

Northeast Alabama Community College 2023 Annual Security Report



Equal Opportunity Employment Statement

Northeast Alabama Community College is an Equal Opportunity Employer.

Nondiscrimination Statement

It is the official policy of the Alabama Community College System and entities under its control, including Northeast Alabama Community College, that no person shall be discriminated against on the basis of any impermissible criterion or characteristic, including, without limitation, race, color, national origin, religion, marital status, disability, gender, age, or any other protected class as defined by federal and state law. (ACCS Policies 601.02 and 800.00)

Personnel appointed by the President of Northeast Alabama Community College to respond to grievances under current legislation are as follows:

- Title VI (Civil Rights Act of 1964): Lynde Wheeler Office 116, Pendley Administration Building;
- Title IX (Education Amendments of 1972): Lynde Wheeler Office 116, Pendley Administration Building; and
- Section 504 (Rehabilitation Act of 1973) and Public Law 101-336 (Americans with Disabilities Act of 1990): Riley Holland, Office 115-C Student Center.

Campus and Non-Campus Properties

Main Campus: 138 Alabama Highway 35, Rainsville, Alabama 35986

Salon Institute: 105 Liberty Lane, Scottsboro, Alabama 35769

CDL Training Site: 1446 Goosepond Drive, Scottsboro, Alabama 35769

Adult Education Sites:

Fort Payne Employment Office: 2100 Jordan Road S, Fort Payne, Alabama 35768

Collinsville Library: 4299 Alabama Highway 68, Collinsville, Alabama 39561

DeKalb County Pardon and Parole: 211 South Gault Avenue, Fort Payne, Alabama 35967

DeKalb County Sheriff's Office: 2801 Jordan Road, Fort Payne, 35968

DeKalb Regional Medical Center: 200 Medical Center Drive SW, Fort Payne, 35967

Ider High School: 1064 Crabapple Lane, Ider, Alabama 35981

The Father's House: 202 County Road 526, Geraldine, Alabama 35974

The Summit: 1000 Laurel Lane SW, Fort Payne, Alabama 65967

IMPACT Learning Center: 23123 John T. Reid Parkway, Scottsboro, Alabama 35768

Scottsboro Adult Education Office: 906 South Scott Street, Scottsboro, Alabama 35768

Albertville Employment Office: 5920 Highway 431, Albertville, Alabama 35950

Arab Adult Education Office: 153 Main Street, Arab, Alabama 35016

Crossroads Mall: 5850 U.S. Highway 431, Albertville, Alabama 35950

Guntersville Adult Education Office - Finley Plaza: 1441 Sunset Drive, Guntersville, Alabama 35976

Kappler: 115 Grimes Drive, Guntersville, Alabama 35976

Marshall County Corrections: 119 Sand Mountain Drive SW, Albertville, Alabama 35950

Snead State Community College: 220 North Walnut Street, Boaz, Alabama 35957

Tyson Foods: 6600 US Highway 431, Albertville, Alabama 35950

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Annual Security Report Preparation and Publication

The Annual Security Report is prepared annually by the Title IX Coordinator in coordination with the Dean of Instruction, Dean of Student Services, and Campus Police Chief and with the final approval of the President. This report provides information to employees, students, prospective students, and the public regarding the policies and procedures of how Northeast Alabama Community College maintains a safe educational and work environment. A printed copy of this report is available at no charge by sending a request to the NACC Office of Human Resources at wheelerl@nacc.edu or 256.228.6001, ext. 2230. The online version is available at https://www.nacc.edu/campus_police#annalsecurityreport.

Supporting Campus Safety and Security

Northeast Alabama Community College (NACC) is committed to providing a safe and secure learning environment. To ensure the safety and security of the campus and its constituents, NACC has instituted the following mission goal, "Provision for and maintenance of a physical plant with instructional facilities and technology which provide a safe learning environment and are suitable for all the institution's programs and services." The information provided in this Annual Security Report outlines the procedures, policies, and educational programs that support the provision of a safe learning environment.

Northeast Alabama Community College Campus Police Office

The Northeast Alabama Community College Campus Police Office safeguards students, personnel, property, authorized visitors; equipment; and buildings. The department consists of the Police Chief, one full-time police officer, and five part-time police officers. Each officer is licensed and has full arrest powers under the State of Alabama. Additional responsibilities of this office include, but are not limited to

- enforcing college policies and regulations as well as state and federal laws;
- implementing crime prevention procedures;
- preparation of crime and accident reports;
- inspection of incoming campus mail;
- providing assistance and guidance in preparation of college security and safety plans;
- maintaining a state of readiness in case of emergencies;
- monitoring campus emergency warning and evacuation systems;
- notifying college administrators of major emergencies;
- protecting life and property and safeguarding records as necessary;
- obtaining assistance from the city, county, and federal government for any major incident as needed;
- providing traffic control; access control; perimeter and internal police patrols; and fire prevention services as needed;
- providing and equipping an alternate site for the Emergency Command Post; and
- maintaining contact with the news media for dissemination of information as requested by the president.

Additionally, the Police Chief is charged with compiling and reporting crime statistics annually to comply with federal regulations of the Jeanne Clery Disclosure of Campus Security Policy and

Reporting Criminal Actions or Other Emergencies Occurring on Campus

- **How to Report a Crime or an Emergency**

NACC encourages students, staff, and visitors to assist in maintaining a safe campus environment by promptly reporting criminal actions or other emergency situations to the Campus Police.

Campus Police (102 Student Center) - 256.609.1060 or 256.601.9117, or 256.638.4418, extension 2249.

Other points of contact are listed in the following table. If immediate assistance by Campus Police or other personnel are not available, dial 9-1-1, if necessary. Students at the Salon Institute or CDL training site are encouraged to first dial 9-1-1 in an emergency situation. For medical or fire emergencies at all educational sites, dial 9-1-1.

How to Report A Crime or Other Emergency	
Employees	Employees can dial 256.609.1060, 256.601.9117, or ext. 2249 to reach Campus Police. Additional contacts include the following: Dean of Student Services, ext. 2278; Business Office, ext. 2201 or 2313 or 0; President's Office, ext. 2243 or 2268; or Dean of Instruction, ext. 2294. In an emergency, call 9-1-1.
Students and Visitors	<p>On-Campus: Campus Police can be reached by dialing 256.609.1060 or at 256.228.6001/256.638.4418, ext. 2249. The Campus Police Office is located in Office 102 of the Student Center. Additional contacts include the following: Dean of Student Services, ext. 2278; Business Office, ext. 2201 or 2313 or 0; President's Office, ext. 2243 or 2268; or Dean of Instruction, ext. 2294. In an emergency, call 9-1-1.</p> <p>Salon Institute: Call 9-1-1 in case of an emergency. Otherwise, crimes can be reported to Kristin Lacey, Salon and Spa Management Instructor (256.259.1512) or Campus Police (256.609.1060 or 256.228.6001/256.638.4418, extension 2249).</p> <p>CDL Program Training Site: Call 9-1-1 in case of an emergency. Otherwise, crimes can be reported to Chris Peek, CDL Program Coordinator (256.244.5174) or Campus Police (256.609.1060 or 256.228.6001/256.638.4418, extension 2249).</p>

Reports of concerning behavior or intervention requests can also be submitted through the Intervention and Referral Request form, available on the Campus Police webpage.

- **Timely Warning Reports to the Campus Community regarding Clery Crimes**

NACC will issue notifications regarding campus emergencies and timely warnings without hesitation for crimes that occur within the campus geography which are considered to represent a continued threat to students and employees. The President or a dean determines and confirms when an emergency announcement or other notification is required, taking into consideration input from Campus Police or other trusted advisors. Notifications will be made available to all applicable segments as deemed appropriate and necessary by the President or a dean to ensure campus safety.

The College utilizes an emergency alert and notification system, SchoolCast, to ensure that all employees and students are aware of emergencies and dangerous situations that could pose a threat to the campus community, including those crimes defined by the

Clery Act. SchoolCast delivers rapid, multi-platform (email, text, phone) messages in the event of an emergency or threatening situation to students, faculty, and staff. The President or his designee issues these messages through SchoolCast. The information provided within the warnings includes pertinent details and instructions regarding the situation as determined by the President or a dean.

NACC is equipped with a public address system used to issue notifications and warnings. This system consists of indoor and outdoor speakers as well as office phone speakers. Campus Police are responsible for notifying off-campus locations of emergencies and timely warnings.

Notification for students enrolled at the Salon Institute will be delivered via Schoolcast or through the building coordinator. CDL Truck Driving Program students will receive notifications from their instructor via phone call or text message. Adult Education students will receive notifications and timely warnings through the methods designated by their assigned instructor/location, which may include text message, email, phone call, social media, or other method.

Upon confirmation of an immediate threat to the campus community, a campus-wide emergency will be declared by the President or a dean. Announcements will be issued through SchoolCast as well as over the public address system.

Upon hearing the notification, Senior Building Coordinators (SBCs), alternates, or other responsible person(s) will confirm with the switchboard that the message was received and will coordinate with others in the building to make sure that the message was heard. SBCs are charged with notifying employees of threats; instructing employees to lock office and classroom doors and to stay in place until the emergency is contained; and notifying the command post that their assigned building is secure. Once the situation is contained or there is no longer a threat, the command post will notify the building coordinators. Note that campus and local police will secure the buildings in which the threat exists. All campus constituents are encouraged to remain in the safe areas as directed by building coordinators until official notification is given that the threat is over.

Information deemed necessary to announce to the community by the President or a dean will be done so through the NACC website, social media, and/or through the Office of the Director of Promotions and Marketing. The President or dean will provide the pertinent information for these announcements.

- **Annual Disclosure of Crime Statistics**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) together with the Violence Against Women Reauthorization Act of 2013 requires institutions to publish statistics, policies, and programs related to dating violence, domestic violence, sexual assault, and stalking. The NACC Police Chief is responsible for compiling and reporting crime statistics to comply with these federal regulations. A daily log of criminal activity and reports is maintained in the Campus Police Office, and copies are available at the Salon Institute and the CDL training site. Information used in the annual disclosure of crime statistics is compiled from the daily crime log, information submitted from Campus Security Authorities, and local law enforcement office reports. The College may withhold certain information if release of the information would (a)

jeopardize an ongoing criminal investigation or the safety of an individual, (b) cause a suspect to flee or evade detection, or (c) result in the destruction of evidence. Statistics are published in the Annual Security Report and College Catalog as well as on the Campus Police webpage of the NACC website. A printed version is also available in the Campus Police Office, located in Office 102 of the Student Center.

- **Reporting Clery Act Crimes**

Reporting crimes allows Campus Police and college administrators to make informed decisions regarding the safety of NACC constituents in a timely manner. The Clery Act defines reportable crimes as hate crimes, domestic violence, dating violence, stalking, sexual assault, homicide, rape, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, and arson. Students and employees have a number of options for reporting Clery Act crimes for the purpose of ensuring that timely warnings are issued and statistics are maintained. (Note: In the event of an emergency situation, dial 9-1-1 if Campus Police cannot be reached.) Crimes can be reported to any of the following **Campus Security Authorities** (CSAs) designated by NACC.

Name/Title	Contact Information
Kelly DeAngelis, SkillsUSA Sponsor/Drafting and Design Technology Instructor	256.228.6001/256.638.4418, ext. 2286; 258 Workforce Development
Olivia Dodd, Director of Institutional Planning and Assessment/Phi Theta Kappa Sponsor	256.228.6001/256.638.4418, ext. 2399; 121 Wallace Admin.
Chad Gorham, Dean of Instruction	256.228.6001/256.638.4418, ext. 2294; 121 Charles Pendley Admin.
Jeff Hawes, Dean of Student Services	256.228.6001/256.638.4418, ext. 2278; 115 Student Center
Lynde Wheeler, Human Resources Director/Title IX Coordinator	256.228.6001/256.638.4418, ext. 2230; 116 Charles Pendley Admin.
Adam Niblett, Math Instructor/Mu Alpha Theta Sponsor	256.228.6001/256.638.4418, ext. 2389; 225 Mathematics, Science, and Engineering Technology
Andrea Okwu, Coordinator of High School Relations and Recruiting/Presidential Host Sponsor	256.228.6001/256.638.4418, ext. 2258; 205 Charles Pendley Admin.
Campus Police: Van McAlpin, Police Chief; David Snay, Police Officer; Danny Miller, Norman Smith, Steven Whited, and Greg Works - Part-Time Police Officers	256.601.9117 or 256.609.1060.; 256.228.6001/256.638.4418, ext. 2249; 102 Student Center
Chris Peek, CDL Training Coordinator	256.244.5174; CDL Training Site
Kristin Lacey, Salon and Spa Management Instructor and Program Director	256.259.1512; Salon Institute
Jon-Alan Pope, Adult Education Program Director	256.228.6001/256.638.4418, ext. 2363; 219 William M. Beck Health and Fine Arts Center
Joan Reeves, English Instructor/Student Activities Coordinator	256.228.6001/256.638.4418, ext. 2231; 107 English
Kayleigh Smith, Theatre Instructor and Director of Theatre	256.228.6001/256.638.4418, ext. 2318; 208 Lyceum

CSAs can assist students, employees, and others with reporting crimes to Campus Police or to local police, if desired by the victims. NACC allows voluntary, confidential reporting to CSAs as noted in the previous table, with the exception that reports made to Campus Police are not considered confidential. The College will strive to protect confidentiality in Clery Act reporting and disclosures and will maintain confidentiality regarding the investigation, accommodations, and protective

measures provided to the complainant except when maintaining confidentiality could cause harm to others or hinder an investigation. Victims will be notified before moving forward if this is the case, unless there is a dire emergency. The Dean of Instruction, Dean of Student Services, or other appointed administrator will determine what information may be necessary to share with third parties to better resolve the complaint and will confer with the complainant before doing so. Note that reporting crimes, including those as defined in the Clery Act, does not constitute that legal proceedings must take place. CSAs receive annual training regarding their responsibilities.

Please be aware that Campus Police Officers are required by the State of Alabama to maintain a report of crimes reported to them. These reports are maintained within the NACC Campus Police Office and are not shared with outside organizations unless requested by the complainant or as required by the Clery Act, which does not include identifying information.

NACC prohibits retaliation and discrimination in any form against an individual for exercising his or her rights or responsibilities to report criminal activity to the proper authorities.

Campus Security Policies, Procedures, and Educational Programs

- **Security of and Access to Campus Facilities**

Ensuring the security of campus facilities is of utmost importance to NACC. The Director of the Physical Plant, maintenance staff, and Campus Police work together to identify areas that may need improvements, including inside and outside lighting upgrades and maintenance. Additionally, the Office of Institutional Planning and Assessment issues annual surveys, providing students the opportunity to share feedback on areas including campus facilities, maintenance, and security. This information allows College administrators to identify and address security issues.

On the main campus, NACC Campus Police utilize video monitoring and both walking and vehicular patrols throughout the day and evening. Officers travel to the Salon Institute and the CDL training site in nearby Scottsboro, Alabama, at least twice a month to monitor the building security and to identify any safety issues. Visitors are required to go directly to the Campus Police Office (SC 102) to obtain a pass when on the main campus or to the building coordinator (Ms. Kristin Lacey – Salon Institute; Mr. Chris Peek – CDL training site) or instructor at off-campus educational sites. Visitors to see students will be escorted to the location of the student, whereby the police officer or building coordinator will ask the student if he or she agrees to see the visitor. Unwelcomed visitors will be asked to leave immediately. In the event of a perpetrator on location, Senior Building Coordinators can immediately lock their assigned buildings to prevent access. (Note: NACC does not have campus residences to secure.)

- **Law Enforcement Authority, Jurisdiction of Campus Police, and Relationships with Local Law Enforcement Agencies**

All NACC Campus Police Officers are licensed and commissioned officers by the State of Alabama. Although their routine jurisdiction includes the immediate campus area, all officers have full arrest powers throughout the State of Alabama.

Agreements have been made with Rainsville, Powell, Jackson County, and Scottsboro Police Departments to provide support to Campus Police in investigations regarding criminal activity and in emergency situations on campus. The College also has an agreement with the Albertville Police Department to provide SWAT support if needed. Additionally, the Scottsboro Police Department (SPD) has agreed to respond to reports of criminal activity or emergency situations at the Salon Institute and the CDL training site located in Scottsboro, Alabama. In addition to the bi-weekly patrols by Campus Police, SPD regularly monitors the Salon Institute and CDL training site areas to ensure the safety of students and employees at the off-campus site.

- **Encouragement of Accurate and Prompt Reports to Campus Police**

The College is committed to providing both employment and educational environments free of harassment, physical assault, or discrimination related to an individual’s race, color, national origin, religion, marital status, disability, gender, age, or other protected class as defined by federal and state law. As noted in the NACC Crisis Management Plan, available on the College website, victims or observers of crimes occurring on campus are encouraged to immediately dial 9-1-1 or 0 (operator – Campus Police) for police assistance. The NACC Sexual Harassment and Anti-Harassment, Physical Assault, and Anti-Discrimination Policies encourages victims or anyone who becomes aware of an instance of harassment, physical assault, or discrimination as defined by the policies to report this information to the Title IX Coordinator immediately (256.228.6001/256.638.4418, ext. 2230).

- **Professional and Pastoral Counselors**

NACC does not employ professional or pastoral counselors. However, assistance is available through a number of local and national non-profit organizations. These are as follows:

Organization	Contact Information
Crisis Services of North Alabama	Jackson County: 256.574.5826 CSNA & Hope Place: 256.716.1000
Family Services of North Alabama	Crisis Line: 855.878.9159
Domestic Violence – Kelly’s Rainbow	256.891.9864
Domestic Violence Crisis Services	Crisis Line: 256.891.0019; Fort Payne Office: 256.979.1202
Victim Connect Hotline (Stalking)	855.484.2846

Additionally, NACC has a memorandum of understanding with Crisis Services of North Alabama, Domestic Violence Crisis Services, and Family Services of North Alabama to help support students and employees who may be dealing with issues of domestic or

sexual violence. Representatives from these organizations can meet with students on campus to advise them when assistance is needed. The meetings are confidential and information regarding the topics discussed is not reported to Campus Police or to the Title IX Coordinator unless requested by the student or employee. The Title IX Coordinator can assist students to schedule these meetings.

The College also works with Mountain Lakes Behavioral Healthcare to refer students who may need counseling.

