



**Table of Contents**

**Quick Reference Resources.....3**  
 Off Campus First Responders.....3  
 Campus and Community Offices.....3  
 Community Health Resources.....3  
 National and Statewide Offices.....3

**The Clery Act.....4**

**Campus Safety and Security.....5**  
 Campus Security Office.....5  
 Timely Warnings and Notifications of Criminal  
 Offenses.....6  
 Reporting Crime on Campus.....6  
 Emergency Response and Evacuation.....7  
 Reporting an Emergency.....7  
 Response Procedure for an Emergency or  
 Dangerous Situation.....8  
 Confirming a Significant Emergency or  
 Dangerous Situation.....8  
 Accurate and Timely Notification of  
 Emergency Situations.....9  
 Evacuation or Relocation Procedures for  
 Emergency or Dangerous Situations.....10  
 Designated Shelter Locations.....10  
 Campus Map.....11  
 Drills and Exercises.....11  
 Sex Offender Registry.....11  
 Missing Student Notification.....12

**Building Access & Maintenance of Campus  
 Facilities.....13**  
 Residence Hall Security.....13  
 Entry of Campus Housing.....14  
 Solicitation in College Buildings.....15

**Alcohol and Drugs.....15**  
 Drug Free Workplace Policy.....15  
 Alcohol and Illegal Drugs Policy.....15

**Sexual Misconduct Policy.....21**  
 Sexual Misconduct and  
 Title IX Compliance Policy.....21

**Campus Crime Statistics**  
 Preparation and Disclosure  
 Of Crime Statistics.....43  
 Definitions of Criminal Offenses.....43  
 Definitions of Criminal Offense  
 Of a Sexual Nature.....45

Definitions of Geography.....46  
 Annual Crime Statistics.....47

**Safety Awareness and Crime Prevention.....48**  
 Educational Programming.....48  
 How to be an Active Bystander.....48

**Fire Safety Report.....49**  
 Fire Safety Policy.....49  
 Fire Safety Improvements and Upgrades.....49  
 Residence Hall Fire Drills.....49  
 Fire Safety Policies in  
 Student Housing Facilities.....49  
 Fire Safety Education.....49  
 Smoking Policy.....49  
 Reporting a Fire.....50  
 Fire Safety Definitions.....50  
 Procedures for Evacuation of  
 Campus Residence Halls.....51  
 Fire Safety Systems in Residence Halls.....51  
 Fire Statistics for Residential Facilities.....51

**Quick Reference Resources**

**Local Law Enforcement (Off Campus)**

Emergency.....9-1-1  
 Non-Emergency.....701-577-1212

**Fire Department (Off Campus)**

Emergency.....9-1-1  
 Non-Emergency.....701-572-3400

**Campus Security**.....701-570-6699

**WSC Campus Mental Health**

**Counselor**.....701-774-4212

**Executive Cabinet Members**

WSC President.....701-774-4231  
 CEO TrainND.....701-713-3780  
 Chief Financial Officer.....701-774-4250  
 VP for Academic Affairs.....701-774-4231  
 VP for Student Affairs.....701-774-4585  
 Director for Human Resources.....701-774-4204  
 Director for Athletics.....701-774-4546  
 Director for SBDC.....701-713-3839  
 Director for Creative Services.....701-774-4223  
 Director for IT.....701-774-4591  
 Director for Facilities.....701-774-4578

**Campus Security Authorities**

Campus Security Officers.....701-570-6699  
 Director for Facilities.....701-774-4578  
 VP for Student Affairs.....701-774-4585  
 VP for Academic Affairs.....701-774-4231  
 Title IX Coordinator.....701-774-4281  
 Deputy Title IX Coordinator.....701-774-4204  
 Director for Athletics.....701-774-4546  
 Coaches.....701-774-4546  
 Director for Residence Life.....701-774-4528  
 Head Resident Assistant.....701-774-4528  
 Assistant Coaches/Resident Life RAs.....701-774-4528  
 Coordinator for Student Life.....701-774-4213

**Non-Emergency Community Resources**

Williams County Disaster Service.....701-577-7707  
 Williston Family Crisis Shelter.....701-572-0757  
 William County Social Services.....701-774-6300  
 Williams County Sherriff’s Office.....701-577-7700

NW Narcotics Task Force.....701-577-7711  
 Williston FBI Office.....701-713-4112

**Community Health Resources**

Upper Missouri District Health Unit.....701-774-6400  
 Northwest Human Service Center.....701-774-4600  
 St. Alexius CHI .....701-774-7400  
 24 Hour Crisis Line.....701-572-9111

**National and Statewide Hotlines**

Poison Control Center.....800-222-1222  
 Road Emergency Assistance.....800-472-2121  
 National Suicide Prevention.....800-273-TALK (8255)  
 Suicide Hotline.....800-SUICIDE  
 Rape Victim Hotline.....800-472-2911

## The Clery Act

Williston State College understands that the issue of campus safety is a vital concern for students as well as their families when selecting a postsecondary institution. We believe transparency in regards to campus safety is a key part of our responsibility in assisting stakeholders make safe choices. This report is provided to campus community members to fulfill the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.

The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act) is a federal mandate requiring all institutions of higher education that participate in the federal student financial aid programs to disclose information about the crime on their campuses and in the surrounding communities. The Clery Act affects virtually all public and private institutions of higher education and is enforced by the U.S. Department of Education. Campuses that fail to comply with the act can be penalized with large fines and may be suspended from participating in the federal financial aid programs.

The Clery Act, formerly known as the Crime Awareness and Campus Security Act, was signed in 1990 and is named after 19-year-old Jeanne Clery, who was raped and murdered in her Lehigh University residence hall in 1986. Clery's parents lobbied Congress to enact the law when they discovered students at Lehigh had not been notified about 38 violent crimes that had occurred on campus in the three years prior to Clery's murder.

When the Higher Education Opportunity Act (HEOA) was signed into law in 2008, it amended the Clery Act by adding a number of safety and security related requirements to the Higher Education Act of 1965. To ensure full compliance with the law, Williston State College must do the following:

- Publish and distribute an Annual Security Report to current and prospective students and employees by October 1 of each year. The report must provide crime statistics for the past three years, detail campus and community policies about safety and security measures, describe campus crime prevention programs, and list procedures to be followed in the investigation and prosecution of alleged sex offenses.
- Provide students and employees with timely warnings of crimes that represent a threat to their safety. The Williston State College must also keep and make available to the public a detailed crime log of all crimes reported to them in the past 60 days. Crime logs must be kept for seven years. Logs older than 60 days must be made available within two business days upon request.
- Keep the past three years of crime statistics detailing crimes that have occurred: on-campus; in campus residential facilities; in public areas on or near campus; and in certain non-campus buildings. WSC must also report liquor and drug law violations and illegal weapons possession if they result in a disciplinary referral or arrest.
- Disclose missing student notification procedures that pertain to students residing in any on-campus student housing facilities.
- Disclose fire safety information related to any on-campus student housing facilities. This includes maintaining a fire log that is open to public inspection and publishing an Annual Fire Safety Report containing policy statements and fire statistics associated with each on-campus student housing facility. These statistics must include the location, cause, date, time, injuries, deaths and property damage of each fire.
- Submit the collected crime and fire statistics to the Department of Education each fall.
- Inform prospective students and employees about the availability of the Annual Fire Safety Report

Williston State College encourages students, faculty and staff to use this report as a guide for making safe choices when it comes to personal safety. To assist with this effort WSC publishes updated information annually. The report is available

on the internet at [www.willistonstate.edu](http://www.willistonstate.edu). Additionally, each member of the WSC community receives an email that describes the report as well as its location on the website. Hard copies are available by contacting the office for Student Affairs at 701-774-4585.

## Campus Safety and Security

Williston State College encourages students and college community members to be fully aware of the safety issues occurring on campus. To assist with this effort, community members are encouraged to take action to prevent and report illegal and inappropriate activities.

The following report contains important information on, crime prevention and reporting guidelines, campus crime statistics and important campus security information such as policies and procedures, emergency preparedness, fire safety and resources to assist you in making safe choices.

### Campus Security Office

The WSC Security office is located in Stevens Hall. Located under the direct supervision of the Director for Campus Services, the office of campus security employs 3 full time security officers. Security officers carry cell phone at all times when on duty. Security officers can be reach at 701-570-6699. Security officers are on duty

- Monday-Saturday 6:00am-12:00am
- Sunday 12:00pm-10:00pm

WSC staff members are required to report all crimes taking place at student life organized off campus events to local law enforcement. This also includes off campus events, organized and attended by WSC student organization groups.

WSC has no organized fraternities, sororities or other institutionally recognized off campus student organizations and therefor monitoring or tracking of criminal activity by campus security or local law enforcement is not required.

WSC campus security officers are charged with the enforcement of federal, state, and local laws and ordinances, as well as College policies and regulations. Campus security officers are not sworn police officers and have no police or arrest powers. Although Campus Security does not have any written "memorandum of understanding" (MOU) agreements with local, state, or federal law enforcement agencies, it maintains an outstanding working relationship with the city of Williston police department as well as the Williams County Sheriff's office, North Dakota State agencies and local federal agencies. Whenever it is necessary for officers from these agencies to come to campus on official business, they will normally contact Campus Security for assistance.

WSC always encourages victims or witnesses of crime to report the incident to local law enforcement however we know that this does not always happen. Because of this, the Clery Act requires institutions to appoint various Campus Security Authorities (CSAs). CSA are required to officially report all crime information to the office of campus security that they believe was provided to them in good faith, free from hearsay or rumor. In accordance with Clery Act guidelines WSC has appointed the following support staff that have significant responsibility for student and campus activities.

The campus professional counselor, when acting as such, is not considered a Campus Security Authority and is not required to report crimes to be included in the Annual Security Report. However, as a matter of policy, they are encouraged to inform persons being counseled of the procedures for reporting crimes on a voluntary basis that would be included in the annual report.

## Timely Warnings and Notifications of Criminal Offenses

All Title IV institutions, without exception, are subject to the timely warning regulation. Williston State College is required to issue a notification to all students in certain situations. Determining to send out a mass warning notification to students is decided by the college president. Decisions are made on a case by case basis and take the following key factors into consideration:

- The nature of the crime
- The likelihood the crime will pose continued danger to the campus community.
- The possible risk of compromising law enforcement efforts.

