potential witnesses to be called.

(ii) The College may submit written statements, present witnesses, as well as question those presented by the accused. Witnesses shall not attend the entire hearing, but will be called to present information by the hearing officer at the appropriate time.

(g) Separate hearings

(i) When more than one student is involved in alleged misconduct the College does not provide separate hearings.

- (ii) Students may request, in writing, a separate hearing at least three (3) calendar days before the scheduled hearing.
  - (iii) The Vice President for Academics or designee will be responsible for reviewing such requests and promptly informing the student(s) of the decision.
- (h) Supporting Documentation
  - (i) Written statements may be used if, for good reason, a witness cannot attend the hearing.
  - (ii) Written statements must be notarized, absent other clear evidence of authenticity.
- (i) Consultants
  - (i) In cases requiring special expertise, the Vice President or designee may appoint individuals with appropriate expertise to serve as consultants to the committee.
  - (ii) The consultants may be present and provide information as called upon during the hearing but will not vote.
- (j) Opportunity to Speak
  - (i) Hearings shall be conducted such that all present have reasonable opportunity to speak and express their views or facts about the issue at hand.
- (k) Modifications from Procedure
  - (i) A student and hearing officer may agree in advance to minor modifications from procedure.
  - (ii) Such deviations are not then subject to appeal.
  - (iii) Minor modifications are acceptable as long as such modifications are for good cause and are not found to be unreasonably harmful the student or violate due process rights, policies, and rules of Northwest State Community College.
- (l) Presumption of Innocence
  - (i) Students are entitled to a presumption of innocence. Hearings, unlike proceedings of courts of law, do not require conclusive proof; instead the greater weight of evidence is the standard applied for the hearing body to make a decision.
  - (ii) A student will not be found in violation unless the following are achieved:
    - (1) In cases of academic misconduct preponderance of the evidence supports the charge(s).
    - (2) In all other cases of prohibited behavior, the greater weight of the evidence supports the charge(s).
    - (3) A simple majority of the hearing body membership shall constitute a quorum. A quorum of the hearing body must be present to conduct a hearing, unless the student waives the quorum rule in writing.
    - (4) If the committee determines that exhaustive deliberations have occurred and a majority decision is not reached the student will be found not in violation.
- (m) Notification of Decision
 

Sanctions to be imposed by the college are varied and should be commensurate with the violations(s) found to have occurred. In determining the sanctions(s) to be imposed, the consideration should be given to mitigating circumstances and any aggravating factors including, but not limited to, any past misconduct by the

student, provocation the subject of the conduct that constituted the violation, failure of the student to comply fully with previous sanctions, the actual and potential harm caused by the violation, the degree of intent and motivation of the student in committing the violation, and the severity and pervasiveness for the conduct that constituted the violation. Impairment resulting from voluntary use of alcohol or drugs (i.e., other than medically necessary) will be considered an aggravating and not a mitigating factor. One or more of the following courses of action may be taken when a student has been found to have violated the code of student conduct.

(i) At the conclusion of the hearing, the hearing officer will submit a written record containing the hearing committee's disposition and suggested sanctions to the Vice President for Academics within seven (7) calendar days. Possible sanctions include:

(1) Disciplinary warning

A disciplinary warning to a student represents a formal written admonition for a specific conduct violation. A student under warning shall continue to exercise all right and privileges for the college as a student in good standing. Upon issuance of a formal warning, a discipline file is created in the office of the Vice President for Academics. The file will be consulted in determining sanctions for any further proven code violation.

(2) Disciplinary probation

Disciplinary probation is a sanction imposed for a specific period of time and may include conditions restricting the student's privileges or eligibility for and participation in activities. Such privileges and eligibility are automatically restored upon completion of the probationary period if the student has complied satisfactorily with all conditions and has refrained from further code violations. Upon issuance of a formal probation, a discipline file is created in the office of the Vice President for Academics. The file will be consulted in determining sanctions for any further proven code violations. Allied Health & Public Service and Nursing have program specific warning notice procedures; these reports are filed with the respective Dean.

(3) Suspension

Suspension is a sanction that terminates the student's enrollment, separating the student from the college for a period not to exceed two (2) full academic semesters (excluding summer) following the effective date of the imposition of the suspension. Re-admission at the end of the suspension period may require satisfactory completion of specified stipulations to be met. Upon issuance of a formal suspension, a discipline file is created in the office of the Vice President for Academics. The file will be consulted in determining sanctions for any further proven code violations.

(4) Disciplinary dismissal



Disciplinary dismissal is a sanction by which the student is involuntarily separated from the College for four (4) semesters (including summer) or more following the effective date of the imposition of the dismissal. Upon reinstatement, student may be required to meet other conditions imposed by the Vice President such as ineligibility to participate in specified student activities; or periodic contact with a designated college staff member or counseling agency. Upon issuance of a formal dismissal, a discipline file is created in the office of the Vice President for Academics. The file will be consulted in determining sanctions for any further proven code violations.