- **Campus Security Procedures Educational Programs and Professional Development**

New students receive information regarding campus security procedures during college orientation. Topics covered include the SchoolCast alert system, safe zones, reporting crimes, Campus Police contact information, etc. Typical spring and fall inservice schedules include emergency response professional development sessions specific to each building on campus that all employees can attend. These sessions are conducted by the Campus Police Chief. Unscheduled drills are held throughout the year at the direction of the President to encourage employees and students to be aware of the campus security procedures.

- **Crime Prevention Educational Programs**

NACC provides educational opportunities for students and employees throughout the year on crime prevention. Ongoing prevention programs are described below:

New Student Orientation: During the initial college or non-credit program orientation, students are presented with information on harassment and physical assault prevention. Adult Education and non-credit students are provided with an educational handout that covers these same topics along with College complaint policies, risk reduction techniques, etc. Students also receive information during orientation regarding the Complaint Policies, Anti-Harassment, Physical Assault, and Anti-Discrimination Policy, and the prohibition of drug and alcohol use on campus.

Online Training: The Dean of Student Services sends an email to all students encouraging them to participate in free online training for the prevention of discrimination and violence. Additionally, student organization sponsors are asked by the Title IX Coordinator to encourage their student members and organization officers to participate in the training. Students who travel for NACC sport events, conferences, etc. are required to complete the online training. This training educates students on topics including dating violence, sexual violence, stalking, domestic violence, consent, bystander intervention techniques, risk reduction information, how to report instances of crimes, drug and alcohol abuse, etc. It also allows the students to review the Complaint Policies and the Anti-Harassment, Physical Assault, and Anti-Discrimination Policy.

Sexual Assault Prevention Activities: The College incorporates prevention information during its *Sexual Assault Awareness Month* activities each April. The local advocacy organizations are invited to set up a booth in the Student Center

to provide information to students and employees, including, but not limited to, sexual consent, bystander intervention techniques, and local resources for assistance. The Title IX Coordinator emails information on sexual assault awareness and consent to all students and invites them to review the Title IX and You course, which is made available to all students and includes awareness information.

Mocktail Activity: Each year the Student Activities Director invites all student organizations to participate in a mocktail party in the Student Center. Participating organizations compete by providing alcohol-free drinks to students in support of the theme to prevent dangerous alcohol-related activities such as drinking and driving. Students vote on the winning “mocktail.” ****Due to the coronavirus pandemic, this on-campus activity was cancelled for April 2021 and April 2022. Information regarding the dangers of alcohol was presented to students through the Title IX and You course. The live event will be reinstated once it is safe to do so.****

Title IX and You: The Title IX Coordinator developed a course in Canvas entitled, “Title IX and You.” This course shares information on sexual assault, sexual consent, bystander awareness, and safety tips for students. Recordings of webinars held for NACC students and employees are also posted for future access. The course is made available to all current students.

- **Campus Safety Drills, Exercises, and Trainings**

NACC regularly practices safety drills and exercises and provides training to employees and students. The following is a listing of these events for 2022-2023.

Lockdown Drill and Alarm Test – NACC Campus
November 21, 2022

Fire Drill, Shelter in Place, and Lockdown at the Salon Institute
January 24, 2023

Safety Review for Faculty and Staff on Lockdown Procedures
August 18, 19, and 22, 2022; January 4 and 5, 2023

Crisis Preparedness Partners Meeting
August 24, 2022

Active Shooter Tabletop and Trauma First Aid Training
December 8, 2022

BIT Team Training
March 28-29, 2023

Campus Speaker System Tests
August 20, 2022; September 24, 2022; October 15, 2022; November 27, 2022;
December 31, 2022; January 16, 2023; February 25, 2023; March 18, 2023; April 15,
2023; June 19, 2023

New Student Orientation Training Dates (includes presentations on Security and Safety Information and Fire/Safety Procedures)

On-campus orientations were held during the 2022-2023 academic year on the following dates: Thursday, September 29; Tuesday, October 18; Tuesday, November 1; Thursday, November 17; Wednesday, November 30; Monday, December 12; Wednesday, December 21; Thursday, January 5; Thursday, March 23; Wednesday, April 12; Thursday, April 27; Wednesday, May 3; Friday, May 12; Thursday, May 18; Tuesday, May 23; Wednesday, May 24; Thursday, June 15; Wednesday, June 21; Monday, June 26; Wednesday, June 28; Thursday, June 29; Tuesday, July 11; Wednesday, July 12; Thursday, July 13; Wednesday, July 19; Friday, July 21; Monday, July 24; Tuesday, July 25; Wednesday, July 26; Tuesday, August 1; Wednesday, August 2; Monday, August 7; Tuesday, August 8; Thursday, August 10; Monday, August 14; Tuesday, August 15; and Thursday, August 17.

Monitoring and Recording of Criminal Activity of Noncampus Student Organization Locations

There are no officially recognized NACC student organizations with noncampus locations.

- **Possession, Use, and Sale of Illegal Drugs and Enforcement of State and Federal Drug Laws**

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited by NACC on any property owned, leased, or controlled by the College or during any activity conducted, sponsored, or authorized by or on behalf of the College. A “controlled substance” shall include any substance defined as a controlled substance in Section 102 of the Federal Controlled Substance Act (21 U.S. Code 802) or in the Alabama Uniform Controlled Substance Act (Code of Alabama, Section 20-2-1, et seq). As a public education institution of the State of Alabama, the College shall not permit on its premises, or at any activity which it sponsors, the possession, use, or distribution of any alcoholic beverage or any illicit drug by any student, employee, or visitor. NACC Police Officers are dedicated to upholding all state and federal laws, including underage drinking laws and drug laws, and will investigate all alleged violations of this policy. All officers have the right to arrest individuals who are not in compliance with state and federal laws.

NACC complies with the requirements of the Drug-Free Schools and Communities Act. Programs to address alcohol and drug prevention and awareness are incorporated throughout the year. The Student Activities Coordinator plans an annual “mocktail” event to promote alcohol awareness and education. Additionally, students are provided information on the NACC drug and alcohol policy and enforcement; legal consequences; health risks; and how to get assistance. The drug and alcohol policy is addressed during new student orientation as well.

Assistance is available for students who are struggling with drug or alcohol addiction. Students should refer to the following resources:

- DeKalb County CED Mental Health Center – 256.845.4571

- Mountain Lakes Behavioral Health Center – 256.259.1774
- National Council on Alcoholism – 800.622.2255
- National Institute on Drug Abuse Informational and Referral Line – 800.662.HELP

- **Emergency Response and Evacuation Procedures**

Upon receipt of a report concerning an emergency situation, the President or designee shall be consulted. The President will confer with Campus Police, local police, and/or emergency management agencies to determine if an emergency situation exists. Upon confirmation of a campus emergency by the President or designee, Campus Police shall place into immediate effect the appropriate procedures necessary to address the emergency; safeguard persons and property; and maintain the educational facilities. These responsibilities include establishing an emergency command post. All members of the Campus Emergency Resource Team will be contacted to support the campus emergency operation plan as specifically noted in the Crisis Management Plan, available on the Northeast website (Search “Crisis Management Plan” and click on “Publications and Reports”).

When an emergency situation is confirmed by the President, the College will immediately notify the affected segments of the College community as determined necessary by the President. NACC will take into account the safety of the campus community in determining what information to release. The information contained within the notifications and warnings is determined by the President or designee based on the situation at hand. Affected segments will be notified, without delay, of the emergency through the Schoolcast alert system as well as through the campus public address system as deemed appropriate by the President or designee. Students at the Salon Institute and the CDL training site will be notified by Schoolcast, their building coordinators, and/or by the Skills Training Coordinator. Adult Education Program students will be notified by their instructors through email, text message, or other assigned means of notification as announced to them by their instructors. Note that the only reason that an alert would not be announced would be in an instance when doing so would compromise efforts to assist a victim; contain an emergency; respond to an emergency; or otherwise mitigate the emergency. If an evacuation is necessary, building coordinators will direct building occupants to designated safe locations.

Students and employees receive an email after enrollment with detailed information regarding how to access their Schoolcast account to ensure that the College has their most current contact information and to allow them to select their preferred method(s) of receiving information (text, phone, email, etc.). This information is also published on the College website and is shared with students during orientation. Dissemination of information to the larger community will be made by the Executive Assistant to the President as directed by the President through news media, which could include television and/or radio announcements.

Tests of the NACC Emergency Response plan are coordinated by the President and are normally unannounced. Drills ensure that the Schoolcast alert system and the public address system (including both phone speakers and indoor and outdoor speakers) are

functioning properly and that building coordinators, employees, and students know what procedures to follow during a proposed scenario. Employees assigned with specific roles in emergency response situations are to report issues or problems encountered during these tests to the NACC Police Chief immediately following the drill. Documentation of each test is maintained in the Campus Police Office. Emergency procedures will be sent via email to both students and employees annually or more often as needed.

A detailed description of NACC emergency response and evacuation procedures is published in the NACC Crisis Management Plan, available on the College website. NACC regularly reviews and updates this document to reflect current information regarding emergency procedures.

- **Responsible Personnel during Emergency Situations**

The following NACC personnel have been assigned specific responsibilities during emergency situations.

- **Emergency Resource Team:**
 - President (Emergency Director): Dr. David Campbell (ext. 2243)
 - Dean of Financial Services (Emergency Coordinator): Rodney Bone (ext. 2313)
 - Director of Physical Plant (Damage Control): Kent Jones (ext. 2244)
 - Police Chief (Public Safety and Communications): Van McAlpin (ext. 2249)
 - Executive Assistant to the President (Public Information): Brenda Stringer (ext. 2243)
 - Dean of Instruction: Chad Gorham (ext. 2294; ext. 2294)
 - Dean of Workforce Development: Kerry Wright (ext. 2217)
 - Dean of Student Services: Jeff Hawes (ext. 2278)
- **Campus Police Officers:** Van McAlpin (Police Chief), Danny Miller, Norman Smith, David Snay, Steven Whited, and Greg Works (256.609.1060)
- **Building Coordinators:**
 - Annex: Gail Gross (ext. 2287); Brent Colvard (ext. 2287)
 - Beck Health and Fine Arts: Stacy Morris (ext. 2307); Jon-Alan Pope (ext. 2363)
 - Bevill Lyceum: Brad Archer (ext. 2232); Kayleigh Smith (ext. 2318)
 - Campbell Business Education: Haley Johnson (ext. 2247); Keith McBride (ext. 2319)
 - CDL Training Site: Chris Peek (256.244.5174)
 - Cecil B. Word Learning Resources Center: Dr. Julia Everett (ext. 2226)
 - Charles Pendley Administration: Kerry Wright (ext. 2217); Angie Stewart (ext. 2240)
 - English: Jody Ragsdale (ext. 2280); Joan Moseley (ext. 2252)
 - Health Education: Penny Green (ext. 2216); Roger Wootten (ext. 2311)
 - Industrial Systems Technology Center: Hugo Deangelis (ext. 2813); John Fowler (ext. 2811)
 - Industrial Training Center: Dr. Kevin Sanders (ext. 2512)
 - Maintenance: Kent Jones (ext. 2244; 256.557.8824); John Smith (256.609.3017)
 - Math, Science, and Engineering Technology Center: Adam Niblett (ext. 2389); Thomas Frost (ext. 2263); John Camp (ext. 2370)
 - Salon Institute: Kristin Lacey (256.259.1512)
 - Student Center: Jeff Hawes (ext. 2278); Andrea Shepard (ext. 2260)

- Social Sciences: Rob Woodall (ext. 2226); Steven Whited (ext. 2259)
- Technology Center: Dennis Lester (ext. 2809)
- Wallace Administration: Kip Williamson (ext. 2253); Rodney Bone (ext. 2313)
- Workforce Development: Ronny Kisor (ext. 2265); Chris Anderson (ext. 2264); Jada Freeman (ext. 2317)
- Schoolcast: Dr. David Campbell (ext. 2243); Angie Stewart (ext. 2240)

- **Procedures followed when a Clery Crime is Reported**

NACC encourages employees and students to report alleged crimes committed against them or on behalf of a victim who is unable to make a report. Reports should be made immediately to Campus Police, the Title IX Coordinator, or a CSA. When a crime is reported to a CSA, the following procedures are in place.

- In an emergency situation, the CSA will immediately dial 9-1-1 or contact Campus Police.
- In a non-emergency situation, the CSA will ask the student if he or she wishes to file an official report and speak with the Title IX Coordinator in cases of domestic violence, dating violence, sexual assault, stalking, or other forms of harassment and discrimination. If not, the CSA will complete the Crime Incident Report form based on the information received, and forward it to the Campus Police Chief for statistical purposes. (For reports of crimes that are not Clery related, Campus Police should be contacted.)

If the student does wish to file an official report, the Title IX Coordinator will meet with the student to discuss the incident and to provide the students with a written copy of the College Title IX Sexual Harassment Policy and the Anti-Harassment, Physical Assault, and Anti-Discrimination Policy, which includes his or her rights and options, as well as a list of local and national advocacy services and other pertinent information. If the alleged perpetrator is another student, the report will be referred to the Dean of Student Services or other appointed administrator. Title IX sexual harassment complaints against students will be handled according to the Title IX Sexual Harassment policy published online and in the College Catalog. If the alleged perpetrator is a College employee, the Senior Personnel Officer or other appointed administrator will oversee the investigation. Complaints made against College employees will be handled according to procedures outlined in Title IX Sexual Harassment Policy published in the College Catalog. Proceedings shall provide a prompt, fair, and impartial investigation and resolution. Investigations will be conducted by personnel who receive annual training on issues including dating violence, domestic violence, sexual assault, and stalking as well as on how to conduct an investigation and hearing process that is protective of the victims and promotes accountability. Complainants will receive written notification of possible accommodations and protective measures as well as their rights.

Every effort will be made to attain an informal resolution to complaints made against students. However, complaints made against College employees must follow a formal investigation as described in the College policy. The investigation record shall consist of formal and informal statements from the alleged victim, the alleged offender, witnesses,

and/or others deemed by the investigator to have pertinent knowledge of the facts involved in the complaint. The investigation will afford the accused a full opportunity to respond to the allegations. Students who have not elected an advisor for the processes will be provided one by the institution. These individuals will receive annual training for this role. If the results of the investigation and informal resolution are accepted by the complainant and the respondent and no further action against the respondent is requested, the complainant and respondent will sign a statement requesting that no further action be taken. If the complaint cannot be resolved on an informal basis, the complainant may file a formal complaint. Each complainant has the right to proceed with or withdraw from the formal complaint procedure once it has been submitted. The issues involved in the complaint should not be changed once the charge has been made. However, administrative procedures may be revised to accommodate issues arising during the investigation which were not known to the complainant or institution when the initial complaint was filed.

- **Right to Report**

While the College strongly encourages students to make prompt reports of crimes, victims are not under any obligation to make such reports to campus or local police. NACC police officers will gladly assist victims who wish to file a formal report with a local police department. Please note that campus police officers are required by the State of Alabama to compile reports of any crime reported to them, regardless of whether the alleged victim wants to proceed with reporting it to outside organizations. These reports remain on file in the Campus Police Office.

- **Preservation of Evidence**

The timely preservation of evidence in the event of a criminal assault is of utmost importance. Doing so can assist with proving that the alleged incident occurred and help the victim to obtain an order of protection if desired. The collection and documentation of physical evidence must be done quickly. Campus police or local law enforcement authorities are readily available to advise victims with how best to preserve evidence. Victims of assault are encouraged to seek a thorough medical examination. Rape victims should not bathe, smoke, use the toilet, or change clothes. Stalking victims should preserve gifts and letters received and should also document phone calls, social media posts, and any other contact they have had with the alleged stalker. Domestic violence victims can document injuries by seeking medical attention or by taking photos of bruises, cuts, or other injuries.

- **Confidentiality and Anonymity in Reporting**

Students are allowed to make crime reports anonymously. The College will attempt to maintain confidentiality of all parties involved in the alleged crime. However, there may be situations when the release of identifying information is necessary to ensure the safety and security of the campus and/or to complete a thorough investigation. If the release of identifying information is deemed necessary, the complainant will be contacted to discuss whether he or she wishes for the investigation to continue and to determine what options are available for him or her. If the complainant insists upon confidentiality and anonymity in a continued investigation, the College will determine if a

complete investigation can be performed in light of this request and will take reasonable steps to resolve the complaint, if possible, while maintaining confidentiality and anonymity of the complainant. If the complainant requests to withdraw his or her complaint, the College will determine if further investigation is needed to ensure the safety and security of campus constituents. The College will strive to protect confidentiality in Clery Act reporting and disclosures and will maintain confidentiality regarding the investigation, accommodations, and protective measures provided to the complainant to the extent possible. The Dean of Instruction, Dean of Student Services, or other appointed administrator will determine what information may be necessary to share with third parties to better resolve the complaint and will confer with the complainant before doing so.

Confidential and public complaint records are maintained by the Title IX Coordinator. For purposes of the dissemination of complaint precedents, separate file records are maintained for the public complaint file which contains the subject matter of each complaint, the resolution, and the date of resolution. Public records do not contain identifying information and are not considered confidential.

Assistance for Complainants/Victims

When a report is received regarding a student or employee having been the victim of domestic violence, dating violence, sexual assault, or stalking on- or off-campus, the College will provide the victim with written information regarding their rights and options for assistance. The Dean of Instruction, Dean of Student Services, or other appointed administrator will provide written notification to the complainant/victim regarding counseling services, mental health guidance, victim advocacy centers, legal assistance, academic accommodations, and protective measures. Examples of academic accommodations and protective measures could include a change to his or her schedule and/or police escorts to and from classes. Information regarding visa and immigration assistance, financial aid, and other services is available from the Dean of Student Services. The College will strive to accommodate all reasonable and available requests regardless of whether a formal report was filed with Campus Police or with a local law enforcement agency.

While counselors are not on staff at NACC, the College does allow representatives from Crisis Services of North Alabama, Family Services of North Alabama, and Domestic Violence Crisis Services advocacy centers to meet with students on campus when needed. This information as well as the off-campus contact information for these services will be provided in writing to the victim by the Title IX Coordinator or other appropriate administrator. Additionally, the College subscribes to TimelyCare, a virtual health and well-being service for students. As part of this service, students have access to online counselors who can assist with issues regarding emotional distress and relationships.

Definitions of Dating Violence, Domestic Violence, Stalking, Sexual Assault, Consent, and Hate Crimes

The following definitions are outlined in The Handbook for Campus Safety Security and Reporting (pp. 8-1 through 8-2) and will be helpful in understanding the College Anti-

Harassment, Physical Assault, and Anti-Discrimination Policy and other information found in this report.