Timely warning requirements are not limited to violent crimes or crimes to individuals. Timely warnings may be issued for threats to persons or to property. Timely warnings are sent to the campus community with the intent of enabling students, faculty and staff to protect themselves. Warnings are required to include content that describes the crime that triggered the notification.

WSC takes the confidentiality of its students seriously through proper understanding and administration of FERPA requirements. In the case of certain emergency situations FERPA does not preclude an institution's compliance with the timely warning provision of the campus security regulations. FERPA recognizes that information can, in case of an emergency, be released without consent when needed to protect the health and safety of others. In addition, if institutions utilize information from the records of a campus law enforcement unit to issue a timely warning, FERPA is not implicated as those records are not protected by FERPA.

Notifications to campus community members will be released as soon as the pertinent information is available to be released. Timely Warnings will be distributed in a manner reasonably likely to reach the campus community. Depending on the circumstances, any of the following methods or combinations thereof, may be used:

- Emergency Notification System- Assurance NM (email, phone and text messages)
- Moodle
- Campus Warning Sirens
- Email
- Official WSC Website
- Press Release
- Targeted Communication
- Poster, Letters, Group Meetings, etc.
- KUMV-TV (local NBC station)
- KEYZ radio (660 am)

WSC is not required to provide a timely warning for non-Clery crimes or for crimes reported to a professional counselor. WSC does not employ a pastoral counselor.

## Reporting Crime on Campus

College community members are encouraged to report all crimes and public safety related incidents to police or a campus CSA in a timely manner. Bystanders or witnesses are encouraged to report when a victim is unable to report. Police are able to provide numerous resources to victims, investigate and solve crimes, assist in adjudication and help create personal safety plans. Crimes involving sexual misconduct are also encouraged to be reported to the Campus Title IX coordinator or other trusted campus personnel or CSA.

To report an emergency, call 911. To report a crime on the WSC campus, call

WSC Security at 701-570-6699. To report a crime after hours, or in the event that WSC Safety and Security is unable to respond, call the Williston Police Department at 701-577-1212.

As indicated above, WSC always encourages victims or witnesses of crime to report the incident to local law enforcement however we know that this does not always happen. Because of this, the Clery Act requires institutions to appoint various Campus Security Authorities (CSAs). CSA are required to officially report all crime information to the office of campus security that they believe was provided to them in good faith, free from hearsay or rumor. In accordance with Clery Act guidelines WSC has appointed the following support staff that have significant responsibility for student and campus activities.

WSC has identified the following individuals as Campus Security Authorities (CSAs)

Campus Security Officers	701-570-6699
Director for Campus Services	701-774-4578
Vice President for Student Affairs	701-774-4585
Title IX Coordinator	701-774-4281
Director for Human Resources/ Deputy Title IX Coordinator	701-774-4212
Director for Athletics	701-774-4546
Coaches	701-774-4546
Director for Residence Life	701-774-4528
Head Resident Assistant	701-774-4528
Assistant Coaches acting as Residence Life Assistants (RA's)	701-774-4528
Coordinator for Student Life	701-774-4213
Vice President for Academic Affairs	701-774-4231

A student's privacy concerns are weighed against the needs of WSC to respond to certain incidents and crimes. To the greatest extent possible, all reports will remain private. However, information may be shared with appropriate departments and agencies under a need-to-know basis when it pertains to investigative needs and safety concerns of the campus community.

Information reported to WSC is treated as confidential during the investigative phase, except as required by law. When major incidents occur, the Williston Police Department may also respond.

The campus professional counselor, when acting as such, is not considered a Campus Security Authority and is not required to report crimes to be included in the Annual Security Report. However, as a matter of policy, they are encouraged to inform persons being counseled of the procedures for reporting crimes on a voluntary basis that would be included in the annual report.

### Emergency Response and Evacuation

The Williston State College Emergency Preparedness Plan (EPP) describes the responsibilities and duties of campus personnel, departments, agencies and non-governmental organizations in the event of an emergency or dangerous situation involving an immediate threat. The EPP was developed to ensure that WSC employees are sufficiently prepared to respond appropriately when emergency situations or conditions exist that threaten the safety of the campus community.

### Reporting an Emergency

Campus community members are always encouraged to call 9-1-1 to report any situation on campus that could constitute a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or

employees. The following are some examples of significant threats or dangerous situations that may require immediate notification:

- Explosion
- Gas Leak
- Power Outage
- Hazardous Materials
- Natural Occurring Radioactive Material (NORM)
- Terrorism
- Threat of Violence
- Bomb Threat
- Violent or Criminal Behavior
- Transportation Accident
- Weather Emergencies
- Fire Emergencies
- Medical Emergencies
- Civil Disturbance or Demonstration

### Response Procedure for an Emergency or Dangerous Situation

Depending on the nature of the emergency or dangerous situation, campus security officers will immediately ensure the safety of campus community members. Campus officials will coordinate with other first responders such as the Williston Police Department and Williston Fire Department. Actions taken on campus may include but are not limited to, properly securing or evacuating affected buildings, and directing students and staff to safe locations. Campus Security Officers will work with authorized first responders as outlined below to send timely notifications to campus community members. Campus security officers may also call upon other local, state and federal agencies to assist in mitigating possible impacts to campus.

### Confirming a Significant Emergency or Dangerous Situation

Executive Cabinet Members have been identified as the official on-campus first responders and should be notified immediately. First responders are responsible for initiating emergency warnings anytime a situation has the potential of developing into a crisis. If in doubt of the extent, or potential extent, of the emergency, contact an Executive Cabinet member. The Executive Cabinet members listed below will make the determination of level of emergency, formulate the message content, select the appropriate segment of the campus to receive notification and chose the appropriate communication method.

<b>Emergency Fire, Ambulance, Police</b>	<b>9-1-1</b>
From an internal office phone dial	<b>(9)-9-1-1</b>
<b>Campus Security</b>	<b>701-570-6699</b>
<b>Executive Cabinet Members</b>	
WSC President	(701) 774-4231
CEO Train ND	(701) 774-4246
VP for Academic Affairs	(701) 774-4231
VP of Student Affairs	(701) 774-4585
Chief Financial Officer	(701) 774-4250
Director for Human Resources	(701)-774-4204
Director for Athletics	(701)-774-4546
Director for SBDC	(701)-774-4279
Director for IT	(701)-774-4591
Director for Creative Services	(701)-774-4223



Director for Campus Services	(701) 570-6699
<b>Non-Emergency Contacts:</b>	
Williams County Disaster Emergency Service	(701) 577-7707
Williston Family Crisis Shelter/Center	(701) 572-0757
Mercy Medical Center	(701) 774-7400
Williston Police Department	(701) 577-1212
Williams County Sheriff's Office	(701) 577-7700
Williston Fire Department/Ambulance Service	(701) 572-3400
Northwest Narcotics Task Force	(701) 577-7711
Williston FBI Office	(701) 713-4112
Rape Victim Hotline	1 (800) 472-2911
Poison Center	1 (800) 732-2200
Family Crisis Shelter	1 (800) 231-7724

### Accurate and Timely Notification of Emergency Situations

Decisions concerning whether to issue a notification will be made by authorized campus officials on a case by case basis. The following criteria will be considered:

- Nature of the situation
- Continuing danger to the campus community
- Possible risk of compromising law enforcement efforts

Campus first responders receiving the initial notification of a campus emergency situation will immediately evaluate the safety of the campus community and determine the appropriate content and method of the notification. First responders will consider the impact the notification may have on assisting a victim or the ability to contain, respond or otherwise mitigate an emergency by local law enforcement agencies. Notification Methods may include:

- Emergency Notification System- Assurance NM (email, phone and text messages)
- Moodle
- Campus Warning Sirens
- Email
- Official WSC Website
- Press Release
- Targeted Communication
- Poster, Letters, Group Meetings
- KUMV-TV (local NBC station)
- KEYZ radio (660 am)

Assurance NM is WSC's campus wide emergency notification system. Assurance NM is used when there is a severe or imminent threat to the public safety and health of the entire campus. Students and staff are set up in the system to receive notifications by entering information into their Campus Connection account. All WSC employees are required to document emergency notification numbers with the Director for Human Resources.

Parents and other concerned community members outside the campus community are able to access up-to-date emergency information at:

- WSC's website
- Emergency Social Media such as Facebook and Twitter
- "In Case of Crisis" mobile app
- Local media (KUMV-TV (local NBC station)

### Evacuation or Relocation Procedures for Emergency or Dangerous Situations

In the event of an emergency or dangerous situation campus first responders will direct students, faculty, staff and visitors to evacuate or relocate to the appropriate designated shelter location.