(5) Expulsion

Expulsion is a sanction by which the student is involuntarily separated from the college permanently. Upon issuance of an expulsion, a discipline file is created in the office of the Vice President for Academics.

(6) Other sanctions

Other sanctions identified through the hearing proceedings deemed appropriate to the student and the conduct violation in question may be imposed, singularly or in combination with any of the above-listed sanctions. Examples include, but are not limited to, research assignments, community service projects, and special workshop participation, making restitution for property damage or misappropriation of college property or service, or the property of any person, restriction of access to specified campus facilities and/or property, and /or referral to medical resources or counseling personnel. These can be assigned as recommended sanctions or as conditions to another sanction. Upon issuance of formal sanctions, a discipline file is created in the office of the Vice President for Academics. The file will be consulted in determining sanctions for any further proven code violations.

(ii) Within fourteen (14) calendar days of the hearing, the Vice President for Academics or designee shall notify the student(s) of the decision and, where applicable, imposition of sanctions.

(iii) If the student has been found to have violated the code, the letter shall inform the student of his/her right to appeal the decision.

(n) A student who has been dismissed or suspended from the college shall be denied all privileges afforded a student and shall be required to vacate campus at a time determined by the hearing panel. In addition, after vacating campus property, a suspended or dismissed student may not enter upon campus and/or other college property at any time, for any purpose, in the absence of express written permission from the Vice President for Academics or designee. To seek such permission, a student must file a written petition to the Vice President for Academics or designee.

(8) Appeal Process

(a) A student found to have violated this code has the right to appeal the original decision of the Hearing committee or Administrative decision.

- (i) A student may continue to attend classes and exercise other rights and privileges of a registered student during the appeal process, but the College reserves the right to impose the sanction(s) retroactively to the date of sanctions(s) cited in the original notification from the Vice President or designee.
- (ii) A hold will be placed on a student's record pending completion of the due process appeal.
- (iii) An appeal must be based upon one or more of the following grounds:
  - (1) Procedural error,
  - (2) Misapplication or misinterpretation of the rule alleged to have been violated,
  - (3) Findings of fact not supported by the greater weight of the evidence
  - (4) Discovery of substantial new facts that were unavailable at the time of the hearing, and
  - (5) That the disciplinary sanction imposed is grossly disproportionate to the violation committed.
- (iv) An appeal of decision must be submitted in writing and postmarked or hand delivered to the Vice President for Academics or designee within ten (10) calendar days after the date on which written notice of the decision is sent to the student.

(b) Appeals will be reviewed by two (2) hearing officers.

(c) Appeal Proceedings

- (i) The appeal officers shall dismiss the appeal if it is not based upon one or more of the grounds set forth above in section 8.a.
- (ii) The appeal officer may decide the appeal based upon a review of the record.
- (iii) The appeal officer may request additional written information or an oral presentation from any relevant person(s) and then decide the appeal based upon the enhanced record.

(d) Possible Dispositions by the Appeal Officers

- (i) The Appeal Officer, after a review of the record may pursue the following:
  - (1) Uphold the original sanction;
  - (2) Dismiss the original sanction, or impose a lesser sanction;
  - (3) Remand the case to the original hearing body; or refer the case to a new hearing officer or committee to be reheard. If possible, a new hearing officer or committee should be different from the one that originally decided the case. If a case is reheard, the sanction imposed can be greater than that imposed at the original hearing.
- (ii) Decisions made by the Appeal Officers are final and cannot be appealed. If the case is remanded, the second hearing decision is final.

(9) Maintenance and Confidentiality of Student Conduct Records

- (a) A single record consisting of written notes, audio or video recording or other medium selected by the hearing committee will be made of all hearings.
- (b) Such record will remain the property of the College.
- (c) A completed file for each case of misconduct shall be maintained in the office of the Vice President for Academics or designee for two years. In the case of a dismissal of more than two years, the file will be maintained for one year after the term that the dismissal expires.

Protective Measures (with cause)

Class Re-Assignment

No Contact Orders (temporary or permanent)

Immediate and Temporary Suspension from all College Activities and Property

## **Written Explanation of Reporter's Rights and Options**

Policy No. 3-19: HARASSMENT/SEXUAL HARASSMENT /SEXUAL MISCONDUCT

Effective Date: April 1, 2012

Approving Officer: Chief Fiscal and Administrative Officer

Scope: All employees and students of the College

Policy Statement: It is the policy of Northwest State Community College to provide a positive, discrimination-free educational and working environment. We are committed to a policy of non-discrimination on the basis of sex, race, color, national origin, sexual orientation, marital status, disability, religion, or age in admission and access to, or treatment, or employment in our programs or activities as required by Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title VI and VII of the Civil Rights Act of 1964, the Age Discrimination Act and their implementing regulations. Harassment, sexual harassment, and/or sexual misconduct of students, employees, or others working or visiting in the employment or academic setting will not be tolerated.