- **Dating violence** is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence
 - includes, but is not limited to, sexual or physical abuse or the threat of such abuse; and
 - does not include acts covered under the definition of domestic violence.
- **Domestic violence** is defined as a felony or misdemeanor crime of violence committed
 - by a current or former spouse or intimate partner of the victim;
 - by a person with whom the victim shares a child in common;
 - by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; and
 - by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- **Stalking** is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to
 - fear for the person's safety or the safety of others; or
 - suffer substantial emotional distress.
- **Sexual assault** is defined as an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program and included in Appendix A of 34 CFR Part 668.
- **Hate Crimes** are defined by the State of Alabama as crimes that the commission of which was shown beyond a reasonable doubt to have been motivated by the victim's actual or perceived race, color, religion, national origin, ethnicity, or physical or mental disability. The Department of Education defines a hate crime as a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of the Clery Act, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

Additionally, Section 13A-6 of the Code of Alabama includes the following definitions:

- **Rape in the first degree:** A person commits rape in the first degree if he or she engages in sexual intercourse with a member of the opposite sex by forcible compulsion; engages in sexual intercourse with a member of the opposite sex who is incapable of consent by reason of being physically helpless or mentally incapacitated; or, being 16 years or older, engages in sexual intercourse with a member of the opposite sex who is less than 12 years old.

- **Rape in the second degree**: A person commits rape in the second degree if, being 16 years old or older, he or she engages in sexual intercourse with a member of the opposite sex less than 16 and more than 12 years old; provided, however, the actor is at least two years older than the member of the opposite sex; or engages in sexual intercourse with a member of the opposite sex who is incapable of consent by reason of being mentally defective.
- **Sexual abuse in the first degree**: A person commits sexual abuse in the first degree if he or she subjects another person to sexual contact by forcible compulsion; or subjects another person to sexual contact who is incapable of consent by reason of being physically helpless or mentally incapacitated.
- **Sexual abuse in the second degree**: A person commits sexual abuse in the second degree if he or she subjects another person to sexual contact who is incapable of consent by reason of some factor other than being less than 16 years old; or, being 19 years old or older, subjects another person to sexual contact who is less than 16 years old, but more than 12 years old.
- **Stalking**: When a person intentionally and repeatedly follows or harasses another person and who makes a threat, either expressed or implied, with the intent to place that person in reasonable fear of death or serious bodily harm, said person is guilty of the crime of stalking in the first degree.
- **Lack of Consent**: The Code of Alabama defines lack of consent as forcible compulsion; incapacity to consent; or, if the offense charged is sexual abuse, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct. Consent cannot be attained if the person is less than 16 years old, mentally defective, mentally incapacitated, or physically helpless.

("Alabama Statutes", 2016)

The college recognizes the following definitions of hate crimes:

- A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of the Jeanne Clery Act, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability. (Department of Education)
- A crime in which the commission of which was shown beyond a reasonable doubt to have been motivated by the victim's actual or perceived race, color, religion, national origin, ethnicity, or physical or mental disability. (State of Alabama)

Educational Programs and Campaigns

NACC prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as defined within this report. To better inform students and employees of how they can take a stand against such violence, several ongoing prevention and awareness programs and initiatives are offered. These activities are planned by college administrators, students, and representatives from the local advocacy centers.

- *New Student Orientation:* During the initial college orientation, students are presented with information on harassment and physical assault prevention. Students also receive information on the NACC complaint policies. Non-credit students located at the CDL training site as well as Adult Education students are also provided with this information.
- *Student Online Training:* The Dean of Student Services sends an email each semester to all students encouraging them to participate in free online training for the prevention of discrimination and violence. Students who travel for NACC sport events, conferences, etc. are required to complete the online training. This training educates students on topics including dating violence, sexual violence, stalking, domestic violence, consent, bystander intervention techniques, risk reduction information, how to report instances of crimes, drug and alcohol abuse, etc. It also allows the students to review the NACC complaint policies. Student organization sponsors are encouraged to require members' participation in this training.
- *Employee Online Training:* The College requires that all new employees complete sexual harassment prevention and Campus Save Act training upon their hire. Additionally, all employees are required to complete such training annually.
- *Sexual Assault Prevention Activities:* The College incorporates prevention information during its *Sexual Assault Awareness Month* activities held in April. The local crisis and family services organizations set up a booth in the Student Center to provide information to students and faculty regarding sexual consent, bystander intervention techniques, and local resources.
- *Presentations:* The College hosts speakers to discuss Clery-related topics periodically throughout the year. For example, during Fall 2018, a panel of local advocacy officials, campus police, and a local youth counselor came together for a panel discussion regarding domestic violence. In spring 2018 the NACC criminal justice instructor presented information regarding stalking to students in a lunch-and-learn setting. In April 2019, the College hosted a SANE nurse from Family Services of North Alabama to explain the services offered to individuals who have been a victim of sexual assault. Additionally, the College welcomed students to a viewing of "The Hunting Ground," a video that follows the lives of several undergraduate assault survivors as they attempt to pursue - despite incredible push back, harassment, and traumatic aftermath - both their education and justice. In September 2019, the Family Services of North Alabama (FSNA) came to campus for a special presentation on sexual violence prevention entitled, "Bringing in the Bystander." In October 2019, a representative from FSNA hosted a workshop entitled "One Dare," which was about fostering healthy relationships and avoiding dating violence. In March 2021, a representative from Family Services of North Alabama spoke to students virtually about bystander awareness. In October 2021, representatives from local advocacy organizations held a seminar to present the signs of domestic violence and to explain how individuals can seek help during this type of crisis. In February 2022 and 2023, the criminal justice instructor presented a webinar on stalking awareness and the Title IX Coordinator sent a series of emails to students, faculty, and staff regarding stalking awareness information. In April 2023, the Title IX Coordinator and a representative from Crisis Services of North Alabama (CSNA) held a webinar to present information regarding sexual assault awareness, including Clery Definitions of sexual assault, consent, etc., and to showcase the resources offered at CSNA.

- *Welcome Back Event:* During the first week of fall classes, a Welcome Back Event is held in the quad (weather permitting) to encourage new and returning students to learn about campus organizations. Representatives from the local crisis, family, and domestic violence advocacy organizations are invited to participate and share educational information while connecting personally with students. This also provides an opportunity for students to better understand that these organizations and the College are here to help them if needed.
- *Online Alcohol and Drug Prevention Program:* Information is made available to students regarding the NACC alcohol and drug policy through the College website. The program addresses standards of conduct and policy; legal sanctions, including campus disciplinary actions and state and federal sentences for offenses; health risks of drug and alcohol use; and where to seek assistance. The Dean of Student Services issues an email to all students each semester regarding how to participate in the online training and makes the policy available for students to review.
- *Other Awareness Activities:* The College occasionally hosts other types of awareness activities during the year as follows:

Semester	Event	Description
Spring 2018	Bad Romance Music Showcase	Musical performances featuring NACC students and employees who performed songs to bring awareness to unhealthy relationships; local crisis services representative shared information about healthy and unhealthy relationships
Spring 2019	Stalking Awareness	Title IX Coordinator distributed literature on stalking awareness along with hot chocolate and donuts to students
Spring 2019	Clothesline Project	In support of Sexual Assault Awareness Month, students and employees decorated blank tshirts with quotes to bring awareness that violence can be a problem everywhere and hope is available.
Spring 2021	Teal Day	In support of Sexual Assault Awareness Month, students and employees were asked to wear Teal on a specific day in April to bring awareness to the topic
Fall 2021	Be a Better Bystander	The Title IX Coordinator shared information through a webinar regarding the 5 D's of safely intervening in difficult or dangerous situations involving domestic violence or sexual assault.
Spring 2022	Teal Ribbon Awareness Day	Faculty and staff were asked to wear a teal ribbon sticker provided by the Title IX Coordinator in support of Sexual Assault Awareness Month
Spring 2022 and Spring 2023	Community Resource Fair	The Domestic Violence Crisis Services organization participates in this event to share information about domestic violence and to introduce representatives to our students and employees.
Spring 2023	RAD Class	A Self-Defense Course was offered to employees by two NACC employees and followed the Rape Aggression Defense System.
Spring 2023	Wear Teal Day	Faculty, staff, and students were asked to wear teal-colored clothing on one day during April to show support for Sexual Assault Awareness Month.
Summer 2023	RAD Class	A Self-Defense Course was offered to employees by two NACC employees and followed the Rape Aggression Defense System.

Bystander Intervention Techniques

The College encourages students to use safe and positive approaches for bystander intervention by offering educational materials regarding proven bystander intervention techniques. Bystander intervention can help others to remove themselves from dangerous or unhealthy situations. The College recommends that students apply the Five D's of Bystander Intervention techniques in situations where it is safe for them to intervene. The Five D's include

- **Direct:** Name what is happening and confront the harasser. However, do not escalate the situation. Make sure that the person being abused wants someone to speak up.
- **Distraction:** This is a more subtle way to intervene for the target. Derail the situation by approaching the harasser to ask for the time or for directions to a specific place.
- **Delegate:** Ask someone else for help, such as an administrator, instructor, campus police, etc. Remember, dialing 9-1-1 is always an option.
- **Delay:** If a student cannot safely intervene, he or she can show support later by asking the victim if he or she is okay and by offering help.
- **Document:** Recording incident details can be helpful. Assess the situation, and ensure that one of the D's previously mentioned is already in action. Do not post anything online unless the victim's expressed consent has been attained, though it is likely better not to post material or comments online or on social media for your own safety and protection.

(Bystander Awareness: <https://www.ihollaback.org/resources/bystander-resources/>)

To educate students on these techniques, the Title IX Coordinator sends an email to students. Online training modules for employees and students cover bystander awareness techniques. Additionally, this information is shared during the new student orientation by the Title IX Coordinator. The College also works closely with the local advocacy organizations to educate students and employees on safe bystander intervention techniques through an annual awareness campaign and/or training (i.e., Red Flag Campaign, Bringing in the Bystander). In Fall 2021, the Title IX Coordinator held a webinar on the Five D's of being a bystander for students and employees.

Risk Reduction Techniques

Risk reduction techniques are provided to employees and students through the online training modules and within this Annual Security Report. Topics covered include recognition of the warning signs of abusive behavior (depression, physical signs, poor grades, etc.) and how to avoid abusive situations (remaining professional, avoiding jokes, etc.). Below are some additional sexual assault risk reduction techniques for consideration.

- 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 do not know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably is not 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.

- Do not allow yourself to be isolated with someone you do not trust or someone you do not know.
- Avoid putting earbuds 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 or party, go with a group of friends. Arrive together, check in with each other, and leave together.
- Do not leave any beverages unattended or unwatched and never accept drinks from someone you do not know or trust (this includes non-alcoholic drinks).
- Have a buddy system. Do not be afraid to let a friend know if something is making you uncomfortable or if you are worried about your safety.
- If someone you do not know or trust asks you to go somewhere alone, let him or her know that you would rather stay with the group.

Walking/Running

- Make sure your cell phone is easily accessible.
- Take major, public streets and paths rather than less populated shortcuts.
- Avoid dimly lit places, and talk to authorities if lights need to be installed in an area.
- Avoid walking or running alone whenever possible.
- Carry a small noisemaker (like a whistle) and/or flashlight.
- Remain mentally alert and aware of your surroundings.
- Plan your route and know what “safe” places are on it (police stations, hospitals, etc.).

Driving

- Keep your doors locked.
- Have extra car necessities (oil, jumper cables, etc.).
- Try not to wait until the last minute to fill your gas tank. Always keep it at least half full.
- Have your keys ready when you go to unlock your car.
- Plan your route and know what “safe” places are on it (police stations, hospitals, etc.).

Home Safety

- Keep house doors locked, even when you are at home.
- Install and use a security system (if possible).
- Install outside lighting system (with motion detectors).
- Do not prop open doors or windows.
- Close blinds and curtains at night.
- Keep car doors locked, even in your own driveway or garage.

At Parties

- Be aware of rape drugs.
- Try not to leave your drink unattended.
- Only drink from unopened containers or from drinks you have watched being made and poured.
- Avoid group drinks like punch bowls.
- Cover your drink. It is easy to slip in a small pill even while you are holding your drink. Hold a cup with your hand over the top, or choose drinks that are contained in a bottle and keep your thumb over the nozzle.

- If you feel extremely tired or drunk for no apparent reason, you may have been drugged. Find your friends and ask them to leave with you as soon as possible.
- If you suspect you have been drugged, go to a hospital and ask to be tested.
- Arrive and leave with a group of people you trust.
- Avoid giving out your personal information (phone number, where you live, etc.). If someone asks for your number, take his or her number instead of giving yours.

If Someone is Pressuring You

- If someone is pressuring you to engage in sexual activity, it is important to remember that being in this situation is not your fault. You did not do anything wrong.
- If you are in an uncomfortable or scary situation, here are some things that you can try:
 - Trust your instincts. Do not feel obligated to do anything you do not want to do. "I do not want to" is always a good enough reason.
 - Be true to yourself. Do what feels right to you and what you are comfortable with doing.
 - Have a code word with your friends or family so that if you do not 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 do not 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; or having somewhere else that you need to be.
 - Try to think of an escape route. How would you try to get out of the room?
 - If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment.

("What To Do To Reduce The Risk Of A Sexual Assault," 2017)

Sexual Assault Nurse Examiner (SANE) Program

A Sexual Assault Nurse Examiner program is available through the Family Services of North Alabama and can be reached at (855) 878-9159. This service provides a trained nurse to give a comprehensive physical exam after a reported sexual assault. Anyone who has been a victim of sexual assault is encouraged to contact the SANE program as soon as possible.

Complaint Processes for Title IX Violations; Violations of the College's Anti-Harassment, Physical Assault, and Anti-Discrimination Policy; and Violations of the College's Code of Conduct

NACC has adopted policies regarding violations of Title IX, violations of NACC's anti-harassment, physical assault, and anti-discrimination policies, and violations of NACC's Code of Conduct. Those policies govern all members of the NACC community and are available to any member who believes that he or she has been the victim of a violation of those policies. Each policy is described in summary form below (as of publication time). The entirety of the current Anti-Harassment, Physical Assault, and Anti-Discrimination Policy is included below (as of publication time), and the full, current Code of Conduct and Title IX Sexual Harassment Policies can be found in the NACC catalog online at <https://catalog.nacc.edu> (Search: Complaint Processes).

Northeast Alabama Community College
Complaint Processes for Title IX Violations; Violations of the College's Anti-Harassment,
Physical Assault, and Anti-Discrimination Policy; Violations of the College's Code of
Conduct;
and General Complaints
Updated June 1, 2023

Introduction

NACC has adopted policies regarding violations of Title IX, violations of NACC's anti-harassment, physical assault, and anti-discrimination policies, and violations of NACC's Code of Conduct. Those policies govern all members of the NACC community and are available to any member who believes that he or she has been the victim of a violation of those policies. Each policy is described in summary form, with the policies in entirety following.

Anti-Harassment, Physical Assault, and Anti-Discrimination Policies

NACC's Anti-Harassment, Physical Assault, and Anti-Discrimination policies prohibit harassment and or discrimination on the basis of an individual's race, color, national origin, religion, marital status, disability, gender, age, or other protected class as defined by federal and state law. Discrimination on the basis of race, color, religion, sex, sexual orientation, and national origin is illegal under Title VII of the Civil Rights Act of 1964. Discrimination on the basis of sex is illegal under Title IX of the Educational Amendments of 1972. Discrimination on the basis of age is illegal under the Age Discrimination Act of 1975. Violations related to non-sexual harassment or physical assault should be reported to the Dean of Student Services. Violations related to sexual harassment, sexual discrimination, or sexual assault should be reported to the Title IX Coordinator.

Code of Conduct

NACC has adopted a Code of Conduct that governs the conduct of NACC students and student organizations. The Code of Conduct is intended to ensure that NACC students conduct themselves in a manner compatible with the educational objectives of NACC. The Code of Conduct applies to all students and student organizations. By enrollment and affiliation with NACC, a student or organization neither relinquishes the right nor escapes responsibilities of local, state, or federal laws and regulations. NACC is committed to maintaining an environment that contributes to its educational mission, as well as the safety, health, and well-being of all students and other persons on campus. Therefore, students and organizations are obligated to abide by the rules and policies established by NACC. Violations of NACC's Code of Conduct should be reported to the Dean of Student Services (or other appointed administrator).

General Complaint Policy

NACC has general complaint policies for employees to file complaints against students and for students to file complaints against employees or the College in general for reasons that are not covered under the Title IX Sexual Harassment Policy or Anti-Harassment, Physical Assault, or Anti-Discrimination Policy.

Title IX Sexual Harassment Policy

NACC has adopted a Title IX Sexual Harassment Policy. Pursuant to Title IX of the Educational Amendments of 1972, no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance. Acts that constitute violations of NACC's Title IX Sexual Harassment Policy are described in detail within the policy and should be reported to the Title IX Coordinator immediately.

Anti-Harassment, Physical Assault, and Anti-Discrimination Policy

Northeast Alabama Community College (NACC) is committed to providing both employment and educational environments free of harassment, physical assault, or discrimination related to an individual's race, color, national origin, religion, marital status, disability, gender, age, sex, sexual orientation, or other protected class as defined by federal and state law. Such harassment, discrimination, and assault are violations of NACC and the Alabama Community College System policies. Discrimination on the basis of race, color, religion, sex, sexual orientation, and national origin is illegal under Title VII of the Civil Rights Act of 1964. Discrimination on the basis of sex is illegal under Title IX of the Educational Amendments of 1972. Discrimination on the basis of age is illegal under the Age Discrimination Act of 1975.

A nondiscriminatory environment is essential to the mission of the College. Any practice or behavior that constitutes harassment, physical assault, or discrimination shall not be tolerated on campus, at any off-campus site, or in any division or department by any employee, student, agent, or non-employee on the institution's property and while engaged in any institutionally-sponsored activities. It is within this commitment of providing a harassment-free environment and in keeping with the efforts to establish an employment and educational environment in which the dignity and worth of members of the college community are respected that harassment, physical assault, and discrimination of students and employees is unacceptable conduct and shall not be tolerated at the College.