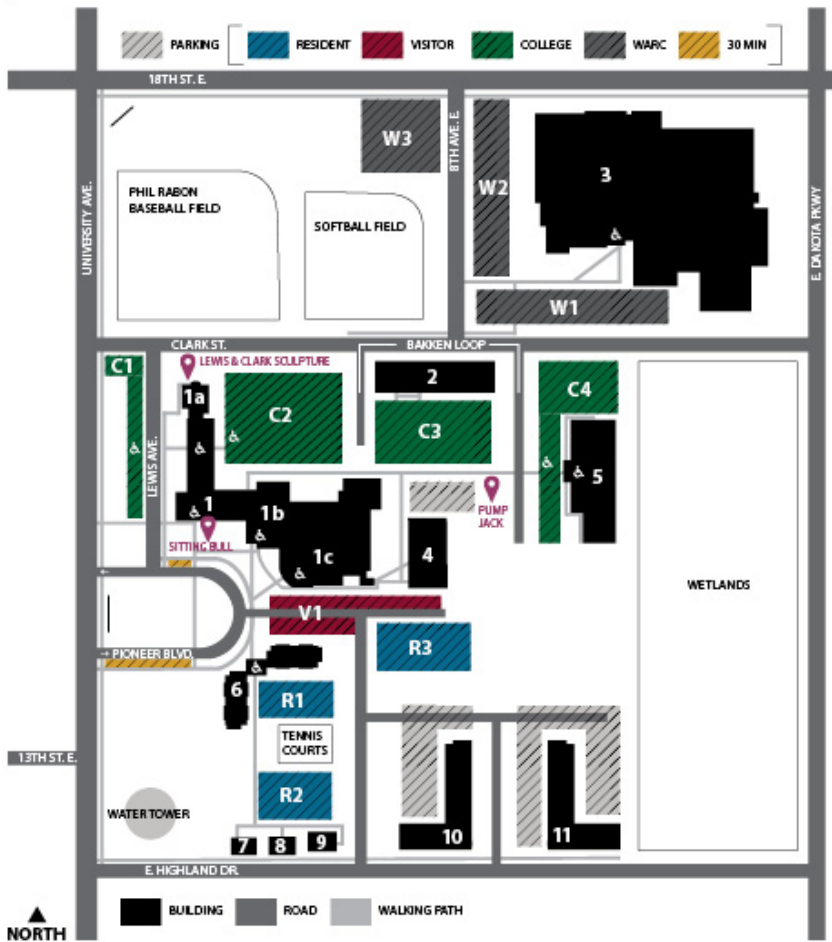
The following are designated shelter locations

Building Name	Campus Map Reference No.	Shelter Location	Assembly Points
Stevens Hall (Main Building)	5	Lower level of Skadeland Gym	South (Front) Parking Lot or North (Rear) Parking Lot of Stevens Hall
Thomas Witt Leach Health Science & Sports Complex (aka The Well)	7	Lower level of "The Well" Southwest Concession Area	South (Front) Parking Lot of Stevens Hall
Art Wood Building	8	Lower level of "The Well" Southwest Concession Area	North (Rear) Parking Lot of Stevens Hall
Crighton Building	3	Lower level of "The Well" Southwest Concession Area	North (Rear) Parking Lot of Stevens Hall
Frontier Hall	11	Lower level of "The Well" Southwest Concession Area	Tennis Courts
Abramson Hall	12	Lower level of Abramson	Tennis Courts
Manger Hall	13	Lower level of Manger	Tennis Courts
Nelson Hall	14	Lower level of Nelson	Tennis Courts
CTE Building	9	Men's and Women's Restrooms	North Parking lot of CTE Building
The ARC	2	Men's and Women's Locker Rooms	South Parking Lot of the ARC



## WILLISTON STATE COLLEGE CAMPUS 2016-2017

1410 UNIVERSITY AVENUE, WILLISTON, ND 58801  
701.774.4200 or 1.888.863.9455  
www.willistonstate.edu



- 1. STEVENS HALL**  
Classrooms, Learning Commons (library), Academic Affairs, Student Services, Teton Grill, Andrea's (bookstore), Skadeland Gymnasium, Teton Lounge, Student Life, Mental Health Counselor and Administrative, Staff and Faculty offices.
- 1a. SCIENCE CENTER**  
Labs and Faculty offices for Biology, Anatomy, Physics and Chemistry.
- 1b. LEONARD P. NELSON HEALTH & WELLNESS WING**  
Health, Physical Education and Nursing classes.
- 1c. THOMAS WITT LEACH COMPLEX (THE WELL)**  
2,200-seat sports arena, walking track, weight room and Athletic offices.
- 2. CRIGHTON BUILDING**  
Classrooms, labs and offices for Diesel Technology program. Also houses Adult Education, Testing Center and Disability Support.
- 3. WILLISTON AREA RECREATION CENTER**  
Community Rec Center with indoor walking/running tracks, cardio/weight lifting areas and indoor waterpark.
- 4. ART WOOD BUILDING**  
Campus Services offices.
- 5. WESTERN STAR CAREER AND TECHNOLOGY CENTER**  
Business/Technology, Art, Welding, Petroleum and Massage Therapy classrooms, labs and Faculty offices. Also houses the Marketing Department.
- 6. FRONTIER HALL (CAMPUS HOUSING)**
- 7. ABRAMSON HALL (CAMPUS HOUSING)**
- 8. MANGER HALL (CAMPUS HOUSING)**
- 9. NELSON HALL (CAMPUS HOUSING)**
- 10. WSC FOUNDATION APARTMENTS II**
- 11. WSC FOUNDATION APARTMENTS I**  
WSC Foundation. Retail space on lower level includes: DMV, Jason's Barbershop and Jimmy Johns.

### WORKFORCE TRAINING CAMPUS [TRAINND]

Located in the industrial park on the east side of Williston.  
**WORKFORCE TRAINING CENTER** | 415 22ND AVE NE  
**PETROLEUM SAFETY & TECH CENTER** | 421 22ND AVE NE  
 Monday-Thursday: 8a-4:30p | Friday: 8a-4p  
 safety.training@willistonstate.edu  
 willistonstate.edu/trainND | 701.572.2835

## Drills and Exercises

WSC will test emergency response and evacuation procedures annually. WSC first responders and department leaders participate in emergency drill table top scenarios to assist in designing and improving existing procedures. All exercises are modeled and conducted using standard National Incident Management System and Incident Command System principles.

WSC promotes its emergency procedures through leadership training sessions and campus wide drills. Students living on campus receive training upon move-in and participate in drills at the residence halls held throughout the academic year.

## Sex Offender Registry

Post-Secondary Institutions are required to advise the campus community when a registered sex offender is either enrolled or employed by the institution. Information can be found by contacting the Williston Police Department (Williams County Law Enforcement Center, 223 E. Broadway Suite #201, Williston, ND 58801, 701-577-1212). Information can also be found at the ND Attorney General's Office [www.sexoffender.nd.gov](http://www.sexoffender.nd.gov).

## Missing Student Notification Policy

A missing student is defined as a person currently enrolled at WSC and living in campus housing whose whereabouts have been unaccounted for over 24 hours.

### **Designating a contact person:**

Upon execution of a housing contract, all students living in campus housing will have the opportunity to identify a contact person to be notified if the student is determined to be missing by either internal campus security administration or the Williston Police Department. This contact may be the same or different than the emergency contact information provided in the student's CampusConnection account. Students may update their missing person contact information with the Director for Residence Life as/when needed. The Director for Residence Life maintains missing person and emergency contact information for all students residing in campus housing. This information is accessible by other Student Affairs administration and staff in the event a student is reported missing.

### **Procedures for notification of a missing person:**

**Step 1:** Any individual on campus who has information suggesting a resident student may be missing must immediately notify the Director for Campus Services by calling (701) 774-4578 or by calling campus security at 701-570-6699. Alternatively students may contact the Director for Residence Life by calling 701-774-4528 or by visiting the housing office located in Frontier Hall.

**Step 2:** Campus Security in collaboration with the Director for Residence Life, will gather essential information about the student reported missing; description, clothes last worn, schedule of classes and other known plans and/or activities, suggestions of where the student might be, who the student might be with, student's physical and mental well-being, recent photograph, etc.

**Step 3:** If the student is not found within 24 hours of the time campus authorities were notified or it is immediately apparent that the student is a missing person (as in the case of a witnessed abduction), the Director for Campus Services will contact the Williston Police Department. Williston Police Department agents will take charge of further investigation or location efforts.

**Step 4:** No less than 24 hours after determining a resident student is missing, the Director for Residence Life will notify the student's designated missing person contact as well as the student's custodial parent that the student is believed to be missing.

### **Additional conditions for minors:**

If the student is under the age of 18 and is not an emancipated adult, WSC is required to notify a custodial parent or guardian, in addition to any contact person specifically designated by the student. The Director for Residence Life will notify the parent or guardian no more than 24 hours after the student is determined to be missing. The Director for Campus Services will also notify the Williston Police Department or other appropriate law enforcement agency within 24 hours of the determination that the student is missing

### **Failure to designate a contact:**

In the event a student residing in a residence hall is determined to be missing by the Director for Facilities, Williston Police Department or other law enforcement agency, and has not previously identified a missing persons contact, the Director for Residence Life will notify the individual identified in the student's Campus Connection account as the emergency contact within 24 hours of the initial notification.

If no emergency contact information is on record, the Director for Residence Life will use his or her discretion to notify the most appropriate individual while keeping the safety and well-being of the missing person in mind.

#### **Communication related to missing persons:**

All communications regarding missing persons will be handled by outside law enforcement authorities, as they are best suited to provide information to the media that is designed to elicit public assistance in the search for the missing person. All inquiries to WSC regarding missing students or information provided to any individual at WSC about a missing student shall be referred to the Director for Residence Life, who shall refer inquiries and information to law enforcement authorities as appropriate.

At no time shall information be shared with the media or other outside communication sources if doing so may hinder the investigation or other efforts to locate a missing person.

### **Building Access and Maintenance of Campus Facilities**

The Williston State College campus is for the use of the students, faculty, staff, escorted guests and those on official business with the College. All others are subject to being charged with trespassing.

Visitors are reminded that access to campus buildings is limited to normal business hours.

Students, faculty, staff and visitors are encouraged to report needed repairs for all areas to the Business Office during business hours. After hours, requests may be referred to members of the Williston State College faculty or staff.

The following guidelines are designed to provide maximum security and protection for all concerned and still provide convenient access to buildings:

1. Keys are issued to authorized faculty, staff and students only.
2. Exterior building doors are prohibited from being blocked open when the doors are locked.
3. Building evacuation is mandatory for all fire alarms.
4. Lighting on campus is periodically evaluated for safety and security purposes.
5. Normal building hours are as follows:
  - Monday through Friday: 6:30am until 12:00am
  - Saturday: 6:30am-2:30pm
  - Sunday: Campus facilities are closed.
6. Scheduled weekend classes and special events are communicated to Campus Security who ensure that doors are unlocked and locked as necessary.
7. A telephone is located to the left of the main entrance. This telephone is also capable of calling off-campus by dialing 9 + the number you wish to reach.  
To dial 911, dial 9-911.
8. Campus Community Members are encouraged to report any individuals who behave in a suspicious manner or are involved in suspicious activities to campus security personnel immediately by calling 701-570-6699. If after hours individuals should call the Williston Police Department by calling 701-577-1212. Always dial 911 in an emergency.