(A) To help ensure that employees and students are not subjected to illegal harassment/bullying, and in order to create a comfortable work and learning environment, the college strongly opposes and prohibits any offensive physical, written, spoken, or non-verbal conduct as defined and otherwise prohibited by state and federal law.

(B) Sexual misconduct in the work or academic setting will not be tolerated. The college seeks to provide and maintain a professional learning and working environment and considers consensual sexual relationships in which one individual has direct responsibility for the evaluation of the other, or has responsibility for supervising, advising, or counseling the other in the course of carrying out his/her job responsibilities, to be unprofessional.

(C) Offenders will be subject to appropriate college adjudication processes and the full range of disciplinary action provided by college policy, up to and including discharge, dismissal, or expulsion. This policy and its procedures shall be the only internal college forum of resolution for harassment, sexual harassment, and/or sexual misconduct complaints.

(D) College community members or others who feel that they have been victims of harassment, sexual harassment, and/or sexual misconduct in the work place or academic setting will be provided with appropriate support from the college. Members of the college community shall include all Northwest State Community College students, members of the Board of Trustees, faculty, staff, and administrators, whether full- or part-time.

(E) College Administration will develop procedures related to this policy.

Students do have the right to utilize Campus and Community Services as needed. These services include the Campus Police Office, Counseling Center, Local and Community Mental Health

Services, Victim Advocacy Groups, Area Legal Services, Visa and Immigration Assistance, Financial Aid, etc.

Students have the right to request protective measures from the College. These include the use of No-Contact Orders and Academic Scheduling changes arranged with the Dean of Student Services and/or the Division Dean of the students major.

A student's refusal to report an incident to Law Enforcement does not affect access to Campus and Community Services.

## Northwest State Community College: UT Scott Park Campus Statistics

OFFENSE	On-Campus			Residence Hall			On-Campus Total			Non-Campus			PublicProperty		
Classification	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012
Murder/ Non-Negligent Manslaughter	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Sex Offenses (Forcible)	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Sex Offenses (Non-forcible)	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Burglary	0	2	1	X	X	X	0	2	1	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Arson	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Dating Violence	1	0	0	X	X	X	1	0	0	0	0	0	0	0	0
Stalking	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
ARRESTS	On-Campus			Residence Hall			On-Campus Total			Non-Campus			PublicProperty		
Classification	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012
Liquor Law Violations	0	1	0	X	X	X	0	1	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
JUDICIAL REFERRALS	On-Campus			Residence Hall			On-Campus Total			Non-Campus			PublicProperty		
Classification	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012
Liquor Law Violations	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
HATECRIMES	On-Campus			Residence Hall			On-Campus Total			Non-Campus			PublicProperty		
Classification	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012
No Hate Crimes Reported	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
UNFOUNDED CRIMES															
Classification	2014					2013					2012				
N/A	0					0					0				
NOTATIONS: None															

## Northwest State Community College: Archbold Campus Statistics

OFFENSE	On-Campus			Residence Hall			On-Campus Total			Non-Campus			PublicProperty		
Classification	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012
Murder/ Non-Negligent Manslaughter	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Sex Offenses (Forcible)	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Sex Offenses (Non-forcible)	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Burglary	1	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Arson	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
ARRESTS	On-Campus			Residence Hall			On-Campus Total			Non-Campus			PublicProperty		
Classification	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012
Liquor Law Violations	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
JUDICIAL REFERRALS	On-Campus			Residence Hall			On-Campus Total			Non-Campus			PublicProperty		
Classification	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012
Liquor Law Violations	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
HATE CRIMES	On-Campus			Residence Hall			On-Campus Total			Non-Campus			PublicProperty		
Classification	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012
No Hate Crimes Reported	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
UNFOUNDED CRIMES															
Classification	2014					2013					2012				
N/A	0					0					0				

**NOTATIONS: None**

## Northwest State Community College: Van Wert Campus Statistics

OFFENSE	On-Campus			Residence Hall			On-Campus Total			Non-Campus			PublicProperty		
Classification	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012
Murder/ Non-Negligent Manslaughter	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Sex Offenses (Forcible)	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Sex Offenses (Non-forcible)	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Arson	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
ARRESTS	On-Campus			Residence Hall			On-Campus Total			Non-Campus			PublicProperty		
Classification	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012
Liquor Law Violations	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
JUDICIAL REFERRALS	On-Campus			Residence Hall			On-Campus Total			Non-Campus			PublicProperty		
Classification	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012
Liquor Law Violations	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0
HATE CRIMES	On-Campus			Residence Hall			On-Campus Total			Non-Campus			PublicProperty		
Classification	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012
No Hate Crimes Reported	0	0	0	X	X	X	0	0	0	0	0	0	0	0	0

### UNFOUNDED CRIMES

Classification	2014			2013			2012		
N/A	0			0			0		

**NOTATIONS: None**