For these purposes, the term "harassment" includes, but is not necessarily limited to, the following: slurs, jokes, or other verbal, graphic, or physical conduct relating to an individual's race, color, religion, creed, sex, gender identity, transgender status, pregnancy, national origin, disability, sexual orientation, military or veteran's status, genetic information, age or any other characteristic that is protected by applicable state or federal law or the Alabama Community College System policies. Harassment also includes Sexual Harassment, which is forbidden by the NACC Code of Conduct and the College's Title IX Sexual Harassment Policy. Complaints of Title IX sexual harassment can be made according to the procedures outlined in the College's Title IX Sexual Harassment Policy. Complaints for harassment that fall outside the purview of Title IX sexual harassment will be governed by the Code of Conduct and general complaint policies.

Employees and students of the College shall strive to promote an environment that fosters personal integrity where the worth and dignity of each human being is realized, where democratic principles are promoted, and where efforts are made to assist colleagues and students to realize their full potential as worthy and effective members of society. Administrators, professional staff, faculty, and support staff shall adhere to the highest ethical standards to ensure a professional environment and to guarantee equal educational opportunities for all students.

The employees of the College determine the ethical and moral tone for the College through both their personal conduct and their job performance. Therefore, each employee must be dedicated to the ideals of honor and integrity in all public and personal relationships. Relationships between College personnel of different ranks, including that of instructors and students, which involve partiality, preferential treatment, or the improper use of position shall be avoided. Further, such relationships may have the effect of undermining the atmosphere of trust on which the educational process depends. Implicit in the idea of professionalism is the recognition by those in positions of authority that in their relationships with students or employees there is always an element of power. It is incumbent on those with authority not to abuse the power with which they are entrusted.

All personnel shall be aware that any romantic relationship (consensual or otherwise) or any other inappropriate involvement with another employee or student makes them liable for formal action against them if a complaint is initiated by the aggrieved party in the relationship. Even when both parties have consented to the development of such a relationship, it is the supervisor in a supervisor-employee relationship, the faculty member in a faculty-student relationship, or the employee in an employee-student relationship who shall be held accountable for unprofessional behavior.

Harassment of employees or students by non-employees on the institution's property and while engaged in any institutionally-sponsored activities is also a violation of this policy. Any employee or student who becomes aware of any such harassment shall report the incident(s) to the Dean of Student Services, Campus Police, or Title IX Coordinator. Intimidation and retaliation against complainants, respondents, and witnesses are forbidden under this policy, Title IX, and by the College's Code of Conduct.

NACC Code of Conduct

NACC'S Code of Conduct is intended to ensure that NACC students conduct themselves in a manner compatible with the educational objectives of NACC. The Code of Conduct applies to all students and student organizations. By enrollment and affiliation with NACC, a student or organization neither relinquishes the right nor escapes responsibilities of local, state, or federal laws and regulations. NACC is committed to maintaining an environment that contributes to its educational mission, as well as the safety, health, and well-being of all students and other persons on campus. Therefore, students and organizations are obligated to abide by the rules and policies established by NACC. It is assumed that students enrolling in NACC are mature and have a desire for constructive learning. Common courtesy and cooperation are expected of all students. Interference, injury, or the intentional attempt to injure or interfere with the personal or property rights of any person - whether a student, visitor, faculty or staff member or NACC itself is strictly prohibited. NACC does not permit in any way the consumption or possession of alcoholic beverages, narcotics, and/or other hallucinogenic drugs on campus or at college-sponsored functions. Possession of firearms is prohibited. Littering is also prohibited. Students who are observed littering on campus will be fined \$10.00 per incident. Students on probation due to a violation of the Code of Conduct may not represent the school in interscholastic contests.

Other specific forms of prohibited conduct include but are not limited to:

1. Dishonesty, including cheating, plagiarism, or furnishing incomplete or false information to the College. Any student found guilty of cheating may be dropped from the course with a grade of "F."
2. Destruction or theft of property;
3. Failure to comply with directions of College officials acting in the performance of their duties;
4. Forgery, alteration, or misuse of College documents, exams, records, or identification;
5. Disorderly or disruptive conduct, including classroom disruptions, reckless endangerment, harassment, assault, bullying, cyberbullying, and discrimination;
6. Obstruction or disruption of the College's academic program or operations;
7. Unauthorized entry to College facilities;
8. Unauthorized possession of a key to College facilities;
9. Violation of traffic regulations;
10. Violation of library regulations; and/or
11. Violation of any federal, state, or local law or ordinance.

Any practice or behavior that constitutes harassment, physical assault, or discrimination shall not be tolerated on campus, at any off-campus site, or in any division or department by any employee, student, agent, or non-employee on the institution's property and while engaged in any institutionally-sponsored activities. Examples of sexually harassing verbal or physical conduct prohibited by NACC's Conduct policies, include, but are not limited to, the following:

1. Direct propositions of a sexual nature;
2. Subtle pressure for sexual activity;
3. Repeated conduct intended to cause discomfort or humiliation, or both, that includes one or more of the following:
 - a. comments of a sexual nature; or
 - b. sexually explicit statements, questions, jokes, or anecdotes;
4. Repeated conduct that would cause discomfort and/or humiliate a reasonable person toward whom the conduct was directed that includes one or more of the following:
 - a. Touching, patting, pinching, hugging, or brushing against another's body;
 - b. Commentary of a sexual nature about an individual's body or clothing;
 - c. Remarks about sexual activity or speculations about previous sexual experience(s);
5. Intimidating or demeaning comments to persons of a particular sex, whether sexual or not;
6. Displaying objects or pictures which are sexual in nature that would create a hostile or offensive employment or educational environment, and serve no educational purpose related to the subject matter being addressed; and/or
7. Gender stereotyping.

Violation of the College's Code of Conduct may lead to disciplinary action up to and including suspension, expulsion, and arrest for any criminal acts.

Any student or employee who feels that he or she has been the victim of a violation of the Code of Conduct can make a report to the Dean of Student Services (reports of non-sexual harassment or physical assault) or the Title IX Coordinator (reports of sexual harassment, sexual discrimination, or sexual assault), who will attempt to find a prompt and equitable resolution.

General Complaint Policy

Any student who feels that he or she has been the victim of a violation of college policies can make a report to the Dean of Student Services, or other appointed administrator, including reports of non-sexual harassment or physical assault. (For reports of sexual harassment or sexual assault, see the Title IX Sexual Harassment Policy). If the Dean of Student Services (or other appointed administrator) is not available, the matter may be brought to the attention of any division director, dean, director, supervisor, advisor, or Campus Police Officer. Employees who believe that they have been the victim of a violation of this policy can make a report to the Human Resources Director. Employees and students who are found in violation of College policy shall be disciplined as deemed appropriate to the severity of the offense, with final approval by the President. If the allegations against a student are sufficiently grave, the President or designee has the authority and responsibility to suspend the student at any time pending further disciplinary proceedings.

General Complaint Policy (Against Students for Reasons not Related to Title IX Sexual Harassment/Sexual Assault)

A general complaint can be lodged against any student by any affected party (student or employee) or any party with information or knowledge concerning the subject of the complaint. General complaints for reasons other than sexual harassment, sexual discrimination, or sexual assault should be reported to the Dean of Student Services (or other appointed administrator). All records of the proceedings will be kept confidential, unless it is deemed necessary to release information for the safety of the campus and/or community.

Procedures for Filing a General Informal Complaint Against a Student

1. The complainant shall meet with the Dean of Student Services (or other appointed administrator) to lodge an informal complaint.
2. After receiving a complaint, the College shall make every reasonable effort to attain an informal resolution. The informal complaint investigation record may include informal statements from the complainant, the respondent, witnesses, and/or others deemed by the investigator to have pertinent knowledge of the facts involved in the complaint. The investigation will afford the respondent a full opportunity to respond to the allegations.
3. If an informal resolution of the complaint is accepted by the complainant, and he or she desires no further action against the respondent, the complainant will sign a statement requesting that no further action be taken and that the informal resolution is accepted by him or her. The respondent will sign a statement attesting to his or her acceptance of the informal resolution.

Procedures for Filing a General Formal Complaint Against a Student

1. If the complainant does not accept the informal resolution to the complaint or desires to make an immediate formal complaint, he or she may file a formal, written complaint with the Dean of Student Services (or other appointed administrator). The complainant must provide a written statement that clearly and specifically states the alleged violations, names the person(s) whom the complaint is against, and provides the date of the alleged violation. The complainant is advised to keep a copy of all written statements.

2. The Dean of Student Services (or other appointed administrator) will immediately notify the President of receipt of the complaint.
3. The Dean of Student Services (or other appointed administrator) shall investigate the complaint and make a preliminary decision. If the Dean of Student Services (or other appointed administrator) finds that there is no probable cause for the complaint, the Dean of Student Services (or other appointed administrator) shall take no further action and will notify the respondent and complainant of the findings. If there is probable cause to believe that the complaint is well-founded, the Dean of Student Services (or other appointed administrator) will compose a written complaint, submit the written complaint to the Disciplinary Committee, and notify the complainant that the complaint has been filed with the Disciplinary Committee. The Disciplinary Committee is composed of faculty and staff members appointed by the President.
4. Upon receipt of a written complaint from the Dean of Student Services (or other appointed administrator), the Disciplinary Committee shall convene a hearing and shall give reasonable notice of the date, time, and place of the hearing, together with a copy of the written complaint, to the respondent and the complainant. Before the hearing, the Dean of Student Services (or other appointed administrator) and the respondent may provide supporting documentation and the names of witnesses to the Disciplinary Committee to aid in the hearing.
5. The hearing shall consist of informal fact finding by the Committee. The respondent may present facts and may also present witnesses; the Dean of Student Services (or other appointed administrator) shall present facts and witnesses. Those present at the hearing may only consist of the respondent, complainant, witnesses, Dean of Student Services (or other appointed administrator), and Committee members. After the hearing, the Disciplinary Committee, by majority vote, shall make a written recommendation to the President if the Committee finds that the complaint is supported by the facts. The Disciplinary Committee shall recommend an appropriate sanction in its written findings, if appropriate. If the Disciplinary Committee finds that the complaint is not supported by the facts, the Disciplinary Committee will take no further action and will notify the respondent, the complainant, the Dean of Student Services (or other appointed administrator), and the President of the findings.
6. The President of the institution shall approve or disapprove the suggested sanction, or the President may further alter or amend the suggested sanction.
7. The President shall, within ten (10) business days after receipt of the Disciplinary Committee's finding, notify the respondent, complainant, and the Dean of Student Services (or other appointed administrator) in writing of the sanction(s) to be imposed.
8. If the complainant and/or respondent is not satisfied with the decision of the President, he or she may file a written appeal with the President specifically stating the objections to the decision within five (5) business days after receipt of the notice of sanction. Copies of the appeal must be provided to the Dean of Student Services (or other appointed administrator). The appeal will be reviewed by an Appeals Committee made up of college administrators appointed by the President. The Appeals Committee will review the appeal solely on the following grounds, and none other:

- a. to determine if there was substantial evidence to support the decision;
 - b. to determine if the student had a fair and impartial hearing; and
 - c. to determine if there is new evidence which would affect either the guilt or innocence of the student or the degree of sanctions.
9. The findings of the Appeals Committee are presented to the President for approval and notification of the results are provided to the respondent, complainant, and Dean of Student Services (or other appointed administrator).
10. If, after exhausting all available institutional processes, a student complaint remains unresolved, the complainant may appeal to the Alabama Community College System (ACCS) using the System's official Student Complaint Form, which is available on the ACCS website (www.accs.cc). Students may submit completed complaint forms by electronically submitting the form or printing the form, signing it, and then either (1) scanning it and e-mailing it to complaints@accs.edu or (2) mailing it to:

Alabama Community College System
Attention: Division of Academic and Student Affairs
P.O. Box 302130
Montgomery, AL 36130-2130

The Division of Academic and Student Affairs will investigate the complaint. The institution which is the subject of the complaint has 15 days to provide a written response to questions and/or concerns raised during the investigation. Such response may or may not contain a resolution. The Division of Academic and Student Affairs will adjudicate the matter within 30 business days of receipt of complaint and write a report or letter to the institution and student detailing corrective action, if any is necessary, or stating that the school has no violation of policies. If corrective action is needed the institution will have 30 days to comply or develop a plan to comply with the corrective action. The System Office will monitor the institution's compliance to ensure the completion of any required corrective action. The decision made by the Alabama Community College System is final and cannot be appealed.

Each complainant has the right to proceed with or withdraw from the formal complaint process once it has been submitted. The issues involved in the complaint should not be changed from the information provided when the charge was originally made. However, these procedures may be revised to accommodate issues arising during the investigation which were not known to the complainant or to the institution when the initial complaint was filed. The investigation will afford the respondent a full opportunity to respond to the allegations.

General Complaint Policy (Against Employees for Reasons not Related to Title IX or Sexual Harassment/Sexual Assault)

A student who has a difference or dispute with a college employee with respect to the application of the rules, policies, procedures, and regulations of the College which has affected the student may file a complaint. These processes do not apply to the contesting of disciplinary decisions, ADA concerns, or Title IX sexual harassment complaints since separate complaint processes exist to address these issues. The purpose of the general complaint policy is to provide fair and orderly processes to resolve these issues. Procedures for complaints made by

students against college employees will be based on the procedures as set forth in Alabama Community College System Board of Trustees Policy 620.01 for employee-related complaints.

Procedures for Filing an Informal General Complaint Against an Employee

1. The complainant shall meet with the College employee who would be best able to handle the complaint (i.e., the person with whom the student has a difference or a dispute) to lodge an informal complaint. The employee will evaluate the complaint and let the complainant know if an informal resolution can be achieved.
2. The complainant can appeal to the employee's immediate supervisor if the complainant is not satisfied with the informal resolution. The supervisor will determine if another informal resolution can or cannot be achieved.
3. If the complainant is not satisfied with the determination and/or informal resolution of the supervisor of the employee involved, he or she may appeal to the appropriate dean who will make a final determination regarding the original complaint and any proposed informal resolutions.

After receiving a complaint, the College shall make every reasonable effort to attain an informal resolution. The informal complaint investigation record may include informal statements from the complainant, the person or subject of the complaint, witnesses, and/or others deemed by the investigator to have pertinent knowledge of the facts involved in the complaint. The investigation will afford the respondent a full opportunity to respond to the allegations. If an informal resolution of the complaint is accepted by the complainant, and he or she desires no further action against the person or subject of the complaint, the complainant will sign a statement requesting that no further action be taken and that the informal resolution is accepted by him or her. The respondent will sign a statement attesting to his or her acceptance of the informal resolution.

Procedures for Filing a Formal General Complaint Against an Employee

If the complainant does not accept the informal resolution to the complaint, he or she may file a formal, written complaint. All formal general complaints should be reported to the College employee's immediate supervisor. Each complainant has the right to proceed with or withdraw from the formal complaint process once it has been submitted. The issues involved in the complaint should not be changed from the information provided when the charge was originally made. However, these procedures may be revised to accommodate issues arising during the investigation which were not known to the complainant or the institution when the initial complaint was filed. The investigation will afford the respondent a full opportunity to respond to the allegations.

1. Students should make every effort to pursue an informal resolution before filing a formal complaint. If the complainant does not accept the informal resolution to the complaint, he or she may file a formal, written complaint stating the objections and requesting a meeting with the immediate supervisor of the employee involved within five (5) business days of receipt of the decision of the informal resolution. Within five (5) business days of the supervisor's receipt of the formal complaint from the complainant, the supervisor shall notify the employee involved in the complaint. The supervisor shall also set a date for a meeting and notify the complainant where and when the meeting shall take place. The meeting date shall

not be later than 14 business days after the supervisor's receipt of the formal complaint. At this point, the College employee involved may respond in writing to the complaint. The supervisor must make a written report of findings/decisions and provide it to the parties involved within 10 business days of the meeting date.

2. If the complainant is not satisfied with the decision by the supervisor of the employee involved, he or she may file a written appeal specifically stating the objections to the decision and request a meeting with the appropriate dean(s), if applicable, within five (5) business days after the receipt of the decision of the employee's immediate supervisor. If the employee does not answer to a dean, the complainant will file the appeal with the president. The dean (or president) will render a decision to address the complaint or if, in the administrator's judgment, the appeal and record of previous actions have addressed the complaint or do not warrant further action, no further action will occur. The involved administrator must make a written report of findings/decisions and provide it to the complainant, employee, and supervisor within 14 business days after receipt of the appeal of the decision.
3. If the complainant is not satisfied with the decisions by the dean(s) involved, he or she may file a written appeal specifically stating objections to the decision and request a meeting with the president within five (5) business days after receipt of the decision of the dean. If in the president's judgment the appeal and record of previous actions have addressed the complaint or do not warrant further action, the president shall notify the complainant, employee, supervisor, and dean(s) within 10 business days after receipt of the appeal. If the president grants the appeal, the president may either hear the appeal or appoint a hearing committee to hear the appeal. Such hearing committee will include student representation. The president will notify the complainant, employee, supervisor and dean(s) of this decision within ten (10) business days after the conclusion of the meeting. If the hearing committee is to hear the appeal, the chairman shall within five (5) business days after the appointment of the committee set a time and place for the hearing and notify the complainant, the employee, the employee's supervisor, the appropriate dean (if applicable), and the president. The committee shall review the appeal and determine the facts. The committee may also choose to meet with the complainant, witnesses and the employee. The committee will communicate its recommendation in writing to the president within five (5) business days after the hearing is completed. Within 14 business days of the president's receipt of the recommendation, the president shall make the decision and notify the complainant, the employee involved, the employee's supervisor, and the appropriate dean (if applicable). If the president hears the appeal, the president will make his decision and notify the complainant, the employee involved, the employee's supervisor, and the appropriate dean (if applicable) within 14 business days of receipt of the appeal. The decision of the president shall be final under the provision of this complaint process.
4. If, after exhausting all available institutional processes, a student complaint remains unresolved, the complainant may appeal to the Alabama Community College System (ACCS) using the System's official Student Complaint Form, which is available on the ACCS website (www.accs.cc). Students may submit completed complaint forms by electronically submitting the form or printing the form, signing it, and then either (1) scanning it and e-mailing it to complaints@accs.edu or (2) mailing it to:

Alabama Community College System
Attention: Division of Academic and Student Affairs
P.O. Box 302130
Montgomery, AL 36130-2130

The Division of Academic and Student Affairs will investigate the complaint. The institution which is the subject of the complaint has 15 days to provide a written response to questions and/or concerns raised during the investigation. Such response may or may not contain a resolution. The Division of Academic and Student Affairs will adjudicate the matter within 30 business days of receipt of complaint and write a report or letter to the institution and student detailing corrective action, if any is necessary, or stating that the school has no violation of policies. If corrective action is needed the institution will have 30 days to comply or develop a plan to comply with the corrective action. The System Office will monitor the institution's compliance to ensure the completion of any required corrective action. The decision made by the Alabama Community College System is final and cannot be appealed.