### **Residence Hall Security**

Williston State College has two residence halls and two apartment-style buildings on campus. The Director for Residence Life, in collaboration with the Director for Campus Services, maintain the overall maintenance, safety and security of each building. Each residence hall has a head resident who lives on site. A head resident oversees the two family apartment building. Frontier Hall also employs four graduate resident assistants and three student resident assistants who also live on site.

Residence Life staff receive annual training on safety and security as well as emergency crisis management. Important information is communicated to residents through monthly floor meetings, posted notifications, programming events and email notifications.

Residents are asked to take security precautions very seriously in order to ensure a safe environment for all residents. The following guidelines for ensure safety are given to residents:

1. Students are reminded to ensure that outside building doors are locked securely behind them when coming and going.
2. Propping a locked door open is strictly prohibited.
3. Key fobs are required for access to the building 24 hours a day. Holding the door open for anyone without a fob violates the safety and security of all residents.

Residents are responsible for the behavior of their visitors/guests. Visitors/guests are subject to all campus housing policies. The posting of visiting hours is to guarantee residents certain hours of privacy. Established visiting hours are 10:00 a.m. to 12:00 a.m. Sunday through Thursday. 10:00 a.m. to 2:00 a.m. on Friday and Saturday. Visitors must be signed in at the front desk anytime they are on the premises.

Individuals residing in campus housing will observe quiet hours from 10:00 p.m. to 10:00 a.m.

Residents are allowed to have overnight guests of the same sex. Before having an overnight guest, residents must officially notify the residence supervisor and have their roommate's permission.

A guest is someone of the same sex who stays in a room for no more than three consecutive nights five times a semester, or someone who stays two nights not more than seven times a semester.

To prevent theft, it is recommended that a room/apartment always be locked. It is also recommended that large amounts of money or valuable objects not be kept in a room/apartment.

The college does not assume responsibility for stolen items.

For personal safety it is recommended that doors remain locked and the identity of anyone entering a room/apartment be made known before opening the door.

### Entry of Campus Housing

Entry of a student room/apartment by Williston State College Staff will be restricted to the following:

1. Maintenance. Staff members required to enter due to maintenance issues will give residents 24-hour notice prior to entry whenever possible. In addition, preannounced room inspections will be held to check for general sanitation and order. Maintenance inspections often occur over formal recess periods. Notification of such inspections will be sent to student emails prior to students officially leaving campus. Williston State College housing contract stipulates that room inspections may be made by staff for maintenance reasons.
2. Residence Safety. When residence directors or college officials have reasonable fear for the health, safety, life or property of individual authorized personnel may enter with no prior notification issued.
3. Code of Conduct violations. When residence directors or college officials have just cause to suspect a violation of college regulations authorized personnel may enter with no prior notification issued.

When possible, occupants will be present if a room/apartment is entered. College officials will announce their presence before entering.

Except for emergency maintenance or safety concerns, residence supervisors who have just cause to enter a room without the presence of the resident shall do so with another college official.

### Solicitation in College Buildings

The following procedure concerns the rights and responsibilities of visitors who wish to solicit the attention of campus community members on campus.

1. Williston State College reserves the right to determine time, place, and manner of all solicitations or activities on college property.
2. Solicitation is any approach made with the purpose of making a request, plea, suggestion, petition or enticement for support, opinion, funds, time or assistance.
3. The exchange of information and ideas by lawful means shall not be excluded by this policy, but such activities should respect each individual's personal freedom.
4. Williston State College can deny, approve or impose restrictions on agents of such organizations as to the date and time solicitation will occur, the number of people involved, the type and methods of solicitation and the areas of the particular academic building to be covered.
5. Those engaged in solicitation shall respect the rights of all persons to be free from forceful, verbal or physical contact.
6. Any individual who feels that his or her individual rights have been violated by solicitation of any form may file a complaint against the responsible individual or organization in the Student Affairs office or by calling the Vice President for Student Affairs 701-774-4585.
7. Violations may result in suspension of privileges and may subject the violator to arrest for trespassing.
8. Violations and/or problems should be reported immediately to the Vice President for Business Services.
9. Campus spaces are assigned by the Student Life Coordinator.
10. Special requests for the use of campus facilities, including scheduling use of residence halls or space on Williston State College grounds, should be forwarded to the Conference Services Coordinator.

## Alcohol and Drugs

### Drug Free Workplace Policy/ Alcohol and Illegal Drugs Policy

#### Philosophy

WSC has a genuine caring concern for its people and for the community it serves. For this reason, the campus is committed to maintaining an academic and social environment that is conducive to the intellectual and personal development and to the safety and welfare of all members of the college community. The misuse and abuse of alcohol and other drugs represents a major health problem in the United States today and poses a serious threat to health and welfare of the WSC Community.

This document applies to all WSC students and employees, as well as campus visitors.

#### Policy Distribution and Notification

In accordance with the 1989 amendments to the Drug-Free Schools and Communities Act, as articulated in the Education Department General Administrative Regulations (EDGAR) Part 86 (Drug Free Schools and Campuses Regulations), this



policy will be distributed to all students and WSC employees each year. For more information on policy notification procedures, please contact the Vice President for Student Affairs at (701) 774-4585.

### **State Board of Higher Education and WSC Policy**

The State Board of Higher Education prohibits the possession, sale, dispensation, use or consumption of alcoholic beverages upon land or in buildings owned by the board or its institutions. Exceptions may include the lawful possession of alcohol in family student residences, on-campus professional staff residences, fraternities and sororities (in certain circumstances), the President's residence and other special exceptions as granted by the President or the President's designee. For the complete State Board of Higher Education policy, please refer to [SBHE Policy 918 Alcoholic Beverages](#). For an electronic copy of this policy, go to: [Williston State College Student Code of Conduct](#).

WSC prohibits the unlawful or unauthorized use, possession, storage, manufacture, distribution or sale of alcoholic beverages and any illicit drugs or drug paraphernalia in campus buildings, any public campus area, in campus housing units, college vehicles or at any college affiliated events held on or off-campus, sponsored by students, employees and their respective campus organizations. For WSC employees, compliance with this policy is a term and condition of employment. For WSC students and student organizations, compliance with this policy is a term and condition of continued enrollment/organizational registration.

### **Health Risks of Alcohol and Other Substances**

This section lists the most commonly misused drugs and their effects. This is meant to be an overview and is not an exhaustive list.

#### **Alcohol**

Alcohol consumption causes a number of impairments including changes in behavior and normal body function. Even low doses significantly impair judgment, coordination and mental function therefore increasing the risks of accidents and injuries. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses taken acutely can cause respiratory depression and even death. Statistics show that alcohol use is involved in a majority of violent behaviors on college campuses, including acquaintance rape, vandalism and fights. Additional consequences include DUI arrests and serious or fatal car crashes. Continued abuse may lead to dependency that can cause permanent damage to vital organs and deterioration of a healthy lifestyle.

#### **Amphetamines**

Amphetamines can cause a rapid or irregular heartbeat, tremors, convulsions, loss of coordination, collapse, and death. Heavy users are prone to irrational acts.

#### **Cannabis (marijuana, hashish)**

The use of marijuana may impair or reduce short-term memory and comprehension, alter sense of time and reduce coordination and energy levels. Users often have a lowered immune system and an increased risk of lung cancer. The active ingredient in marijuana, THC, is stored in the fatty tissues of the brain and reproductive system for a minimum of 28 to 30 days.



### **Club Drugs**

Club drugs, e.g. MDMA (Ecstasy), Rohypnol, GHB, LSD, methamphetamine and others are used at all-night parties such as trances or raves, dance clubs and bars. These party drugs, particularly when mixed with alcohol, can cause serious health problems, injuries or even death.

### **Cocaine/Crack**

Cocaine users often have a stuffy, runny nose and may have a perforated nasal septum. The immediate effects of cocaine use include dilated pupils and elevated blood pressure, heart rate, respiratory rate and body temperature, followed by depression. Crack, or freebase rock cocaine, is extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, convulsions and even death.

### **Hallucinogens**

Lysergic acid (LSD), mescaline and psilocybin cause illusions and hallucinations. The user may experience panic, confusion, suspicion, anxiety and loss of control. Delayed effects, or flashbacks, can occur even when use has ceased. Phencyclidine (PCP) affects the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, PCP episodes may result in self-inflicted injuries, violence and aggressive behavior toward others.

### **Heroin**

Heroin is an opiate drug that causes the body to have diminished pain reactions. Overdoses of this highly addictive drug can result in coma or death due to respiratory failure or cardiovascular collapse.

To find out more about these commonly abused agents and other substances of abuse not listed here, please refer to [Commonly Abused Drug Chart](#) at the drugabuse.gov website.

### **Referrals for Counseling and/or Treatment Services**

Alcohol and/or other drug counseling treatment may be arranged through the WSC Mental Health Counseling Office by calling (701) 774-4212 or by calling Northwest Human Services Center (701) 774-4600 or <http://www.nd.gov/dhs/locations/regionalhsc/northwest/index.html>.

### **Alcohol Purchasing and Sale**

Unless otherwise authorized by the College President, the use of alcoholic beverages during all events held on the WSC campus is strictly forbidden (including concerts, theatrical performances, athletics events, workshops, etc.).

Students and employees and their respective campus organizations may not use organizational or public funds (including general and special funds) for the purchase of alcoholic beverages.

Sale of alcoholic beverages by students, employees and their respective campus organizations is strictly forbidden. This is to include any action that can be remotely construed as alcohol sale such as charging admission to parties, passing the hat, selling empty cups, selling drink tickets, etc.

Off-campus activities conducted by students, employees and their respective campus organizations shall not encourage excessive and/or rapid consumption of alcoholic beverages. The use of alcohol at any such events is expected to be lawful and low-risk.

Registered student organizations planning off campus events at which alcohol will be present must complete and file the WSC Event Risk Management Planning Notification Form with the Vice President for Student Affairs.

When planning an off-campus, work-related event where alcohol will be present, employees with questions about low-risk guidelines should contact the Director for Human Resources at (701) 774-4204. Alcoholic beverages shall not be used as awards or prizes in connection with events or activities sponsored by students, employees and their respective campus organizations, on or off campus.