General Complaint Policy (Against the College in General for Reasons not Related to Title IX or Sexual Harassment/Sexual Assault)

A student who has a difference or dispute with the College with respect to the application of the rules, policies, procedures, and regulations of the College which has affected the student may file a complaint. These processes do not apply to general complaints against a student or employee, to the contesting of disciplinary decisions, ADA concerns, or Title IX sexual harassment complaints since separate complaint processes exist to address these issues.

Procedures for Filing an Informal General Complaint Against the College

1. The complainant shall meet with the Dean of Instruction to lodge an informal complaint. The Dean will evaluate the complaint and let the complainant know if an informal resolution can be achieved.
2. The complainant can appeal to the President if the complainant is not satisfied with the informal resolution. The President will make a final determination regarding the original complaint and any proposed informal resolutions.

After receiving a complaint, the College shall make every reasonable effort to attain an informal resolution. The informal complaint investigation record may include informal statements from the complainant, witnesses, and/or others deemed by the investigator to have pertinent knowledge of the facts involved in the complaint. If an informal resolution of the complaint is accepted by the complainant, and he or she desires no further action, the complainant will sign a statement requesting that no further action be taken and that the informal resolution is accepted by him or her.

Procedures for Filing a Formal General Complaint Against the College

If the complainant does not accept the informal resolution to the complaint, he or she may file a formal, written complaint with the Dean of Instruction. Each complainant has the right to proceed with or withdraw from the formal complaint process once it has been submitted. The issues involved in the complaint should not be changed from the information provided when the charge

was originally made. However, these procedures may be revised to accommodate issues arising during the investigation which were not known to the complainant or the institution when the initial complaint was filed.

1. Students should make every effort to pursue an informal resolution before filing a formal complaint. If the complainant does not accept the informal resolution to the complaint, he or she may file a formal, written complaint stating the objections and requesting a meeting with the Dean of Instruction within five (5) business days of receipt of the decision of the informal resolution. Within five (5) business days of the Dean of Instruction's receipt of the formal complaint from the complainant, the Dean shall notify parties involved in the complaint (if necessary), set a date for a meeting, and notify the complainant and any involved College personnel where and when the meeting shall take place. The meeting date shall not be later than 14 business days after the Dean's receipt of the formal complaint. At this point, the College employee(s) (if any) involved may respond in writing to the complaint. The Dean of Instruction must make a written report of findings/decisions and provide it to the parties involved within 10 business days of the meeting date.
2. If the complainant is not satisfied with the decision by the Dean, he or she may file a written appeal specifically stating objections to the decision and request a meeting with the president within five (5) business days after receipt of the decision of the Dean. If in the president's judgment the record of previous actions have addressed the complaint or do not warrant further action, the president shall notify the complainant, dean(s), and any other appropriate College personnel within 10 business days after receipt of the appeal that the decision stands. If the president grants the appeal, the president may either hear the appeal or appoint a hearing committee to hear the appeal. Such hearing committee will include student representation. The president will notify the complainant, dean, and other appropriate College personnel of this decision within ten (10) business days after the conclusion of the meeting. If the hearing committee is to hear the appeal, the chairperson shall within five (5) business days after the appointment of the committee set a time and place for the hearing and notify the complainant, the dean, other appropriate College personnel, and the president. The committee shall review the appeal and determine the facts. The committee may also choose to meet with the complainant, witnesses, and appropriate College personnel. The committee will communicate its recommendation in writing to the president within five (5) business days after the hearing is completed. Within 14 business days of the president's receipt of the recommendation, the president shall review the committee's recommendation, make the final decision, and notify the complainant, the dean, and any other appropriate College personnel. The decision of the president shall be final under the provision of this complaint process.
4. If, after exhausting all available institutional processes, a student complaint remains unresolved, the complainant may appeal to the Alabama Community College System (ACCS) using the System's official Student Complaint Form, which is available on the ACCS website (www.accs.cc). Students may submit completed complaint forms by electronically submitting the form or printing the form, signing it, and then either (1) scanning it and e-mailing it to complaints@accs.edu or (2) mailing it to:

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The Division of Academic and Student Affairs will investigate the complaint. The institution which is the subject of the complaint has 15 days to provide a written response to questions and/or concerns raised during the investigation. Such response may or may not contain a resolution. The Division of Academic and Student Affairs will adjudicate the matter within 30 business days of receipt of complaint and write a report or letter to the institution and student detailing corrective action, if any is necessary, or stating that the school has no violation of policies. If corrective action is needed the institution will have 30 days to comply or develop a plan to comply with the corrective action. The System Office will monitor the institution's compliance to ensure the completion of any required corrective action. The decision made by the Alabama Community College System is final and cannot be appealed.

Title IX Sexual Harassment Policy and Complaint Process

- I. Title IX Sexual Harassment Policy Introduction**
- II. Title IX Sexual Harassment Policy**
- III. Sexual Harassment Complaints Against a Student – Complaint Process**
- IV. Student Sexual Harassment Complaints Against an Employee – Complaint Process**
- V. General Provisions for Sexual Harassment Complaints**

I. Title IX Sexual Harassment Policy Introduction

The Title IX Sexual Harassment Policy applies to any student; student organization; employee; individual seeking employment or admissions; or individual participating in or attempting to participate in the educational programs or activities of the College. Northeast Alabama Community College is committed to providing a workplace and campus community free of sexual misconduct and harassment. As required by Title IX of the Education Amendments of 1972, the College does not discriminate on the basis of sex in its education programs and activities. This includes discrimination affecting employees of the College and applicants for employment; students and applicants for admission; or members of the public. All members of the College community are expected to conduct themselves in a manner that does not infringe upon the rights of others, whether on College premises or at any College-owned off campus location and while participating in an educational program or activity of the College.

Sexual harassment, which includes sexual misconduct and sexual assault, is a form of sex discrimination which is prohibited under Title IX of the Education Amendments of 1972 and the Violence Against Women Act. This policy is intended to reaffirm the College's commitment to address sexual harassment and take steps to prevent its reoccurrence and preserve or restore equal access to the College's education programs and activities. Dating violence, domestic violence, and stalking may also be considered forms of sexual discrimination. Due to the seriousness of these offenses, the College has adopted specific policies and procedures, outlined in the student and employee

handbooks, both published on the College website, to address alleged instances of sexual harassment, sexual misconduct, sexual assault, dating violence, domestic violence, and stalking. The College believes that no person should bear the effects of sexual harassment alone. When such conduct occurs, the College's paramount concern is for the safety and well-being of those impacted. To support and assist students and employees, the College has partnerships with local advocacy organizations who can provide counseling and assistance.

Under Title IX, individuals reporting allegations related to sexual harassment and/or sexual violence, have the right to

- a resolution of their complaint;
- have the College conduct a prompt, thorough, and impartial investigation; and
- receive supportive measures to ensure the safety and wellbeing of the individuals involved and the College community.

When allegations of sexual harassment and/or violence in any form are brought to the attention of the Title IX Coordinator, and if a responding party is found to have violated this policy, serious sanctions will be used to prevent its reoccurrence. Northeast Alabama Community College does not tolerate or condone retaliation. Individuals wishing to report sexual harassment and/or sexual violence and/or to make inquiries concerning the application of Title IX at the College may contact:

Lynde Wheeler, Human Resources Director/Title IX Coordinator
P.O. Box 159
Rainsville, AL 35986
Telephone: 256.228.6001/256.638.4418, ext. 2230
Email: wheelerl@nacc.edu
Office: PA 116

and/or

Assistant Secretary
U.S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Building
400 Maryland Avenue, SW
Washington, DC 2002-1100
Telephone: 800.421.3481
Fax: 202.453.6012; TDD: 800.877.8339
Email: OCR@ed.gov

Information regarding the Title IX Coordinator and this role is made available to all faculty, staff, students, applicants for admission, and applicants for employment on the College website under the Title IX webpage. (Search Title IX Coordinator)

II. Title IX Sexual Harassment Policy

The U.S. Department of Education's Office of Civil Rights (OCR) enforces, among other statutes, Title IX of the Education Amendments of 1972. Title IX protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states that, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected

to discrimination under any education program or activity receiving Federal financial assistance.”

This policy encourages any student; employee; individual seeking employment or admissions; or individual participating in or attempting to participate in the educational programs or activities of the College who believes that he or she has been the victims of sexual harassment to contact the Title IX Coordinator. Complaints may also be lodged by these parties if they have knowledge of any conduct constituting sexual harassment in an educational program or activity of the College or which occurred on property owned or controlled by the College. Complaints should be reported to the Title IX Coordinator. Title IX sexual harassment complaints are generally investigated by the Dean of Student Services (for complaints against students) and the Senior Personnel Officer (for complaints against employees). However, other investigators may be assigned by the President. Sexual harassment that does not fit the definition under this section may be punishable as a violation of the College’s Code of Conduct or other College policies.

Definitions relating to terms used throughout this policy are defined as follows:

1. Educational Program/Activity: The educational programs and activities of the College include, but are not limited to, locations, events or circumstances over which the College exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes buildings owned or controlled by a student organization that is officially recognized by the College.
2. Actual knowledge: The notice of sexual harassment or allegations of sexual harassment to the Title IX Coordinator or any official of the College who has authority to institute corrective measures on behalf of the College shall be deemed actual knowledge on the part of the College.
3. Complainant: An individual who is alleged to be the victim of conduct that could constitute sexual harassment. For the purposes of this procedure, a complainant may be an individual applying for admission or employment; an employee; or a student or an individual otherwise participating in or attempting to participate in the College’s educational programs and activities.
4. Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
5. Formal Complaint: A written document filed by the complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the College investigate the allegation of sexual harassment. The document must include the names of the complainant(s) and respondent(s), the approximate date(s) of the incident(s), facts of the incident(s), and contact information for the person submitting the complaint. Note: At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in an educational program or activity at the College.
6. Consent: Consent is informed, voluntary, and mutual agreement to sexual activity and can be withdrawn at any time. Consent is not present in situations where there is force – expressed or implied – or when coercion, intimidation, threats, or duress is used. Whether or not a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does

not imply ongoing, future consent with that person or consent to the same sexual activity with another person.

7. Incapacitation: An individual who is incapacitated is unable to give consent to sexual contact. States of incapacitation includes sleep, unconsciousness, intermittent consciousness, intoxication, or any other state where the individual is unaware that sexual contact is occurring or is otherwise unable to give informed and voluntary consent. Incapacitation may also exist because of a mental or developmental disability that impairs the ability to consent to sexual contact. Example: A person who is taking pain medication and falls asleep under the influence of the medication can be incapacitated and not able to give consent to sexual contact.
8. Sexual Misconduct: The act of committing sexual abuse, sexual assault, sexual harassment, sexual exploitation, or statutory rape, as defined in this policy or under Alabama State Law. Sexual harassment includes acts of sexual misconduct.
9. Harassment: The striking, shoving, kicking, or otherwise touching or making physical contact in regards to another for the purpose of harassing, annoying, or alarming; and/or directing abusive or obscene language or making an obscene gesture toward someone for the purpose of harassing, annoying, or alarming. Example: Making or using persistent derogatory comments, epithets, or slurs that place a person in a hostile or fearful environment or where the person's safety is in jeopardy.

The following actions and behaviors constitute Sexual Harassment as defined in Title IX, 34 C.F.R. §106.30(a):

- A. Unwelcome conduct, on the basis of sex, that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access.
- B. Behavior by employees that constitutes quid pro quo harassment, defined as unwelcome sexual advances, unwelcome requests for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature, when perceived by the recipient that submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational opportunities, or as the basis for employment or academic decisions affecting that individual, or as a condition of any aid, benefit, or service to the individual.
- C. Sexual assault, defined as any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. It is an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting systems of the Federal Bureau of Investigation 20 U.S.C. 1092 (f)(6)(A)(v).
- D. Dating violence, defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be determined based on a consideration of the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship [34 U.S.C. 12291(1)(10)]. In Alabama, dating violence is covered under Alabama Code Section 13A, Article 7 Domestic Violence in 1st, 2nd, and 3rd Degrees.

- E. Domestic violence, defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. This includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or who has cohabitated with the victims as a spouse, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction [34 U.S.C. 12291(1)(8)]. In Alabama, domestic violence includes felony and misdemeanor crimes of violence committed by a current or former spouse, parent, child, any person with whom the defendant has a child in common, a present or former household member, or a person who has or had a dating or engagement relationship with the defendant (Alabama Code Section 13A, Article 7 Domestic Violence in 1st, 2nd, and 3rd Degrees).
- F. Stalking, defined as 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 [34 u.s.D. 12291(a)(30)]. In Alabama, stalking is when a person intentionally and repeatedly follows or harasses another person and who makes a threat, either expressed or implied, with the intent to place that person in reasonable fear of death or serious bodily harm (13A-6-90: Stalking in the First Degree) or a person who, acting with an improper purpose, intentionally and repeatedly follows, harasses, telephones, or initiates communication, verbally, electronically, or otherwise, with another person, any member of the other person's immediate family, or any third party with whom the other person is acquainted, and causes material harm to the mental or emotional health of the other person, or causes such person to reasonably fear that his or her employment, business, or career is threatened, and the perpetrator was previously informed to cease that conduct (Section 13A-6-91: Stalking in the Second Degree).

III. Sexual Harassment Complaints Against a Student – Complaint Process

A complaint for sexual harassment under Title IX can be lodged against any student by any affected party or by the NACC Title IX Coordinator. If the NACC Title IX Coordinator is not available, the matter may be brought to the attention of any division director, dean, director, supervisor, advisor, Campus Police, or Campus Security Authority. All complaints for sexual harassment or discrimination should be reported to the NACC Title IX Coordinator for prompt and equitable investigation and resolution, but only complaints for Sexual Harassment under Title IX will be subject to the procedures in this section.

a. Filing an Informal Title IX Sexual Harassment Complaint Against a Student

1. The complainant shall contact the NACC Title IX Coordinator to lodge an informal, written complaint. The Title IX Coordinator will provide Title IX Sexual Harassment complaints and concerns to the Dean of Student Services (or other appointed administrator), who will conduct an informal review into the matter unless more formal action is deemed necessary by the Title IX Coordinator.

2. Upon initiation of an informal complaint, the NACC Title IX Coordinator will discuss with the complainant the availability of supportive measures with or without the filing of a formal complaint; will consider the complainant's wishes regarding supportive and other corrective measures; will explain the process for filing a formal complaint; and will explain the processes for reaching informal resolutions and formal resolutions.
3. After receiving a complaint, the College shall make every reasonable effort to attain a resolution by working with the complainant and respondent if appropriate under the circumstances. No investigation or imposition of sanctions on the respondent may take place until the filing of a formal complaint.

b. Filing a Formal Title IX Sexual Harassment Complaint Against a Student

1. If the complainant does not accept the informal resolution to the complaint or desires to make an immediate formal complaint, he or she may meet with the Title IX Coordinator to file a formal, written complaint. The complainant must provide a written statement that clearly and specifically states the alleged violations, names the person(s) whom the complaint is against, provides the date(s) of the alleged violation, and lists requests for supportive and corrective measures. If the complainant needs assistance in writing a complaint, he or she may also request such assistance from the Title IX Coordinator.
2. The Title IX Coordinator will immediately notify the NACC President of receipt of the complaint. Any Title IX complaints will be provided to the NACC Dean of Student Services (or other appointed Title IX investigator) within ten (10) business days following the date the formal complaint was filed. All Title IX investigators have received annual investigator training.
3. Within five (5) business days of receipt of the formal complaint, the Dean of Student Services (or other appointed administrator) will notify both the complainant and the respondent of its receipt and the intent to investigate in order to provide sufficient time for the party to prepare to participate in the investigation. The investigation will commence within ten (10) business days of receipt of the formal complaint by the Dean of Student Services (or other appointed administrator).

This notice will include the following information about the complaint:

- a. the identities of the parties involved in the incident, if known;
- b. the conduct allegedly constituting sexual harassment under Title IX;
- c. the date(s) and location of the alleged incident, if known;
- d. the supportive measures that may be available to both parties; and
- e. a list of individuals intended to be interviewed, if known.

This notice will describe the College's policies and procedures for responding to complaints, including the following:

- i. A description of interim supportive measures available to the parties;

- ii. A description of the College's formal complaint and resolution procedures, including time frames;
- iii. A description of any optional voluntary informal resolution process, if the College determines that an informal resolution process may be appropriate;
- iv. A statement that a determination regarding responsibility is made at the conclusion of the complaint process, and that the College will presume the respondent not responsible for the alleged conduct;
- v. The right of parties to have an advisor of their choice, who may be, but is not required to be, an attorney, and the College's responsibility to provide an advisor to either party and how the student can request such an advisor;
- vi. Any restrictions regarding the extent to which an advisor may participate in proceedings;
- vii. The right of both parties to present evidence and witnesses;
- viii. The right of parties to inspect and review evidence collected in the investigation, subject to applicable privacy laws;
- ix. The College's use of a "preponderance of the evidence" standard of evidence in Title IX investigations;
- x. A description of the range of remedies and disciplinary sanctions available;
- xi. A reminder that dishonesty and providing false information are forbidden by the College's Code of Conduct and employment policy;
- xii. A reminder that intimidation and retaliation against complainants, respondents, and witnesses are forbidden under Title IX and by the College's Code of Conduct.