### **Alcohol and/or Other Drug Advertising**

The public display of advertising or the promotion of alcoholic beverages in campus buildings or any other public campus area including all college owned housing areas is prohibited. This includes banners, lighted beer/liquor signs and large inflatable advertising, etc. (Entities that lease commercial or research property from the college may be excluded. However, the college may in these leases include provisions that will assist in its effort to promote the legal and safe use of alcohol and to change the culture that perpetuates alcohol and other drug misuse and abuse.)

Alcohol promotional activities including advertising shall not be associated with otherwise existing campus events, programs or campus organizations functions on or off-campus. This includes, but is not limited to, such items as: cups, t-shirts, beverage can coolers and any other items carrying alcohol/beer advertising.

Advertising of alcoholic beverages shall not appear in campus controlled or affiliated publications (including campus affiliated websites). Advertising of establishments that sell alcohol may appear and must adhere to the following guidelines.

1. Advertising of establishments that sell alcohol shall not include brand names, logos, prices, visual images or verbal phrases that refer to consumption of alcoholic beverages.
2. Advertising of establishments that sell alcohol shall not encourage any form of alcohol abuse nor shall it promote alcohol specials such as two for ones, happy hour drink specials or any ads that encourage rapid and excessive consumption of alcohol.

Advertising of establishments that sell alcohol shall not portray drinking as a solution to personal or academic problems or as necessary to social, sexual or academic success.

Advertising of establishments that sell alcohol shall not associate consumption of alcoholic beverages with the performance of tasks that require skilled reactions such as the operation of motor vehicles or athletic performance.

### **Campus and Legal Sanctions**

When students, student organizations or employees violate college alcohol policy, they will be subject to campus sanctions. The campus sanctions process may proceed before, during or after any civil or criminal proceedings. Since the campus sanctions are educational and/or managerial in nature, and not criminal proceedings, such simultaneous actions do not constitute double jeopardy and differing judgments may result.

Students may be subject to on campus sanctions for off campus alcohol/drug related behavior. The campus may receive reports regarding students from law enforcement and other agencies in the form of summons to court, reports of loud parties, minor in possession/minor consuming/under the influence, driving under the influence of alcohol/drugs or other similar alcohol and other drug violations.

### **Student Sanctions**

Students found in violation of the WSC Alcohol & Other Drug Policy (on or off campus) may be subject to one or more of the following sanctions:

- Monetary fine;
- Community service hours;
- Required completion of an online educational program (e-Checkup) through the WSC Student Services Office;
- Required participation in a community education program (CHOICES) conducted by WSC staff;
- Substance abuse evaluation and compliance with subsequent treatment/intervention as may be indicated;
- Parental notification;
- Eviction from college housing for students living on campus; and/or
- Suspension or dismissal from WSC

Failure to complete sanctions within a reasonable amount of time may result in assessment of additional sanctions, a registration and/or graduation hold being placed on the student's account or suspension.

### **Sanctions for Alcohol and Other Drug Violations in Classrooms, Shops or Labs**

Students arriving to class chemically impaired will be held to the same standards as those defined above. The following additional sanctions may also be imposed.

1. Exclusion from the class for a designated period of time to be determined by the faculty member in consultation with the division dean and/or Vice President of Student Affairs; and/or
2. Expulsion (permanent removal) from the class.

### **Parental Notification**

Parents or guardians of students under the age of 21 may be contacted by a WSC Student Services administrator following alcohol and/or other drug related policy violations.

### **Student Organizations**

Student organizations found in violation of city or state laws and college regulations involving the use or possession of alcohol/drugs are also subject to disciplinary action. In general, disciplinary penalties for student organizations are the same as those listed for individual students. However, it is possible that an offending student organization may be denied recognition or affiliation with the college as part of the disciplinary action. Advisors are expected to conduct themselves in accordance with college employee alcohol/other drug policy and policies when involved in any capacity (on and off campus) with student organizations, field trips and other related academic activities.

### **Employee Sanctions**

As stated in SBHE policy 918, WSC employees shall not arrive to or be at work, during normal work hours or other times when required to be at work, while under the influence of alcoholic beverages or as a result of the unlawful use of a controlled substance.

Any employee found in violation of the Alcohol and Other Drug Policy by his or her supervisor(s) will be reported to the Human Resources Manager for consultation prior to action.

If an employee is convicted of violating any alcohol or other drug related statute while in the workplace, college sanctions may include:

1. Requiring the employee to participate in a drug assistance or rehabilitation program approved by the campus; and/or
2. Disciplinary action for a violation of campus alcohol or drug policy up to and including termination of employment. Disciplinary action may include one or more of the following.
  - (a) Warning, reprimand or probationary status;
  - (b) Ineligibility to receive the next available annual salary increase;
  - (c) Suspension without pay for up to five days;
  - (d) Termination of employment; or
  - (e) Any combination of the above sanctions.

NOTE: These sanctions need not necessarily be applied in numerical sequence. Any sanction may be chosen from this list for any offense, dependent upon its severity. Referral for prosecution also may be a result of any criminal violations.

### **Financial Aid Eligibility**

A federal or state drug conviction can disqualify a student from receiving federal financial aid funds. The conviction must have occurred during a period of enrollment for which the student was receiving Title IV aid (i.e., Federal Pell Grant, Federal Perkins Loan, Federal Stafford Loan, etc.). Depending on whether the conviction was for sale or possession and if the student has previous offenses, the period of ineligibility can range from one year to an indefinite period. The student regains eligibility the day after the period of ineligibility ends or the student successfully completes a qualified drug rehabilitation program as defined in the Higher Education Amendments.

### **Local and State Law**

Individuals in the state of North Dakota must be at least 21 years of age to buy, possess and/or consume alcohol. Person(s) providing alcohol to individuals under the age of 21 violate state law and may be cited for contributing to the delinquency of a minor among other possible citations depending on the circumstances. There are other important state laws and local rules relating to alcohol including driving under the influence (DUI) and open container. For a first DUI offense, violators are fined at least \$500 and are ordered to have an addiction evaluation. State Law and Williston City Ordinances prohibit driving under the influence of intoxicating liquor or controlled substances. State Law and Williston City Ordinances also prohibit open containers of alcohol in vehicles. It is important to note Williston City Ordinances also prohibit disorderly houses (loud gatherings). For more information on Williston City Ordinances, please see <http://clerkshq.com/default.ashx?clientsite=williston-nd>.

North Dakota has adopted the Uniform Controlled Substances Act, which restricts the manufacture, transfer and possession of narcotic drugs and other drugs that have a potential for abuse or that may lead to physical or psychological dependence. It is a Class A felony to manufacture, deliver or possess with intent to manufacture or deliver controlled substances such as methamphetamines or narcotic drugs such as opium or cocaine in North Dakota. Penalties for a Class A felony can be up to 20 years imprisonment and/or \$20,000 fine.

Possession of drug paraphernalia for marijuana and advertising drug paraphernalia are Class A misdemeanors. Possession of one ounce or less of marijuana is a Class B misdemeanor. Possession of more than one ounce of marijuana is a Class B Felony. Inhaling vapors of a volatile chemical in a manner designed to create intoxication, hallucination or elation is a Class B misdemeanor. Possession of drug paraphernalia for controlled substances other than marijuana is a Class A misdemeanor. Possession of drug paraphernalia for marijuana can be classified as a Class A or Class B misdemeanor. It is a Class A misdemeanor to advertise drug paraphernalia. Class A misdemeanors are punishable up to one year's imprisonment and/or \$3,000 fine. Class B misdemeanors are punishable up to 30 days' imprisonment and/or \$1,500 fine. A Class B felony is punishable up to ten years' imprisonment and/or \$20,000 fine.

For more information please refer to: <http://www.legis.nd.gov/general-information/north-dakota-century-code>.

### **Federal Law**

Federal law provides criminal and civil penalties for unlawful possession or distribution of drugs and alcohol. Please refer to <http://www.deadiversion.usdoj.gov/21cfr/21usc/index.html> for details on federal trafficking penalties for controlled substance violations. Among incarceration and/or fines, there are federal laws allowing the forfeiture of property used in possession or to facilitate possession of a controlled substance. This could include homes, vehicles, boats, aircrafts and any other personal or real property. Fines could range up in the millions of dollars. One becomes ineligible to possess firearms and to receive federal benefits such as student loans and grants.

## **Sexual Misconduct Policy**

### **Sexual Misconduct and Title IX Compliance Policy**

#### **1. Title IX Compliance - Sexual Harassment, Assault, and Misconduct**

WSC will not tolerate sexual or gender based harassment, domestic violence, dating violence, sexual assault, stalking, or other forms of sexual misconduct. Offenders may be subject to the appropriate campus adjudication processes, disciplinary action, and/or criminal proceedings. WSC utilizes procedures that provide prompt, fair, and impartial investigation and resolution in cases of any form of sexual misconduct. These procedures are carried out by officials who receive specific annual training.

When made aware of complaints regarding sex discrimination, WSC will: (1) take prompt and effective steps to end the sexual or gender-based harassment, assault, and/or sexual violence; (2) eliminate any hostile environment; (3) prevent its recurrence; and (4) remedy the discriminatory effects on the victim and others as appropriate.

Services are available for students, faculty, and staff who experience any form of sexual misconduct. In these situations, WSC is committed to providing crisis intervention measures for students, faculty, and staff, as well as appropriate administrative response for the complainant and respondent; referring individuals to criminal authorities; and educating and promoting discussion on interpersonal abuse and violence issues. The College's process does not preclude adjudication under state law.

This policy governs the conduct of: WSC students, staff, faculty, and third parties (i.e., nonmembers of the College community, such as vendors, alumni, visitors, or local residents). This policy applies to conduct that occurs on WSC property (i.e., on campus) and to conduct that occurs off campus property when the conduct is associated with a WSC sponsored program or activity, such as travel, research, or internship programs. Additionally, this policy applies when such conduct may have a continuing adverse effect or could create a hostile environment on campus. Judgments about these matters will depend on the facts of each incident.