4. The NACC Dean of Student Services (or other appointed administrator) shall investigate the complaint by gathering and objectively evaluating all relevant evidence and make a preliminary decision. The investigation will be factual and all applicable statutes, regulations, and/or policies will be researched. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the College and not on the parties. The Dean of Student Services (or other appointed administrator) must provide written notice at least five (5) business days in advance of any interviews or meetings to any party expected or invited to attend. Such notice will also be provided to the party's advisor, if any, and must allow adequate time to prepare. The notice will include the participants, date, place, purpose, and time of the interview or meeting. Either party may identify and present other witnesses, including fact and expert witnesses, with relevant information for interview or other evidence for review by the investigator. Additionally, either party may present other inculpatory (tending to establish fault or guilt) and exculpatory (clearing or tending to clear from alleged fault or guilt) evidence. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

Prior to the completion of the investigative report, the Dean of Student Services (or other appointed Title IX investigator) will submit all reviewed evidence to the Title IX Coordinator, who will in turn make the evidence available to the complainant, respondent, and their advisors for additional review. The College will provide both parties an equal opportunity to inspect

and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. The parties will have five (5) business days to review the evidence and to respond in writing to the Title IX Coordinator. These responses will be forwarded to the Dean of Student Services (or other appointed Title IX investigator). The College will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal access opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

If the Dean of Student Services (or other appointed Title IX investigator) finds that there is no probable cause for the complaint, the Dean of Student Services (or other appointed administrator) shall dismiss the complaint and will provide written notice to the respondent, complainant and the Title IX Coordinator of the dismissal stating the reasons for and right to appeal the dismissal. If there is probable cause to believe that the complaint is well-founded, but that the matter is not Sexual Harassment under Title IX, the Dean of Student Services (or other appointed administrator) will dismiss the formal complaint, treat the matter as a violation of the College's Code of Conduct, and provide written notice to the respondent, complainant, and the Title IX Coordinator of the dismissal stating the reasons for and right to appeal the dismissal.

If there is probable cause to believe that the complaint is well-founded and that the matter is under the purview of Title IX, the Dean of Student Services (or other appointed administrator) will compose a written investigative report that lists and summarizes relevant evidence, including supporting documentation and the names of witnesses, submit the written investigative report to the Title IX Investigative Committee (hereafter referred to as the Hearing Decision Makers) and to both parties and their advisors, if any, and the Title IX Coordinator and will notify the parties that the investigative report has been filed with the Hearing Decision Makers. The Hearing Decision Makers are composed of faculty and staff members appointed each fall by the President and have received annual decision maker training.

5. At least ten (10) business days after the receipt of an investigative report from the Dean of Student Services (or other appointed Title IX investigator), the Primary Decision Makers (chair of the Disciplinary Committee) shall convene a live hearing and shall give the parties; their advisors, if any; the Title IX Coordinator; the Title IX investigator; and witnesses reasonable notice of the date, time, and place of the hearing, together with a copy of the written complaint. The live hearing date must provide the complainant, respondent, and their respective advisors with no less than ten (10) business days to review the final investigative report and all supporting evidence. The Primary Decision Maker will also request a listing of proposed questions from the parties involved prior to the hearing.

The hearing shall be live and attended by the Hearing Decision Makers; the complainant and respondent; and their advisors, if any, in person or via teleconference. The Title IX Coordinator and Title IX investigator will attend the hearing in an advisory capacity. The Title IX investigator, Title IX Coordinator, complainant, respondent, and witnesses will be called to provide testimony if requested by the Hearing Decision Makers, parties, or their respective advisors. All parties must be able to see and hear the party or witness answering questions in real time. The hearing shall be recorded by either a court reporter or on audio, video, or other electronic recording medium. Additionally, all items offered into evidence by the parties, whether admitted into evidence or not, shall be marked and preserved as part of the hearing record.

If the complainant or respondent do not have an advisor present at the live hearing, the College shall provide, without fee or charge to that party, an advisor of the College's choice, who may be, but is not required to be an attorney. Neither party may dismiss a College-appointed advisor.

Each party and advisor will have the opportunity to present evidence and to present witnesses, if any such witnesses are willing participants in the proceedings. The Hearing Decision Makers and advisors will have the opportunity to cross examine the complainant, respondent, and any witnesses. No witness shall be required to participate in the proceedings. Before any party or witness is required to answer a question under cross-examination, the Primary Decision Maker must determine whether the question is relevant and must explain on the record the basis for excluding any question. Questions and evidence about a complainant's sexual predisposition or prior sexual behavior are deemed not relevant and will not be permitted. Only the Hearing Decision Makers and advisors, whether selected or appointed, are allowed to conduct cross-examination. Complainants and respondents cannot conduct cross-examination.

The hearing process, overseen by the Primary Decision Maker, will consist of the following:

- a. An opening statement;
- b. A review of hearing procedures, the formal complaint, and the notice of allegations;
- c. A review of potential hearing outcomes and recommended sanctions;
- d. The complainant(s) testimony;
- e. Cross-examination of the complainant by the respondent's advisor;
- f. Testimony of complainant witnesses;
- g. Cross-examination of complainant witnesses by respondent's advisor;
- h. The respondent(s) testimony;
- i. Cross-examination of the respondent by the complainant's advisor;
- j. Testimony of respondent witnesses;
- k. Cross-examination of the respondent witnesses by complainant's advisor;
- l. Decision Maker questions;
- m. A review of the appeal process;
- n. Closing statement by the Primary Decision Maker;
- o. Dismissal of the parties; and

p. Decision Maker deliberations.

At the hearing, the Primary Decision Maker shall read the hearing procedures, notice of allegations, formal complaint, potential hearing outcomes, and potential sanctions. After the Primary Decision Maker concludes opening statements, the complainant shall have the opportunity to present such oral testimony and offer such other supporting evidence as deemed relevant to the formal complaint. Subsequent to the complainant testimony, the respondent's advisor may conduct cross-examination. The Decision Maker(s) may question the complainant after the cross-examination.

The complainant may call witnesses to provide testimony as deemed appropriate to the formal complaint. The respondent's advisor may conduct cross-examination of the witnesses. The Decision Maker(s) may question the witnesses after the cross-examination.

The respondent shall then be given the opportunity to present such testimony and offer such other evidence as deemed relevant to the respondent defense against the formal complaint. Subsequent to the respondent testimony, the complainant advisor may conduct cross-examination. The Decision Maker(s) may question the respondent after the cross-examination.

The respondent may call witnesses to provide testimony as deemed appropriate to the formal complaint. The complainant advisor may conduct cross-examination of the witnesses. The Decision Maker(s) may question the witnesses after the cross-examination.

Only relevant cross-examination or other questions may be asked of a party or witnesses. During cross-examination, the advisor will pose each question orally to the Hearing Decision Maker(s). The Primary Decision Maker will determine if the complainant, respondent, or witnesses may respond to the question. If the Primary Decision Maker determines that the question is not relevant, he or she will explain the rationale for dismissing the question. Rape shield protection is provided for complainants. Therefore, questions and evidence about a complainant's behavior are considered irrelevant unless offered to prove that someone other than the respondent committed the alleged misconduct or concern specific incidents of a complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

The Hearing Decision Makers cannot draw an inference about the determination regarding responsibility based solely on a party or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Upon conclusion of the presentation of the evidence and cross-examination, the Primary Decision Maker will read the appeal process and closing statements. The complainant, respondent, their respective advisors, Title IX investigator, Title IX Coordinator and all witnesses shall be dismissed.

The Hearing Decision Makers will deliberate to determine if the respondent is deemed responsible and submit a written hearing report which contains the following:

- a. Identification of the allegations potentially constituting sexual harassment;
- b. A description of the procedural steps taken from the receipt of the formal complaint through determination, including any notifications to the parties; interviews with parties and witnesses; site visits; methods used to gather other evidence; and hearings held;
- c. Findings of fact supporting the determination;
- d. Conclusions regarding the application of the College's Code of Conduct to the facts;
- e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any recommended disciplinary sanctions the College may impose on the respondent, and whether remedies designed to restore or preserve equal access to the College's education program or activity will be recommended by the Hearing Decision Makers to the President; and
- f. The College's procedures and permissible bases for the complainant and respondent appeal.

The Title IX Coordinator and Title IX investigator will attend the hearing in an advisory capacity.

6. Within ten (10) business days after the hearing, the Hearing Decision Makers, by majority vote, shall issue a written determination of responsibility simultaneously to the complainant, respondent, any advisor to either party, the President, the Dean of Student Services (or other appointed Title IX investigator), and the Title IX Coordinator. If the Hearing Decision Makers finds that the complaint is supported by the facts, it will decide in favor of the complainant and will recommend appropriate sanctions in its written findings.
7. The President will determine if such sanctions will be imposed based on the written report and recommendations of the Hearing Decision Makers and will issue written notice simultaneously to the respondent, complainant, any advisor to either party, the Dean of Student Services (or other appointed Title IX investigator), and the Title IX Coordinator of the determination within ten (10) business days of receipt of the Hearing Decision Makers' recommendations. This notification will also include the appeal procedure.
8. Appeals of a determination regarding responsibility and from the College's dismissal of a formal complaint or any allegations therein are available to both parties on the following grounds:
 - a. Procedural irregularity that affected the outcome of the matter;
 - b. New evidence that was not reasonably available at the time the decision regarding responsibility or dismissal was made which could affect the outcome; and/or
 - c. The Title IX Coordinator, Investigator, or a Hearing Decision Maker had a conflict of interest or bias that affected the outcome.

Based on these reasons, the complainant and/or respondent may file a written appeal with the Title IX Coordinator specifically stating the objections to the decision within five (5) business days after receipt of the notice of responsibility and sanctions from the President. Copies of the appeal must be provided by the Title IX Coordinator to the other party, any advisor to either party, the Title IX Investigator, the Primary Decision Maker, and the President.

The Title IX Appeals Committee will be the appeal authority in upholding, rejecting, or modifying the recommendations of the Hearing Decision Makers and President. The Title IX Appeals Committee shall not be bound in any manner by the recommendation(s) of the Hearing Decision Makers or President, but shall take it (them) into consideration in rendering a decision. The Title IX Appeals Committee is made up of college administrators appointed by the President who receive annual training. The Appeals Committee will review the appeal solely on the following grounds, and none other:

- a. to determine if there was substantial evidence to support the decision;
- b. to determine if the student had a fair and impartial hearing;
- c. to determine if there is new evidence which would affect either the guilt or innocence of the student or the degree of sanctions; and
- d. to determine if procedural irregularities affected the outcome.

Regarding appeals, the College will ensure the following:

- a. The other party is notified in writing when an appeal is filed and implement appeal procedures equally for both parties;
- b. The Appeals Committee members do not also serve on the Hearing Decision Maker panel and are not the Title IX Coordinator or Title IX Investigator;
- c. The Appeals Committee members comply with the standards set for in 34 C.F.R. § 106.45(b)(iii);
- d. Both parties are given a reasonable, equal opportunity to submit a written statement in support of or in challenge to the outcome;
- e. A written decision describing the results of the appeal and the rationale for the result is issued to the President within 30 calendar days of the initiation of the appeals process. The time for decisions may be extended for exigent circumstances or as may be otherwise agreed to by both parties.

If the complainant is an employee of the College, the individual may also file a claim with the Equal Employment Opportunity Commission within 180 calendar days of the alleged discriminatory act.

The findings of the Title IX Appeals Committee are presented to the President, who will issue simultaneous notification of the Committee's determination to the respondent, complainant, any advisor to either party, Title IX Coordinator, Title IX investigator, and Primary Decision Maker.

9. If, after exhausting all available institutional processes, a complaint remains unresolved, the complainant or the respondent may appeal to the Alabama Community College System (ACCS) using the System's official Student Complaint Form, which is available on the ACCS website (www.accs.cc). The form should be completed by printing the form, signing it, and then either (1) scanning it and e-mailing it to complaints@accs.edu or (2) mailing it to:

Alabama Community College System
Attention: Division of Academic and Student Affairs
P.O. Box 302130
Montgomery, AL 36130-2130

The ACCS Division of Academic and Student Affairs will investigate the complaint within 30 days of receipt.

10. NACC has 30 days to provide a written response to questions and/or concerns raised during the ACCS Division of Academic and Student Affairs investigation. Such response may or may not contain a resolution. The Division of Academic and Student Affairs will judge the matter and write a report or letter to the institution and student detailing corrective action, if any is necessary, or stating that the school has no violation of policies. If corrective action is needed the institution will have 30 days to comply or develop a plan to comply with the corrective action. The System Office will monitor the institution's compliance to ensure the completion of any required corrective action.

c. Withdrawal of Complaint.

Each complainant has the right to proceed with or withdraw from the formal complaint process once it has been submitted. The issues involved in the complaint should not be changed from the information provided when the charge was originally made. Complaints may be revised to address issues arising during the investigation which were not known to the complainant or to the institution when the initial complaint was filed.

d. Informal Resolution.

At any time prior to reaching a determination regarding responsibility, the College may initiate and facilitate a voluntary informal resolution process, such as mediation, that does not involve a full investigation and adjudication. Informal resolution processes may encompass a broad range of conflict resolution strategies, including, but not limited to, arbitration, mediation, or restorative justice. The College may not require the parties to participate in the informal resolution processes previously named and may not offer these processes unless a formal complaint is filed. The College may not require the waiver of the right to an investigation and adjudication of formal complaints as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right.

If the College determines that informal resolution process may be appropriate, it will provide written notice to both parties which includes the following:

1. The allegations;

2. The requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records will be maintained or could be shared;
3. The range of possible sanctions that may be imposed on the respondent as part of an informal resolution, which may include expulsion.

Initiation of informal resolution process proceedings will require the written consent of each party. Informal resolutions, including sanctions, must be voluntarily agreed to by each party.

Voluntary informal resolutions to formal complaints may include, but are not limited to, no contact agreements; schedule changes; agreements to restrict participation in certain College activities or use of college facilities; agreement to engage in counseling, training, or education; or mutual agreement to engage in a restorative meeting.

At any time prior to agreeing to a resolution, any party has the right to withdraw from informal resolution and resume the complaint process with respect to the formal complaint.

IV. Sexual Harassment Complaints Against an Employee – Complaint Process

A complaint for sexual harassment under Title IX can be lodged against any employee or individual seeking employment by any affected party or by the NACC Title IX Coordinator. If the NACC Title IX Coordinator is not available, the matter may be brought to the attention of any division director, dean, director, supervisor, advisor, Campus Police, or Campus Security Authority. All complaints for sexual harassment or discrimination should be reported to the NACC Title IX Coordinator for prompt and equitable investigation and resolution, but only complaints for sexual harassment under Title IX will be subject to the procedures in this section. All other grievances should follow the Employee Grievance and Complaint Policies as published in the Employee Handbook or the general complaint policies published, as deemed most appropriate to the complaint by the Title IX Coordinator. Title IX complaints of sexual harassment as defined in the NACC Title IX Sexual Harassment Policy will be considered formal complaints when filed against employees.

a. Filing a Formal Title IX Sexual Harassment Complaint Against an Employee

- i. The complainant must meet with the Title IX Coordinator and provide a written statement that clearly and specifically states the alleged violations, names the person(s) whom the complaint is against, and provides the date of the alleged violation. If the complainant needs assistance in writing a complaint, assistance may be requested from the Title IX Coordinator. The Title IX Coordinator will immediately notify the President and the Alabama Community College System Legal Division of receipt of the complaint. In an emergency situation, the College has the right to impose an emergency removal of the employee.

- ii. Any Title IX complaints against an employee will be provided to the Senior Personnel Officer (or other Title IX Investigator) within ten (10) business days following the date the formal, written complaint was filed. All Title IX investigators have received annual investigator training. Upon the filing of a formal complaint, and at any time during the complaint process, the College may place the respondent on administrative leave for the duration of the complaint process.
- iii. The Senior Personnel Officer (or other Title IX Investigator) will notify both the complainant and the respondent of the receipt of the complaint and intent to investigate within five (5) business days of receipt of the formal complaint to provide sufficient time for the party to prepare to participate in the investigation. The investigation will commence within 10 business days of receipt of the formal complaint by the Senior Personnel Officer (or other appointed Title IX Investigator).

This notice will include the following information about the complaint:

1. the identities of the parties involved in the incident, if known;
2. the conduct allegedly constituting sexual harassment under Title IX;
3. the date and location of the alleged incident, if known;
4. the supportive measures that may be available to both parties; and
5. a list of individuals intended to be interviewed, if known.

This notice will describe the College's policies and procedures for responding to complaints, including the following:

1. A description of interim supportive measures available to the parties;
2. A description of the College's formal complaint and resolution procedures, including time frames;
3. A statement that a determination regarding responsibility is made at the conclusion of the complaint process, and that the College will presume the respondent not responsible for the alleged conduct;
4. The right of parties to have an advisor of their choice, who may be, but is not required to be, an attorney, and the College's responsibility to provide an advisor to either party;
5. The right of both parties to present evidence and witnesses;
6. The right of parties to inspect and review evidence collected in the investigation, subject to applicable privacy laws;
7. The College's use of a "preponderance of the evidence" standard of evidence in Title IX investigations;
8. A description of the range of remedies and disciplinary sanctions available;
9. A reminder that dishonesty and providing false information are forbidden by the College's Code of Conduct and policy within the Employee Handbook;
10. A reminder that intimidation and retaliation against complainants, respondents, and witnesses are forbidden under Title IX and by the College's Code of Conduct and Anti-Harassment, Physical Assault, and Anti-Discrimination Policy.

- iv. The Senior Personnel Officer (or other Title IX Investigator) shall investigate the complaint by gathering and objectively evaluating all

relevant evidence and make a preliminary decision. The investigation will be factual and all applicable statutes, regulations, and/or policies will be researched. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the College and not on the parties. The Senior Personnel Officer (or other Title IX Investigator) must provide advance written notice of any interviews, meetings, or hearings to any party expected or invited to attend. Such notice will also be provided to the party's advisor, if any, and must allow adequate time to prepare. Either party may identify and present other witnesses, including fact and expert witnesses, with relevant information for interview or other evidence for review by the investigator. Additionally, either party may present other inculpatory (tending to establish fault or guilt) and exculpatory (clearing or tending to clear from alleged fault or guilt) evidence. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

Prior to the completion of the investigative report, the Senior Personnel Officer (or other Title IX Investigator) will submit all reviewed evidence to the Title IX Coordinator, who will in turn make the evidence available to the complainant, respondent, and their advisors for additional review. The College will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. The parties will have five (5) business days to review the evidence and to respond in writing to the Title IX Coordinator. These responses will be forwarded to the Senior Personnel Officer (or other Title IX Investigator). The College will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal access opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

If the Senior Personnel Officer (or other Title IX Investigator) finds that there is no probable cause for the complaint, the Senior Personnel Officer (or other Title IX Investigator) shall dismiss the complaint and will provide written notice to the respondent, complainant, and Title IX Coordinator of the dismissal stating the reasons for and right to appeal the dismissal. If there is probable cause to believe that the complaint is well-founded, but that the matter is not sexual harassment under Title IX, the Senior Personnel Officer (or other Title IX Investigator) will dismiss the formal complaint and provide written notice to the respondent, complainant, and Title IX Coordinator of the dismissal stating the reasons for and right to appeal the dismissal.