#### **1.1. Statement of Purpose**

This policy is required by federal law and will be reviewed annually. Implementation of this policy is guided by the U.S. Department of Education, Office of Civil Rights. WSC strives to create a campus community free from interpersonal abuse including sexual misconduct. In working to achieve this intent, WSC commits to:

- Responding to complaints or reports of prohibited conduct in a reasonably prompt timeframe;
- Taking action to stop sexual misconduct and prevent recurrences;
- Taking action to remediate any adverse effects of such conduct on campus by providing advocacy, support and appropriate referral services for recipients of the behavior; and
- Educating individuals and promoting discussions on sex or gender discrimination, sexual misconduct, and violence.

All forms of prohibited conduct under this policy are regarded as serious College offenses, and violations will result in discipline, including the possibility of separation from the College. State and federal laws also address conduct that may meet the College's definitions of prohibited conduct, and criminal prosecution may take place independently of any disciplinary action instituted by the College.

WSC has an obligation to conduct a prompt and impartial investigation of all complaints or reports of sexual misconduct through fair and equitable procedures. Once made aware, the College must conduct an investigation regardless of how the information was brought to the College's attention or the extent to which the complainant wishes to participate or be involved. All individuals have access to confidential resources that they may use for support and guidance. In light of these commitments and in the best interest of the college, WSC has adopted this policy, which includes investigation and disciplinary procedures that will be followed in response to allegations of sexual misconduct, such as sexual harassment and sexual assault, intimate partner violence, stalking, and related retaliation.

To ensure a fair and equitable process for all parties, WSC's Title IX Staff receives annual training on issues related to sexual and gender based harassment, domestic violence, dating violence, sexual assault, stalking, and other forms of sexual misconduct as well as training on properly conducting investigations and hearing processes in order to protect the safety of victims and to promote the accountability of staff members. In addition, all WSC staff and faculty members are provided with training regarding sexual violence and mandatory reporting responsibilities.

WSC encourages all individuals to report any alleged or suspected violation of this policy to the Title IX Coordinator and/or Deputy Title IX Coordinator as available and to report potential criminal conduct to law enforcement.

## 2. Definitions

The following definitions are informational and are not used to classify crime statistics in the WSC Annual Security Report.

**Sexual Harassment** - Unwelcome verbal, nonverbal, or physical sexual advances, requests for sexual favors, intimidation or hostility based on sex, and other conduct directed at an individual because of the individual's gender constitute sexual harassment when:

- 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic achievement,
- 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions affecting such individual,
- 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, or
- 4) such conduct creates an intimidating, hostile, or offensive environment.

Please note that sexual harassment in electronic forms is also prohibited under SBHE Policy 1901.2 and NDUS Procedure 1901.2 - Computer and Network Usage. Individuals concerned about violations of this policy should request assistance from the College's Director for Human Resources or a Title IX Coordinator.

**Coercion** – To exploit fear and anxiety through intimidation, compulsion, domination, or control with the intent to compel conduct or compliance.

**Deviate Sexual Act** – Any form of sexual contact with an animal, bird, or dead person.

**Object** – Anything used in commission of a sexual act other than the person of the actor.

**Sexual Act** – Sexual contact between human being consisting of contact between the penis and the vulva, the penis and the anus, the mouth and the penis, the mouth and the vulva, or any other portion of the human body and the penis, anus, or vulva; or the use of an object which comes in contact with the victim's anus, vulva, or penis. For the purposes of this subsection, sexual contact between the penis and the vulva, the penis and the anus, any other portion of the human body and the anus or vulva, or any object and the anus, vulva, or penis of the victim, occurs upon penetration, however slight. Emission is not required.

**Sexual Contact** – Any touching, whether or not through the clothing or other covering, of the sexual or other intimate parts of the person, or the penile ejaculation or ejaculate or emission of urine or feces upon any part of the person, for the purpose of arousing or satisfying sexual or aggressive desires.

**Gross Sexual Imposition**

- 1) Any person who engages in a sexual act with another, or who causes another to engage in a sexual act, is guilty of an offense if:
  - a. That person compels the victim to submit by force or by threat of imminent death, serious bodily injury, or kidnapping, to be inflicted on any human being;
  - b. That person or someone with that person's knowledge has substantially impaired the victim's power to appraise or control the victim's conduct by administering or employing without the victim's knowledge intoxicants, a controlled substances as defined in [NDCC chapter 19-03.1](#), or other means to prevent resistance;
  - c. That person knows or has reasonable cause to believe that the victim is unaware that a sexual act is being committed on him or her;
  - d. The victim is less than fifteen (15) years old; or
  - e. That person knows or has reasonable cause to believe that the other person suffers from a mental disease or defect which renders him or her incapable of understanding the nature of his or her conduct.
- 2) A person who engages in sexual contact with another, or who causes another to engage in sexual contact, is guilty of an offense if:
  - a. The victim is less than fifteen (15) years old;
  - b. That person compels the victim to submit by force or by threat of imminent death, serious bodily injury, or kidnapping, to be inflicted on any human being; or
  - c. That person knows or has reasonable cause to believe that the victim is unaware that sexual contact is being committed with the victim.

**Sexual Imposition** – A person who engages in a sexual at or sexual contact with another, or who causes another to engage in a sexual act or sexual contact, is guilty of a class B felony if the actor:

- 1) Compels the other person to submit by any threat or coercion that would render a person reasonably incapable of resisting, or
- 2) Engages in a sexual act or sexual contact with another, whether consensual or not, as part of an induction, initiation, ceremony, pledge, hazing, or qualification to become a member or an associate of any criminal street gang as defined in [NDCC section 12.1-06.2-01](#).

**Sexual Assault** – A person who knowingly has sexual contact with another person, or who causes another person to have sexual contact with that person, is guilty of an offense if:

- 1) That person knows or has reasonable cause to believe that the contact is offensive to the other person;
- 2) That person knows or has reasonable cause to believe that the other person suffers from a mental disease or defect which renders that other person incapable of understanding the nature of that other person's conduct;
- 3) That person or someone with that person's knowledge has substantially impaired the victim's power to appraise or control the victim's conduct, by administering or employing without the victim's knowledge intoxicants, a controlled substance as defined in [NDCC chapter 19-03.1](#), or other means for the purpose of preventing resistance;
- 4) That person is in official custody or detained in the hospital, prison, or other institution and the actor has supervisory or disciplinary authority over that other person;
- 5) That other person is a minor, fifteen (15) years age of age or older, and the actor is the other person's parent, guardian, or is otherwise responsible for general supervision of the other person's welfare; or
- 6) The other person is a minor, fifteen (15) years of age or older, and the actor is an adult.

**Incest** – A person who intermarries, cohabits, or engages in a sexual act with another person related to him or her within a degree of consanguinity within which marriages are declared incestuous and void by [NDCC section 14-03-03](#), knowing such other person to be within said degree of relationship, is guilty of a class C felony.

**Domestic Violence** – Includes physical harm, bodily injury, sexual activity compelled by physical force, assault, or the infliction of fear of imminent physical harm, bodily injury, sexual activity compelled by physical force, or assault, not committed in self-defense, on the complaining family or household members.

### **Stalking**

- 1) As used in [NDCC section 12.1-17-07.1](#):
  - a. “Course of conduct” means a pattern of conduct consisting of two or more acts evidencing a continuity of purpose. The term does not include constitutionally protected activity.
  - b. “Immediate family” means a spouse, parent, child, or sibling. The term also includes any other individual who regularly resides in the household or who within the prior six (6) months regularly resided in the household.
  - c. “Stalk” means to engage in an intentional course of conduct directed at a specific person which frightens, intimidates, or harasses that person, and that serves no legitimate purpose. The course of conduct may be directed toward that person or a member of that person’s immediate family and must cause a reasonable person to experience fear, intimidation, or harassment.
- 2) No person may intentionally stalk another person.
- 3) In any prosecution under this section, it is not a defense that the actor was not given actual notice that the person did not want the actor to contact or follow the person; nor is it a defense that the actor did not intend to frighten, intimidate, or harass the person. An attempt to contact or follow a person after being given actual notice that the person does not want to be contacted or followed is prima facie evidence that the actor intends to stalk that person.
- 4) In any prosecution under this section, it is a defense that a private investigator licensed under [NDCC chapter 43-30](#) or a peace officer licensed under [NDCC 12-63](#) was acting within the scope of employment.
- 5) If a person claims to have been engaged in a constitutionally protected activity, the court shall determine the validity of the claim as a matter of law and, if found valid, shall exclude evidence of the activity.
- 6) A person who violates this section is guilty of a class C felony if:
  - a. The person had previously been convicted of violating [NDCC sections 12.1-17-01, 12.1-17-01.1, 12.1-17-02, 12.1-17-04, 12.1-17-05, or 12.1-17-07](#), or a similar offense from another court in North Dakota, a court of record in the United States, or a tribal court, involving the victim of stalking.
  - b. The stalking violates a court order issued under [NDCC chapter 14-07.1](#) protecting the victim of the stalking, if the person had notice of the court order; or
  - c. The person previously has been convicted of violating this section.
- 7) If subdivision does not apply, a person who violates this section is guilty of a class A misdemeanor.

### **Consent**

- 1) Consent is:
  - a. Words or actions showing a clear, knowing, and voluntary agreement to engage in mutually agreed upon sexual act; or
  - b. An affirmative decision given by clear actions or words.
- 2) Consent may not be inferred from:
  - a. Silence, passivity, or lack of resistance alone.
  - b. A current or previous dating or sexual relationship.

NOTE: It is important to obtain explicit consent from any sexual partner and not to make assumptions. If confusion or ambiguity on the issue of consent arises anytime during the sexual interaction, it is essential that each participant stops and makes verbal clarification of willingness to continue. Consent to one form of sexual act does not imply consent to other forms of sexual act(s).



***Consent as a Defense***

- 3) Assent does not constitute consent, within the meaning if:
  - a. It is given by a person who is legally incompetent to authorize the conduct charged to constitute the offense and such incompetence is manifest or known to the actor;
  - b. It is given by a person who by reason of youth, mental disease or defect, or intoxication is manifestly unable or known by the actor to be unable or known by the actor to be unable to make reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or
  - c. It is induced by force, duress, or deception.