If there is probable cause to believe that the complaint is well-founded and that the matter is under the purview of Title IX, the Senior Personnel Officer (or other Title IX Investigator) will compose a written investigative

report that lists and summarizes relevant evidence, including supporting documentation and the names of witnesses, submit the written investigative report to the Title IX Investigative Committee (hereafter referred to as the Hearing Decision Makers) and to both parties and their advisors, if any, and the Title IX Coordinator and will notify the parties that the investigative report has been filed with the Hearing Decision Makers. The Hearing Decision Makers are composed of faculty and staff members appointed each fall by the President and have received annual decision maker training.

At least ten (10) business days after the receipt of an investigative report from the Senior Personnel Officer (or other Title IX Investigator), the Primary Decision Maker (chair of the Title IX Investigative Committee) shall convene a live hearing and shall give the parties; their advisors, if any; the Title IX Coordinator; the Title IX investigator; and witnesses reasonable notice of the date, time, and place of the hearing, together with a copy of the written complaint. The live hearing date must provide the complainant, respondent, and their respective advisors with no less than ten (10) business days to review the final investigative report and all supporting evidence.

5. The hearing shall be live and attended by the Hearing Decision Makers; the complainant and respondent; and their advisors, if any, in person or via teleconference. The Title IX Coordinator and Title IX investigator will attend the hearing in an advisory capacity. The Title IX investigator, Title IX Coordinator, and witnesses will be called to provide testimony if requested by the Hearing Decision Makers, parties, or their respective advisors. All parties must be able to see and hear the party or witness answering questions in real time. The hearing shall be recorded by either a court reporter or on audio, video, or other electronic recording medium. Additionally, all items offered into evidence by the parties, whether admitted into evidence or not, shall be marked and preserved as part of the hearing record.

If the complainant or respondent do not have an advisor present at the live hearing, the College shall provide, without fee or charge to that party, an advisor of the College's choice, who may be, but is not required to be an attorney. Neither party may dismiss a College-appointed advisor.

Each party and advisor will have the opportunity to present evidence and to present witnesses, if any such witnesses are willing participants in the proceedings. The Hearing Decision Makers and advisors will have the opportunity to cross examine the complainant, respondent, and any witnesses. No witness shall be required to participate in the proceedings. Before any party or witness is required to answer a question under cross-examination, the Primary Decision Maker must determine whether the question is relevant and must explain on the record the basis for excluding any question. Questions and evidence about a complainant's sexual predisposition or prior sexual behavior are deemed not relevant and will not be permitted. Only the Hearing Decision Makers and advisors, whether selected or appointed, are allowed to conduct cross-

examination. Complainants and respondents cannot conduct cross-examination.

The hearing process, overseen by the Primary Decision Maker, will consist of the following:

- a. An opening statement;
- b. A review of hearing procedures, the formal complaint, and the notice of allegations;
- c. A review of potential hearing outcomes and recommended sanctions;
- d. The complainant(s) testimony;
- e. Cross-examination of the complainant by the respondent's advisor;
- f. Testimony of complainant witnesses;
- g. Cross-examination of complainant witnesses by respondent's advisor;
- h. The respondent(s) testimony;
- i. Cross-examination of the respondent by the complainant's advisor;
- j. Testimony of respondent witnesses;
- k. Cross-examination of the respondent witnesses by complainant's advisor;
- l. Decision Maker questions;
- m. A review of the appeal process;
- n. Closing statement by the Primary Decision Maker;
- o. Dismissal of the parties; and
- p. Decision Maker deliberations.

At the hearing, the Primary Decision Maker shall read the hearing procedures, notice of allegations, formal complaint, potential hearing outcomes, and potential sanctions. After the Primary Decision Maker concludes opening statements, the complainant shall have the opportunity to present such oral testimony and offer such other supporting evidence as deemed relevant to the formal complaint. Subsequent to the complainant testimony, the respondent's advisor may conduct cross-examination. The Decision Maker(s) may question the complainant after the cross-examination.

The complainant may call witnesses to provide testimony as deemed appropriate to the formal complaint. The respondent's advisor may conduct cross-examination of the witnesses. The Decision Maker(s) may question the witnesses after the cross-examination.

The respondent shall then be given the opportunity to present such testimony and offer such other evidence as deemed relevant to the respondent defense against the formal complaint. Subsequent to the respondent testimony, the complainant advisor may conduct cross-examination. The Decision Maker(s) may question the respondent after the cross-examination.

The respondent may call witnesses to provide testimony as deemed appropriate to the formal complaint. The complainant advisor may conduct cross-examination of the witnesses. The Decision Maker(s) may question the witnesses after the cross-examination.

Only relevant cross-examination or other questions may be asked of a party or witnesses. During cross-examination, the advisor will pose each question orally to the Hearing Decision Maker(s). The Primary Decision Maker will determine if the complainant, respondent, or witnesses may respond to the question. If the Primary Decision Maker determines that the question is not relevant, he or she will explain the rationale for dismissing the question. Rape shield protection is provided for complainants. Therefore, questions and evidence about a complainant's behavior are considered irrelevant unless offered to prove that someone other than the respondent committed the alleged misconduct or concern specific incidents of a complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

The Hearing Decision Makers cannot draw an inference about the determination regarding responsibility based solely on a party or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Upon conclusion of the presentation of the evidence and cross-examination, the Primary Decision Maker will read the appeal process and closing statements. The complainant, respondent, their respective advisors, Title IX Investigator, Title IX Coordinator, and all witnesses shall be dismissed.

The Hearing Decision Makers will deliberate to determine if the respondent is deemed responsible and submit a written hearing report which contains the following:

- a. Identification of the allegations potentially constituting sexual harassment;
- b. A description of the procedural steps taken from the receipt of the formal complaint through determination, including any notifications to the parties; interviews with parties and witnesses; site visits; methods used to gather other evidence; and hearings held;
- c. Findings of fact supporting the determination;
- d. Conclusions regarding the application of the College's Code of Conduct to the facts;
- e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any recommended disciplinary sanctions the College may impose on the respondent, and whether remedies designed to restore or preserve equal access to the College's education program or activity will be recommended by the Hearing Decision Makers to the President; and
- f. The College's procedures and permissible bases for the complainant and respondent appeal.

The Title IX Coordinator and Title IX investigator will attend the hearing in an advisory capacity.

6. Within ten (10) business days after the hearing, the Hearing Decision Makers, by majority vote, shall issue a written determination of responsibility simultaneously to the complainant, respondent, any advisor to either party, the President, the Senior Personnel Officer (or other Title IX Investigator), and the Title IX Coordinator. If the Hearing Decision Makers finds that the complaint is supported by the facts, it will decide in favor of the complainant and will recommend appropriate sanctions in its written findings. If the Hearing Decision Makers find that the complaint is not supported by the facts, the Primary Decision Maker will take no further action and will notify the respondent, the complainant, Title IX Investigator, Title IX Coordinator, and the President of the findings.
7. The President will determine if such sanctions will be imposed based on the written report and recommendations of the Hearing Decision Makers and will issue written notice simultaneously to the respondent, complainant, any advisor to either party, the Senior Personnel Officer (or other Title IX Investigator), and the Title IX Coordinator of the determination within ten (10) business days of receipt of the Hearing Decision Makers' recommendations. This notification will also include the appeal procedure.
8. Appeals of a determination regarding responsibility and from the College's dismissal of a formal complaint or any allegations therein are available to both parties on the following grounds:
 - a. Procedural irregularity that affected the outcome of the matter;
 - b. New evidence that was not reasonably available at the time the decision regarding responsibility or dismissal was made which could affect the outcome; and/or
 - c. The Title IX Coordinator, Investigator, or a Hearing Decision Maker had a conflict of interest or bias that affected the outcome.

Based on these reasons, the complainant and/or respondent may file a written appeal with the Title IX Coordinator specifically stating the objections to the decision within five (5) business days after receipt of the notice of responsibility and sanctions. Copies of the appeal must be provided by the Title IX Coordinator to the other party, any advisor to either party, the Title IX Investigator, the Primary Decision Maker, and the President.

The Title IX Appeals Committee will be the appeal authority in upholding, rejecting, or modifying the recommendations of the Hearing Decision Makers and President. The Title IX Appeals Committee shall not be bound in any manner by the recommendation(s) of the Hearing Decision Makers or President, but shall take it (them) into consideration in rendering a decision. The Title IX Appeals Committee is made up of college administrators appointed by the President. The Appeals Committee will review the appeal solely on the following grounds, and none other:

- a. to determine if there was substantial evidence to support the decision;
- b. to determine if the student or employee had a fair and impartial hearing;
- c. to determine if there is new evidence which would affect either the guilt or innocence of the student or employee or the degree of sanctions; and
- d. to determine if procedural irregularities affected the outcome.

Regarding appeals, the College will ensure the following:

- a. The other party is notified in writing when an appeal is filed and implement appeal procedures equally for both parties;
- b. The Appeals Committee members do not also serve on the Hearing Decision Maker panel and are not the Title IX Coordinator or Title IX Investigator;
- c. The Appeals Committee members comply with the standards set for in 34 C.F.R. § 106.45(b)(iii);
- d. Both parties are given a reasonable, equal opportunity to submit a written statement in support of or challenging the outcome;
- e. A written decision describing the results of the appeal and the rationale for the result is issued to the President within 30 calendar days of the initiation of the appeals process. The time for decisions may be extended for exigent circumstances or as may be otherwise agreed to by both parties.

If the complainant is also an employee of the College, the individual may also file a claim with the Equal Employment Opportunity Commission within 180 days of the alleged discriminatory act.

The findings of the Title IX Appeals Committee are presented to the President, who will issue simultaneous notification of the Committee's determination to the respondent, complainant, any advisor to either party, Title IX Coordinator, Title IX investigator, and Primary Decision Maker.

- 9. If, after exhausting all available institutional processes, a complaint remains unresolved, the complainant or the respondent may appeal to the Alabama Community College System (ACCS) using the System's official Complaint Form, which is available on the ACCS website (www.accs.cc) or from the Title IX Coordinator. The form should be completed and either (1) scanned and e-mailed to complaints@accs.edu or (2) mailed to:

Alabama Community College System
 Attention: Division of Academic and Student Affairs
 P.O. Box 302130
 Montgomery, AL 36130-2130

The ACCS Division of Academic and Student Affairs will investigate the complaint within 30 days of receipt.

10. NACC has 30 days to provide a written response to questions and/or concerns raised during the ACCS Division of Academic and Student Affairs investigation. Such response may or may not contain a resolution. The Division of Academic and Student Affairs will judge the matter and write a report or letter to the institution and student detailing corrective action, if any is necessary, or stating that the school has no violation of policies. If corrective action is needed the institution will have 30 days to comply or develop a plan to comply with the corrective action. The System Office will monitor the institution's compliance to ensure the completion of any required corrective action.

b. Withdrawal of Complaint.

Each complainant has the right to proceed with or withdraw from the formal complaint process once it has been submitted. The issues involved in the complaint should not be changed from the information provided when the charge was originally made.

Complaints may be revised to address issues arising during the investigation which were not known to the complainant or to the institution when the initial complaint was filed.

c. Informal Resolution.

At any time prior to reaching a determination regarding responsibility, the College may initiate and facilitate a voluntary informal resolution process, such as mediation, that does not involve a full investigation and adjudication. Informal resolution processes may encompass a broad range of conflict resolution strategies, including, but not limited to, arbitration, mediation, or restorative justice. The College may not require the parties to participate in the informal resolution processes previously named and may not offer these processes unless a formal complaint is filed. The College may not require the waiver of the right to an investigation and adjudication of formal complaints as a condition of enrollment or continuing enrollment, employment or continuing employment, or enjoyment of any other right.

If the College determines that informal resolution process may be appropriate, it will provide written notice to both parties which includes the following:

1. The allegations;
2. The requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records will be maintained or could be shared;
3. The range of possible sanctions that may be imposed on the respondent as part of an informal resolution, which may include restitution, suspension, or termination, upon approval of the President.

Initiation of informal resolution process proceedings will require the written consent of each party. Informal resolutions, including sanctions, must be voluntarily agreed to by each party.

Voluntary informal resolutions to formal complaints may include, but are not limited to, no contact agreements, schedule changes, agreements to restrict participation in certain College activities or use of college facilities, agreement to engage in counseling, training, or education, mutual agreement to engage in a restorative meeting.

At any time prior to agreeing to a resolution, any party has the right to withdraw from informal resolution and resume the complaint process with respect to the formal complaint.

V. General Provisions for Title IX Sexual Harassment Complaints

Advisors: Complainants and respondents shall have the right to retain an advisor who may be but is not required to be a licensed attorney, at any level of the complaint process, at the respective party's own expense. Complainants and respondents who do not retain their own advisor will be assigned an advisor by the College. Advisors may be present and participate in any meetings, interviews, or hearings in which the advised party participates. Only advisors may conduct cross examinations of parties and witnesses. Additional guidance will be provided to complainants and respondent about the scope of advisor responsibilities by the Dean of Student Services, the Senior Personnel Officer, or other appointed administrator. Advisors appointed by the College receive annual training.

Party-Designated Advisor: Both parties shall have the right to designate one personal advisor. This party-designated advisor can be legal counsel or other type of personal representative (i.e., pastor, family member, AEA Representative, friend) and shall be retained at the respective party's own cost. Other persons may be selected by the party as additional advisors to attend meetings and hearings, but additional advisors are not permitted to speak or otherwise participate.

College-Designated Advisor: In the event that either party does not or cannot designate their own advisor, that party shall have the right to request one advisor to be provided by the College by making a request in writing to the Title IX Coordinator and declaring that the party has not selected another advisor. An advisor will be appointed for the party at the discretion of the College. Once requested, a party may not dismiss a College-designated advisor unless that party elects to retain legal counsel. A College-designated advisor will be released by the College if a party subsequently designates legal counsel as its advisor.

Either the party or the party's designated advisor (not both) may conduct cross-examination during the live hearing.

A party is never required to obtain an advisor.

At no time may any party have more than one designated advisor. A designated advisor may speak on the party's behalf when appropriate.

Amendments: The College may amend the policy or procedures periodically. Nothing in the policy or procedures shall affect the inherent authority of the College to take actions such as it deems appropriate to further the educational mission or to protect the safety or well-being of the campus community.

Complaints Made Against Parties other than Students and Employees: While this policy is intended to address complaints against students or employees, Title IX sexual harassment complaints can be made against other parties who are involved in the educational programs or activities of the institution by following the process of complaints made against students. For more information, please see the Title IX Coordinator.

Complaint files: Records of Title IX formal and informal complaints shall be maintained by the Title IX Coordinator. These shall include at minimum the following: the name of the complainant; the date of complaint filing; the specified allegation made in the complaint and any corrective action requested; the name(s) of the respondent(s); the levels of processing and resolution; the date and hearing officer(s) at each level; any audio or video recording or transcript; a summary of major points, facts, and evidence presented by each party to the complaint; a statement of the final resolution and the nature and date of any corrective action taken or disciplinary sanctions imposed; a record of any appeal and the results of that appeal; record of any informal resolution and the results of that informal resolution, and records of any supportive measures taken in response to a complaint, or records that document why no supportive measures were required; and the basis for a conclusion that the College's response was not deliberately indifferent. Such records shall be maintained on a confidential basis except that they must be provided to the complainant and the respondent upon request.

Constitutional rights: The complaint process shall not be construed as to restrain employees and/or students in their exercise of constitutional rights.

Dismissal of Formal Complaint: The College may dismiss a formal complaint or allegation therein if (1) the complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations therein; (2) the respondent is no longer enrolled or employed by the College; or (3) specific circumstances prevent the College from gathering sufficient evidence to reach a determination. The College must dismiss a formal complaint or allegation therein if (1) the allegations do not meet the definition of sexual harassment, (2) the alleged conduct did not occur in the United States, or (3) the alleged conduct did not occur within a College-sponsored program or activity. If the College determines that the formal complaint or allegations therein will be dismissed, the Dean of Student Services, Senior Personnel Officer, or other appointed administrator will provide written notice to both parties of the dismissal of allegations, the reason for dismissal, and the complainants right to appeal, if applicable. This notification must be made within five (5) business days of the decision to dismiss the complaint.

Failure to appeal within time: If there is no written mutual agreement to extend the time limit(s) set herein, and if a decision at any step is not appealed to the next step of the process within the stated time, the complaint shall be deemed settled on the basis of the last decision rendered, provided the decision is within the authority of the parties.

Failure to respond within time limit: Failure at any level of the complaint process to notify the parties of the reviewer's decision within the specified time limit shall permit an appeal at the next step of the process within the time which would have been allotted had the decision been communicated by the final day.

Harassment and physical assault prevention programs: The College requires all employees and invites all students to participate in a web-based harassment and physical assault awareness and prevention training program, which includes information

required by the Campus SaVe Act. Additionally, the College coordinates ongoing educational programs for employees and students to promote awareness and prevention of harassment and physical assault, including, but not limited to, rape, acquaintance rape, domestic violence, dating violence, sexual assault, consent, and stalking.

Identification: All written complaints and appeals shall include the name of the complainant, the name of the respondent(s), a statement of the nature of the complaint, and the corrective action sought by the complainant.

Informal discussion: Nothing contained herein shall be construed as limiting the right of the student having a complaint to discuss the matter informally with any appropriate member of the College and having the complaint informally resolved nor the right of the College to manage normal business operations.

Notification of law enforcement: Victims of sexual harassment and physical assault needing immediate assistance from law enforcement can notify Campus Police or local law enforcement offices. Additionally, Campus Police can assist a victim with contacting local law enforcement, at the discretion of the victim. Individuals should dial 9-1-1 in emergencies.

Preservation of evidence: Victims of sexual harassment and physical assault should make every effort to preserve evidence that could be necessary to prove that the violation occurred or to obtain a protection order. Victims of assault are encouraged to seek a thorough medical examination. Rape victims should not bathe, smoke, use the toilet, or change clothes before they are examined. Stalking victims should preserve gifts and letters received and should also document phone calls, social media posts, and any other contact they have had with the alleged stalker. Domestic violence victims can document injuries by seeking medical attention or by taking photos of bruises, cuts, or other injuries. Likewise, parties accused of sexual assault should make every effort to preserve evidence that could be necessary to prove the violation did not occur.