***Intoxication as a Defense***

- 1) Intoxication is not a defense to a criminal charge. Intoxication does not, in itself, constitute mental disease or defect within the meaning outlined in [NDCC 12.1-04-04](#). Evidence of intoxication is admissible whenever it is relevant to negate or to establish an element of the offense charged.
- 2) A person is reckless with respect to an element of an offense even though his/her disregard thereof is not conscious, if his/her not being conscious thereof is due to self-induced intoxication.

***Consensual Relationships*** – Williston State College discourages consensual relationships, i.e., amorous, romantic, or sexual relationships, between faculty and students, staff and students, supervisors and subordinates, and students who have an authority relationship over other students. This policy is in effect when one individual has a control, power, authority, or responsibility position over another. WSC expressly prohibits any form of sexual harassment of employees and students when a previous consensual relationship ceases to exist or such a relationship is rejected by one of the parties.

If the parties do engage in a consensual relationship as defined above, the person in the authority position is obligated to report the relationship to his or her department head or supervisor immediately. Failure to report the relationship or any significant delay in reporting may be cause for disciplinary action. Documentation of the reporting and any subsequent actions taken by the department head or supervisor, such as advising the parties of the potential for sexual harassment charges if the relationship ends, is required.

***Complicity*** – Any act that knowingly aids, facilitates, promotes, or encourages the commission of prohibited conduct by another person. Any individual found responsible for complicity in prohibited conduct will be subject to the disciplinary procedures and sanctions outlined in this policy.

**3. Preventing and Responding to Sex Offenses**

WSC attempts to foster a safe living, learning, and working environment for all members of the campus community. To accomplish this, WSC considers the educational programming that addresses all aspects of domestic violence, dating violence, sexual assault, and stalking (safety precautions and prevention, crisis management, reporting, medical and counseling services, the WSC discipline systems, academic schedules, living arrangement, etc.), the campus response to sexual violence, domestic violence, dating violence, and instances of stalking, and physical surroundings throughout the campus community.

WSC has developed educational programs concerning domestic violence, dating violence, sexual assault, and stalking. Involved students, faculty, staff, and community members provide information and promote discussion on interpersonal abuse and violence issues. Campus Security supports the educational programs by providing input and personnel to accomplish this task. For additional information about campus educational programs concerning domestic violence, dating violence, dating violence, sexual assault, and stalking, contact the Title IX coordinator, the Residence Life office, Human Resources, office of the Vice President of Student Affairs, and/or the Williams County Family Crisis Shelter program.

First year students are required to participate in an alcohol self-assessment and a sexual violence prevention program, which is a comprehensive online training regarding assault prevention.

The College continuously considers the physical surroundings in addressing campus security to avoid assault and other crimes on campus. The physical surroundings are modified when seen as a possible threat to the safety of students, staff, and faculty. The Campus Services division regularly tours campus to identify safety concerns. They assess campus signage, lighting, phones, locking procedures, signage, etc. For additional safety information, contact Campus Security at (701) 570-6699.

#### 4. Reporting

A guiding principle in the reporting of sexual harassment, domestic violence, dating violence, sexual assault, stalking, or other forms of sexual misconduct is to avoid possible re-victimization of the complainant by forcing the individual into any plan of action. It is recommended that a person who has been assaulted consider each of the following:

- Getting to a safe place.
- Avoid the destruction of evidence by bathing, douching, changing clothes, or cleaning up in any way. Preserve evidence in a paper bag for possible future action. Also, keep copies of emails, text messages, and voice messages.
- Pursuing medical treatment. Post-assault medical care can be performed at a local emergency room. CHI St. Alexius Health Williston Medical Center, Great Plain's Women's Health, and Trinity Community Clinic – Western Dakota have Sexual Assault Nurse Examiners (SANE\*) on staff who can complete an exam for victims of sexual violence. Such an exam can help the victim receive an appropriate medical assessment and treatment, and can preserve evidence for possible future action.

The exam is voluntary. The decision to participate in all or part of the exam is made by the victim.

CHI St. Alexius Health Williston Medical Center, Great Plains Women's Health, and Trinity Community Clinic – Western Dakota providers file reimbursement forms for the survivor to cover the cost of the initial exam. [See NDCC Chapter 12.1-34-07.](#)

\*NOTE: What is a Sexual Assault Nurse Examiner (SANE)?

Sexual Assault Nurse Examiners (SANE) are registered nurses who have completed specialized education and clinical preparation in the medical forensic care of the patient who has experienced sexual assault or abuse. The role of a SANE includes taking a history from the victim for the purpose of diagnosis and treatment of health care concerns; conducting a complete physical assessment; performing a thorough genital exam; collecting and documenting any forensic evidence; providing appropriate information and referrals; working with the victim advocate and other SART members to assure coordinated service; and providing courtroom testimony when needed (Retrieved from [http://www.ndcaws.org/what\\_we\\_do/sane/overview.html](http://www.ndcaws.org/what_we_do/sane/overview.html))

- Pursuing counseling services with appropriate agencies (e.g., Campus Counselor, Williams County Family Crisis Shelter program, Northwest Human Service Center, or private providers). Calling someone that is known and trusted, such as a friend or counselor, and discussing the assault with that person can help to evaluate the trauma and sort out next steps.
- Making a police report. A campus and/or criminal complaint can be initiated. Assistance may be obtained from campus authorities in this notification.
- Making a report to campus security, Title IX coordinator, or other responsible employee under Title IX.
- Making an anonymous report. An anonymous report to the police notifies them that an act of sexual violence has occurred but gives no names or identification.

All WSC employees, other than non-professional counselors, advocates, and those employees legally regarded as confidential resources, are expected to promptly report any sexual and gender-based harassment, assault, and violence that they observe or learn about.

#### **4.1 Filing a Police Report**

Victims should consider filing a police report. A report to the police can empower the complainant by exercising his/her legal rights and can aid in the protection of others. WSC staff will encourage the complainant to file a police report and will assist the complainant in notifying the police if requested. The police will then advise the complainant of the legal process.

There may be consequences to waiting to file a police report. Early reports may improve the preparation of a viable prosecution. Filing a police report immediately following the incident does not force the complainant to file charges and prosecute the respondent. However, it does aid in the preservation of valuable evidence if the complainant decides to pursue charges at a later date.

The States Attorney makes all decisions regarding the prosecution of alleged crimes reported to law enforcement.

Victims may pursue a complaint under this policy and with the police simultaneously. If a police report is filed, WSC may need to briefly suspend the fact-finding aspect of the Title IX investigation at the request of law enforcement while the law enforcement agency gathers evidence, but WSC will maintain regular contact with law enforcement to determine when the investigation may resume. As soon as WSC is notified by law enforcement, we will promptly resume the investigation. WSC may also resume its investigation if it is determined that the evidence gathering process by law enforcement will be lengthy or delayed. In no event will WSC delay its investigation pending the outcome of a criminal investigation.

WSC will implement appropriate interim measures during any law enforcement agency's investigative period to assist and protect the safety of the complainant, the campus community, and to prevent retaliation.

#### **4.2 Alternatives to filing a police report**

Alternatives to immediately filing a police report are:

- Report the crime at a later date.
- Make a complaint to a Title IX coordinator or to campus security. Such a complaint may be used for actions which include, but are not limited to, on-campus administrative proceedings.
- Make an anonymous report to the police (a report that notifies the police that a sexual harassment, domestic violence, dating violence, sexual assault, stalking, or other forms of sexual misconduct incident has occurred, but gives no names or identification).
- Contact a referral agency for help: the Williams County Family Crisis Center, Northwest Human Service Center, Title IX coordinator, Residence Life office, Human Resources, or the Vice President for Student Affairs.
- Contact the Title IX coordinator for more information concerning the administrative process.

If the complainant does not choose to file a police report, he/she may still file an administrative complaint. The complainant will be referred to other agencies if appropriate. Specifically, a complainant may be encouraged to seek assistance at the Williams County Family Crisis Shelter, Northwest Human Service Center, or private providers. Support may also be sought from the Campus Counselor.

#### **4.3 Ongoing Care**

Students may seek assistance at any time from the WSC Campus Counselor at no additional charge. Referrals may be made upon request for relatives, partners, and friends of either the complainant or respondent to various support agencies.

Students may seek ongoing medical assistance from outside agencies. Post-assault medical care may include testing and treating for sexually transmitted diseases (STDs). Students are responsible for any/all incurred costs. Regional outside agencies include: CHI St. Alexius Health Williston Medical Center, Great Plain's Women's Health, Trinity Community Clinic – Western Dakota, or Upper Missouri District Health Unit.

#### **4.4 Anonymous Reports**

Anonymous complaints will be accepted by the College. The College's ability to investigate and resolve anonymous complaints will be limited if the information contained in the anonymous complaint cannot be verified by independent facts.

#### **4.5 False Reports**

Knowingly submitting a false report of sexual misconduct is prohibited. Anyone submitting a false report is subject to disciplinary action.

#### **4.6 Confidentiality**

The term "confidentiality" refers to the circumstances under which information will or will not be disclosed to others.

The complainant may request confidentiality at the time they disclose the sexual misconduct. However, confidentiality cannot be guaranteed. The Title IX Coordinator or Deputy Title IX Coordinator will evaluate the request and determine the extent to which confidentiality may be maintained. WSC will make every attempt to safeguard the privacy of the complainant; however WSC cannot ensure confidentiality in all cases. WSC must weigh the request for confidentiality against its obligation to protect the safety and security of the entire campus. As is the case with anonymous reports, the College's ability to conduct a meaningful investigation of the incident and pursue disciplinary action against alleged perpetrators may be limited when confidentiality has been requested.

Before a student reveals information that he or she may wish to keep confidential, any responsible employee at WSC is required to make every effort to ensure that the student understands:

- The employee's obligation to report the names of the alleged perpetrator and student involved in the alleged sexual violence, as well as relevant facts regarding the alleged incident (including the date, time, and location), to the Title IX Coordinator or Deputy Title IX Coordinator;
- The student's option to request that the school maintain his or her confidentiality, which the school will consider; and
- The student's ability to share the information confidentially with counseling, advocacy, health, mental health, or sexual-assault related services (e.g., sexual assault resource centers, campus health center, and pastoral counselors).