Protection: In an effort to provide a harassment-free campus environment, the College is committed to the protection of employees and students. Anyone who has a legal order of protection, no contact order, restraining order, or similar lawful order against another individual is encouraged to provide a copy of the order to Campus Police.

Protective measures: Persons who have experienced harassment, physical assault, or discrimination may be able to change academic or working situations if accommodations are reasonably available even if the student chooses not to report the crime to Campus Police or law enforcement.

Public complaint file: For purposes of the dissemination of Title IX complaint precedents, separate file records shall be kept by the Title IX Coordinator which indicate only the subject matter of each complaint, the resolution of each complaint, and the date of the resolution. These records shall not refer to any specific individuals, and they shall not be considered confidential.

Retaliation prohibited: No College employee or any person involved in these complaint processes may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing conducted under this policy.

Complaints alleging retaliation may be filed according to the Code of Conduct (Student Handbook) or Employee Complaint (Employee Handbook) procedures. The College shall keep confidential the identify of any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness except as may be permitted by FERPA statute, 20 U.S.C. 1232g or FERPA regulations, 34 CFR, part 99, or as required by law, or to carry out the purposes of 34 CFR part 106,

including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Sanctions: Possible sanctions for students may include but are not limited to warnings, restrictions from specific areas of campus, restitution, suspension, or expulsion. Possible sanctions for employees may include but are not limited to restitution, suspension, or termination. The College will follow the guidelines of the Students First Act in all cases where sanctions are recommended for employees. For individuals other than employees or students, sanctions could include a no-trespass order and or a no-contact order issued for individuals who have been accused of and/or found in violation of sexual harassment.

Standard of evidence: During resolution proceedings, the College shall use a preponderance of evidence to determine if a violation of policy has been made. The preponderance of evidence will consist of such evidence as, when considered and compared with that opposed to it, has more convincing force and produces in the mind's belief that what is sought to be proved is more likely true than not true.

Student: A student is defined as one who is or who has been duly and legally registered as either a full-time or part-time enrollee at Northeast.

Supportive measures: Supportive measures are defined as non-disciplinary, non-punitive individualized services that are designed to restore or preserve equal access to the education for the complainant and respondent without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the College's educational environment or to deter sexual harassment. These measures are without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. The range of possible supportive measures includes, but is not limited to, referral to counseling; extensions of deadlines or other course-related adjustments; modifications of work or class schedules; campus escort services; mutual restrictions on contact between the parties; changes in work or housing locations; leaves of absence; increased security and monitoring of certain areas of the campus; and other similar measures. The College will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures.

Timelines: It is the intent of the College to address complaints as quickly as possible. Every effort shall be made to expedite the process and to stay within the timeline parameters of these procedures. However, there may be individual cases where the timelines involved may need to be adjusted to allow the institution to thoroughly investigate the issues. Timeline extensions will be made by mutual, written agreement between all parties involved.

Victims Option to Report: Students and employees who are victims of crime including rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking, are encouraged by the College to report but do have the option not to report the incident to campus law enforcement or local law enforcement. In those cases, the victim may still seek assistance confidentially from the Title IX Coordinator or any other victim service agency of their choosing.

Witnesses: Both the complainant and the respondent shall have the right to present such witnesses as they deem necessary to develop the facts pertinent to the complaint. No witness shall be required to participate in the proceedings.

Disciplinary Actions and Proceedings

The disciplinary proceedings for complaints made against students and employees will abide by the complaint procedures of NACC as outlined in the College Catalog. Possible disciplinary sanctions for students may include but are not limited to warnings, restrictions from specific areas of campus, restitution, suspension, or expulsion. Possible disciplinary sanctions for employees may include but are not limited to restitution, suspension, or termination.

Recommended disciplinary sanctions can be approved and executed only with the approval of the President. An alleged victim of any crime of violence or non-forcible sex offense or their next of kin, if the alleged victim is deceased, may request in writing a report of the results of any disciplinary hearing against a student who is the alleged perpetrator of such crime or offense. The request should be submitted to the Title IX Coordinator.

Protection, No-Contact, and Restraining Orders

While the NACC Campus Police cannot issue protection, no-contact, or restraining orders, they can assist those who have such orders in place. Students and employees are encouraged to provide a copy of current orders to the Campus Police Chief. Campus police officers can arrest violators of protection and no-contact orders. Violations of restraining orders can be reported by Campus Police to the local district attorney's office, which will then issue a warrant for the violator's arrest. Students who wish to obtain a protection, no-contact, or restraining order should contact their local police department. Campus Police can assist students with contacting the appropriate police departments upon request.

Information on Registered Sex Offenders

Information regarding registered sex offenders is accessible through the Alabama Law Enforcement Agency Community Information Center website (www.communitynotification.com). According to the Campus Sex Crimes Prevention Act, registered sex offenders are required to report enrollment at postsecondary institutions to the State of Alabama. The State will then report this to the NACC Campus Police Office. All students who are registered sex offenders should report this information as required by law. Students and employees can contact the NACC Campus Police for more information regarding registered sex offenders on campus.

Victim's Rights: Alabama

Within 72 hours after a victim files a crime report, the assisting local law enforcement agency shall provide the victim with the following:

- a list of local emergency and crisis services;
- the name and phone number of the officer and the agency handling your report;
- the name and phone number of the prosecuting attorney;
- the procedural steps in a criminal prosecution;
- the availability of victims' compensation benefits;
- a listing of your rights as a victim including a form to insure you are given your rights;
- the existence and eligibility requirements of restitution and compensation; and
- a recommended procedure if you are subject to threats or intimidation as a victim.

A crime victim also has a right to

- notification of all criminal proceedings and charges filed against the defendant, with the exception of initial appearance, and the right to be present at all proceedings;

- necessary information regarding the appropriate agencies from which you may request information;
- an explanation of the pre-sentence report and the right to make a written or oral statement to the probation officer, and a right to review the pre-sentence report;
- be notified of the time and place of any sentencing hearing and to make a written or oral statement, or present any information at a sentencing proceeding or any other proceeding as authorized by law;
- information regarding the return of any property taken;
- be provided the date of conviction, acquittal or dismissal of charges against the defendant and the sentence imposed;
- refuse an interview or other communication with the defendant, his attorney or anyone acting on his behalf;
- the status and results of any post-conviction appeal;
- be provided a waiting area separate from the defendant, his relatives, and defense witnesses if available and practical;
- submit a statement to be entered into the inmate's records that you are to be notified of release, on bond, from prison, escape, re-arrest, or death of the prisoner;
- information regarding collection of restitution;
- any release opinion by the Alabama Department of Mental Health; and
- be notified of any Pardon and Parole Board hearings and the right to be present and heard at such hearings.

Additional information is available on the Alabama Attorney General's website located at <https://www.alabamaag.gov/>.

(Victims' Rights Guidelines: <http://www.ago.state.al.us/Page-Victims-Assistance-Crime-Victims-Rights>)

Missing Student Notifications

NACC does not have on-campus student housing. However, Campus Police and administrators will fully cooperate with investigations regarding missing students and will provide notifications to the campus community when deemed necessary by the President or dean.

Crime Statistics

On-campus, off-campus, and public property crime statistics for the most recently completed three years are presented in the following tables. Note that NACC does not have on-campus student housing facilities or non-campus buildings or property.

Criminal Offenses – On-Campus			
Criminal Offense	Occurrences on Campus		
	2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses – forcible	0	0	0
Rape	0	0	0
Fondling	0	0	0
Sex offenses – Non-forcible	0	0	0
Incest	0	0	0
Statutory rape	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0

Hate Crimes – On-Campus									
Criminal Offense	2020 Total	Occurrences of hate Crimes/Category of Bias							
		Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-negligent manslaughter	0	-	-	-	-	-	-	-	-
Rape	0	-	-	-	-	-	-	-	-
Fondling	0	-	-	-	-	-	-	-	-
Incest	0	-	-	-	-	-	-	-	-
Statutory rape	0	-	-	-	-	-	-	-	-
Robbery	0	-	-	-	-	-	-	-	-
Aggravated assault	0	-	-	-	-	-	-	-	-
Burglary	0	-	-	-	-	-	-	-	-
Motor vehicle theft	0	-	-	-	-	-	-	-	-
Arson	0	-	-	-	-	-	-	-	-
Simple assault	0	-	-	-	-	-	-	-	-
Larceny-theft	0	-	-	-	-	-	-	-	-
Intimidation	0	-	-	-	-	-	-	-	-
Destruction/damage/vandalism of property	0	-	-	-	-	-	-	-	-

Hate Crimes – On-Campus									
Criminal Offense	2021 Total	Occurrences of hate Crimes/Category of Bias							
		Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-negligent manslaughter	0	-	-	-	-	-	-	-	-
Rape	0	-	-	-	-	-	-	-	-
Fondling	0	-	-	-	-	-	-	-	-
Incest	0	-	-	-	-	-	-	-	-
Statutory rape	0	-	-	-	-	-	-	-	-
Robbery	0	-	-	-	-	-	-	-	-
Aggravated assault	0	-	-	-	-	-	-	-	-
Burglary	0	-	-	-	-	-	-	-	-
Motor vehicle theft	0	-	-	-	-	-	-	-	-
Arson	0	-	-	-	-	-	-	-	-
Simple assault	0	-	-	-	-	-	-	-	-
Larceny-theft	0	-	-	-	-	-	-	-	-
Intimidation	0	-	-	-	-	-	-	-	-
Destruction/damage/vandalism of property	0	-	-	-	-	-	-	-	-

Hate Crimes – On-Campus									
Criminal Offense	2022 Total	Occurrences of hate Crimes/Category of Bias							
		Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-negligent manslaughter	0	-	-	-	-	-	-	-	-
Rape	0	-	-	-	-	-	-	-	-
Fondling	0	-	-	-	-	-	-	-	-
Incest	0	-	-	-	-	-	-	-	-
Statutory rape	0	-	-	-	-	-	-	-	-
Robbery	0	-	-	-	-	-	-	-	-
Aggravated assault	0	-	-	-	-	-	-	-	-
Burglary	0	-	-	-	-	-	-	-	-
Motor vehicle theft	0	-	-	-	-	-	-	-	-
Arson	0	-	-	-	-	-	-	-	-
Simple assault	0	-	-	-	-	-	-	-	-
Larceny-theft	0	-	-	-	-	-	-	-	-
Intimidation	0	-	-	-	-	-	-	-	-
Destruction/damage/vandalism of property	0	-	-	-	-	-	-	-	-

VAWA Offenses – On-Campus			
Criminal Offense	Occurrences on Campus		
	2020	2021	2022
Domestic violence	0	0	0
Dating violence	0	0	0
Stalking	0	0	0

Arrests – On-Campus			
Criminal Offense	Occurrences on Campus		
	2020	2021	2022
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	0	0	0
Liquor law violations	0	0	0

Disciplinary Actions – On-Campus			
Criminal Offense	Number of Persons referred for Disciplinary Action		
	2020	2021	2022
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	0	0	0
Liquor law violations	0	0	0

Criminal Offenses – Off-Campus			
Criminal Offense	Occurrences on Campus		
	2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses – forcible	0	0	0
Rape	0	0	0
Fondling	0	0	0
Sex offenses – Non-forcible	0	0	0
Incest	0	0	0
Statutory rape	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0

Hate Crimes – Off-Campus									
Criminal Offense	2020 Total	Occurrences of hate Crimes/Category of Bias							
		Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-negligent manslaughter	0	-	-	-	-	-	-	-	-
Rape	0	-	-	-	-	-	-	-	-
Fondling	0	-	-	-	-	-	-	-	-
Incest	0	-	-	-	-	-	-	-	-
Statutory rape	0	-	-	-	-	-	-	-	-
Robbery	0	-	-	-	-	-	-	-	-
Aggravated assault	0	-	-	-	-	-	-	-	-
Burglary	0	-	-	-	-	-	-	-	-
Motor vehicle theft	0	-	-	-	-	-	-	-	-
Arson	0	-	-	-	-	-	-	-	-
Simple assault	0	-	-	-	-	-	-	-	-
Larceny-theft	0	-	-	-	-	-	-	-	-
Intimidation	0	-	-	-	-	-	-	-	-
Destruction/damage/vandalism of property	0	-	-	-	-	-	-	-	-

Hate Crimes – Off-Campus									
Criminal Offense	2021 Total	Occurrences of hate Crimes/Category of Bias							
		Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-negligent manslaughter	0	-	-	-	-	-	-	-	-
Rape	0	-	-	-	-	-	-	-	-
Fondling	0	-	-	-	-	-	-	-	-
Incest	0	-	-	-	-	-	-	-	-
Statutory rape	0	-	-	-	-	-	-	-	-
Robbery	0	-	-	-	-	-	-	-	-
Aggravated assault	0	-	-	-	-	-	-	-	-
Burglary	0	-	-	-	-	-	-	-	-
Motor vehicle theft	0	-	-	-	-	-	-	-	-
Arson	0	-	-	-	-	-	-	-	-
Simple assault	0	-	-	-	-	-	-	-	-
Larceny-theft	0	-	-	-	-	-	-	-	-
Intimidation	0	-	-	-	-	-	-	-	-
Destruction/damage/vandalism of property	0	-	-	-	-	-	-	-	-

Hate Crimes – Off-Campus									
Criminal Offense	2022 Total	Occurrences of hate Crimes/Category of Bias							
		Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-negligent manslaughter	0	-	-	-	-	-	-	-	-
Rape	0	-	-	-	-	-	-	-	-
Fondling	0	-	-	-	-	-	-	-	-
Incest	0	-	-	-	-	-	-	-	-
Statutory rape	0	-	-	-	-	-	-	-	-
Robbery	0	-	-	-	-	-	-	-	-
Aggravated assault	0	-	-	-	-	-	-	-	-
Burglary	0	-	-	-	-	-	-	-	-
Motor vehicle theft	0	-	-	-	-	-	-	-	-
Arson	0	-	-	-	-	-	-	-	-
Simple assault	0	-	-	-	-	-	-	-	-
Larceny-theft	0	-	-	-	-	-	-	-	-
Intimidation	0	-	-	-	-	-	-	-	-
Destruction/damage/vandalism of property	0	-	-	-	-	-	-	-	-

VAWA Offenses – Off-Campus			
Criminal Offense	Occurrences on Campus		
	2020	2021	2022
Domestic violence	0	0	0
Dating violence	0	0	0
Stalking	0	0	0

Arrests – Off-Campus			
Criminal Offense	Occurrences on Campus		
	2020	2021	2022
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	0	0	0
Liquor law violations	0	0	0

Disciplinary Actions – Off-Campus			
Criminal Offense	Number of Persons referred for Disciplinary Action		
	2020	2021	2022
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	0	0	0
Liquor law violations	0	0	0

Criminal Offenses – Public Property			
Criminal Offense	Occurrences on Campus		
	2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses – forcible	0	0	0
Rape	0	0	0
Fondling	0	0	0
Sex offenses – Non-forcible	0	0	0
Incest	0	0	0
Statutory rape	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0

Hate Crimes – Public Property									
Criminal Offense	2020 Total	Occurrences of hate Crimes/Category of Bias							
		Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-negligent manslaughter	0	-	-	-	-	-	-	-	-
Rape	0	-	-	-	-	-	-	-	-
Fondling	0	-	-	-	-	-	-	-	-
Incest	0	-	-	-	-	-	-	-	-
Statutory rape	0	-	-	-	-	-	-	-	-
Robbery	0	-	-	-	-	-	-	-	-
Aggravated assault	0	-	-	-	-	-	-	-	-
Burglary	0	-	-	-	-	-	-	-	-
Motor vehicle theft	0	-	-	-	-	-	-	-	-
Arson	0	-	-	-	-	-	-	-	-
Simple assault	0	-	-	-	-	-	-	-	-
Larceny-theft	0	-	-	-	-	-	-	-	-
Intimidation	0	-	-	-	-	-	-	-	-
Destruction/damage/vandalism of property	0	-	-	-	-	-	-	-	-

Hate Crimes – Public Property									
Criminal Offense	2021 Total	Occurrences of hate Crimes/Category of Bias							
		Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-negligent manslaughter	0	-	-	-	-	-	-	-	-
Rape	0	-	-	-	-	-	-	-	-
Fondling	0	-	-	-	-	-	-	-	-
Incest	0	-	-	-	-	-	-	-	-
Statutory rape	0	-	-	-	-	-	-	-	-
Robbery	0	-	-	-	-	-	-	-	-
Aggravated assault	0	-	-	-	-	-	-	-	-
Burglary	0	-	-	-	-	-	-	-	-
Motor vehicle theft	0	-	-	-	-	-	-	-	-
Arson	0	-	-	-	-	-	-	-	-
Simple assault	0	-	-	-	-	-	-	-	-
Larceny-theft	0	-	-	-	-	-	-	-	-
Intimidation	0	-	-	-	-	-	-	-	-
Destruction/damage/vandalism of property	0	-	-	-	-	-	-	-	-

Hate Crimes – Public Property									
Criminal Offense	2022 Total	Occurrences of hate Crimes/Category of Bias							
		Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-negligent manslaughter	0	-	-	-	-	-	-	-	-
Rape	0	-	-	-	-	-	-	-	-
Fondling	0	-	-	-	-	-	-	-	-
Incest	0	-	-	-	-	-	-	-	-
Statutory rape	0	-	-	-	-	-	-	-	-
Robbery	0	-	-	-	-	-	-	-	-
Aggravated assault	0	-	-	-	-	-	-	-	-
Burglary	0	-	-	-	-	-	-	-	-
Motor vehicle theft	0	-	-	-	-	-	-	-	-
Arson	0	-	-	-	-	-	-	-	-
Simple assault	0	-	-	-	-	-	-	-	-
Larceny-theft	0	-	-	-	-	-	-	-	-
Intimidation	0	-	-	-	-	-	-	-	-
Destruction/damage/vandalism of property	0	-	-	-	-	-	-	-	-

VAWA Offenses – Public Property			
Criminal Offense	Occurrences on Campus		
	2020	2021	2022
Domestic violence	0	0	0
Dating violence	0	0	0
Stalking	0	0	0

Arrests – Public Property			
Criminal Offense	Occurrences on Campus		
	2020	2021	2022
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	0	0	0
Liquor law violations	0	0	0

Disciplinary Actions – Public Property			
Criminal Offense	Number of Persons referred for Disciplinary Action		
	2020	2021	2022
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	0	0	0
Liquor law violations	0	0	0

Unfounded Crimes			
Criminal Offense	2020	2021	2022
Total Unfounded Crimes	0	0	0

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