Depending on the circumstances of the offense (the severity of the offense, the number of victims involved, etc.), WSC may be required to respond to an incident, even if confidentiality has been requested. Therefore, WSC employees cannot guarantee absolute confidentiality.

WSC's Reporting obligations under the Clery Act: The Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Act (20 USC & 1092(0)) requires colleges and universities across the United States to disclose information about crime on and around their campuses. WSC is required to disclose statistics regarding certain types of crime, including sexual assault that occur on and around campus, as well as locations off campus at which WSC sponsored activities take place. The Clery Act also requires WSC to issue timely warning notices about crimes that pose a serious or on-going threat to the campus community.

##### **4.6.1 Confidentiality Rights of Complainants and Respondents**

Individuals involved in investigations or disciplinary proceedings under this policy are encouraged to exercise discretion in sharing information in order to safeguard the integrity of the process and to avoid the appearance of retaliation. While discretion regarding the process is important, complainants and respondents are not restricted from discussing and sharing information with others who may support or assist them in presenting their case. Medical and counseling records are privileged and confidential documents that parties will not be required to disclose.

##### **4.6.2 Privacy**

The term "privacy" refers to the discretion that will be exercised by the College in the course of any investigation or disciplinary processes under this policy. The College has an obligation to make reasonable efforts to investigate and address complaints or reports of violations of this policy. In all such proceedings, the College will take into consideration the privacy of the parties to the extent possible. In cases involving students, the Title IX Coordinator may notify residential college staff and other College employees of the existence of the complaint for the purpose of overseeing compliance with this policy and addressing any concerns related to educational and residential life. While not bound by confidentiality, these individuals will be discreet and will respect the privacy of those involved in the process. Any additional disclosure of information related to the complaint or report may be made if consistent with the Family Educational Rights and Privacy Act (FERPA), or the Title IX requirements.

## **5. On-campus Investigation and Adjudication**

This policy applies to complaints alleging all forms of sex discrimination (including sexual and gender-based harassment, assault, and violence) against employees, students, and third parties. WSC's response to complaints of sex discrimination may involve a number of individuals and agencies (e.g., campus security, Student Affairs office, Title IX Coordinator, and counseling services personnel). In addition, for cases involving campus community members, there is a timely, campus-based investigation which is private and protects individual rights and process. The complainant is presented with options about how he/she may pursue the complaint.

It is understood that there may be circumstances in which a complainant wishes to limit their participation. The complainant retains this right and acknowledges that limiting their participation may impact the effectiveness of the investigation.

If a respondent chooses not to answer any or all questions in an investigation for any reason, the College process will continue, findings will be reached with respect to the alleged conduct, and the College will issue any penalties, as appropriate. The College will not, however, draw any adverse inference from a respondent's silence.

Title IX complaints, including those reporting violence or who are concerned about WSC's compliance with Title IX or Department of Education policies, may be directed to the Title IX coordinator or the U.S. Department of Education. Complaints may also be directed to any other federal agency.

### **5.1 On-campus Investigation and Adjudication for Students**

The *Student Code of Conduct* describes the procedures followed when a violation of the *Student Code of Conduct* is reported to the office of the Vice President for Student Affairs. The Student Affairs office manages all Title IX investigations when charges are brought.

Mediation, including referral to the Campus Counselor for the purpose of mediation between the parties, will not be used to resolve sexual violence complaints.

The *Student Code of Conduct* outlines the process and protection of rights of both the complainant (the student who brings the grievance or makes the complaint) and the respondent (the student or individual about whom the grievance or complaint is brought). For any Title IX allegation:

- All incidents are to be reported to the Title IX coordinator.
- Based on the initial report of the incident, the Title IX coordinator, with assistance from campus security, Human Resources, and/or the Student Affairs office, will immediately implement any temporary safety measures.
- If complainant wishes to move forward with investigation, the Title IX coordinator will then assign a Title IX investigator or investigators to investigate the incident.
- The Title IX Coordinator is responsible for handling all requests of confidentiality.
- If the complainant wishes to move forward with an investigation, the Title IX Coordinator will send a Notice of Investigation letter to both the complainant and the respondent. This letter will be sent via Williston State College E-mail, the College's official means of communication. If any party to the complaint is a student athlete, the student athlete's head coach and/or the Athletic Director may also receive Notice of the Investigation letter.

The notice will include information regarding the initiation of an investigation, the potential policy violation(s) at issue, the right to participate in the investigation, the timeframe for responding, that the investigation may proceed without the participation of either party, and the institution's policy on retaliation.

- The Title IX Investigator will work to have his/her investigation completed within 60 days. The first official day of the investigation is the date that the Notice of Investigation letter is sent by the Title IX Coordinator. If for some reason (i.e. summer break, Christmas break, etc.) the investigator is not able to complete the investigation within the abovementioned 60 day period, he/she will contact the complainant and the respondent with an explanation for the delay and a revised expected date of completion.
- In the event that the complainant or respondent is temporarily removed from campus during the investigative period, the Vice President for Student Affairs will notify the appropriate party's instructors and advisor(s) in order to communicate the removal and make scholastic arrangements for the removal period.
- The Title IX investigator(s) will investigate the incident and submit a final written report, including an outcome recommendation, to the VPSA. WSC will not allow conflicts of interest (real or reasonably perceived) by those investigating or adjudicating complaints.
- Both the complainant and respondent will be notified in writing of the final results of the investigation and any resulting actions by the VPSA.
- Should the determination not include suspension, both the complainant and respondent may appeal the determination pursuant to the Section VI College Student Review Committee Process/Procedures.
- Should the determination of the VPSA include suspension, a disciplinary hearing will take place.

Both complainant and respondent have certain shared or complementary rights in disciplinary hearings, which are enacted when the student disciplinary procedures involve suspension. The rights of the complainant and respondent are as follows:

- The complainant and the respondent have the right to be assisted by an advisor, including an advisor they choose at their own expense.
- The advisor may be an attorney; in such cases, note that Guidelines for Attorneys who accompany accused students are available on the Williston State College website. Included in these guidelines is a requirement of a five business day notice to the College of a student's intent to be accompanied by an attorney.
- The complainant and the respondent have the right to access and review any information that will be used in the hearing.
- The complainant and the respondent will be advised of the date, time, and location of a hearing, when scheduled. Both may attend and participate.
- The VPSA may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, respondent, and/or other witnesses during the hearing, in whatever manner and as determined in the sole judgment of the VPSA, to be appropriate.
- The complainant and respondent will be afforded regular updates regarding the status of the investigation, hearing, and/or appeal process.
- The Hearing Committee Chair shall render the decision to the respondent and the complainant simultaneously and in writing within five business days of completion of the hearing. The *Student Code of Conduct* provides for the disclosure of the final results of any disciplinary proceeding regarding a complaint of sexual harassment, domestic violence, dating violence, sexual assault, or stalking to the complainant.
- Decisions may be appealed in accordance with the *Student Code of Conduct*, as applicable. All parties will be informed in writing of the outcome of any appeal.

The standard of proof that is used for campus disciplinary proceedings is preponderance of evidence, (i.e., more likely than not the event(s) occurred).

The complainant has the right to decline to participate in an investigation, appear in a proceeding with the respondent present, or otherwise confront the respondent during the grievance process, including during hearings or appeals.

A student's privacy concerns are weighed against the needs of WSC to respond to certain incidents and crimes. To the greatest extent possible, all reports will remain private. However, information may be shared with appropriate departments and agencies under a need-to-know basis when it pertains to investigative needs and safety concerns of the campus community. Further, WSC has an obligation to promptly take steps to investigate or otherwise determine what occurred and to take appropriate steps to resolve the complaint when made aware of possible discrimination, regardless of the complainant's willingness to participate in the process.

If WSC receives a complaint regarding off-campus misconduct, even if the misconduct did not occur in the context of a WSC program or activity, WSC will consider the effects of the off-campus conduct when evaluating whether there is a hostile environment on campus or in an off-campus education program or activity.

## 5.2 On-campus Investigation and Adjudication for Faculty and Staff

If a faculty or staff member is involved as the complainant or respondent:

- All incidents are to be reported to the Title IX coordinator.
- Based on the initial report of the incident, the Title IX coordinator, with assistance from campus security, Human Resources and/or Student Affairs Office, will immediately implement any temporary safety measures.
- The Title IX coordinator will then assign a Title IX investigator or investigators to investigate the incident.
- The Title IX investigator(s) will investigate the incident and submit a final written report, including outcome recommendation, to the Director for Human Resources.
- If it is determined that discipline or dismissal of a faculty or staff member is warranted, the following policies and procedures will be followed:
  - Faculty – Faculty Handbook;
  - Staff – [NDUS Human Resource Policy Manual section 25](#) and [section 27](#);
  - Employees excluded from the broadbanding system who are not faculty [SBHE policy 608.2](#);
- Both the complainant and respondent will be notified in writing of the final results of the investigation and any resulting actions.
- Both the complainant and respondent may appeal the determination pursuant to the Faculty Handbook and [NDUS Human Resource Policy Manual section 27, Appeal Procedures](#).

The standard of proof that exists for campus disciplinary proceedings is preponderance of evidence, (i.e., more likely than not the event(s) occurred).

If a complainant requests that his or her name not be revealed to the respondent or asks WSC not to investigate or seek action against the respondent, WSC will be limited in its ability to respond fully to the incident.

Title IX complaints, including the reporting of violence or the concerns about the compliance of WSC or Department of Education policies, may be directed to:

Heather Fink

Title IX Coordinator

1410 University Avenue, Office 105G

Williston, ND 58801

Office: (701) 774-4281

Fax: (701) 774-4211

Email: [heather.fink@willistonstate.edu](mailto:heather.fink@willistonstate.edu)

or

Amy Armstrong

Deputy Title IX Coordinator

1410 University Avenue, Office 105C

Williston, ND 58801  
Office: (701) 774-4586  
Fax: (701) 774-4211  
Email: amy.n.armstrong@ndus.edu

or to the:

Office for Civil Rights (OCR)  
U.S. Department of Education  
500 West Madison Suite 1475  
Chicago, IL 60611-4544  
Customer Service Hotline #: (800) 421-3481  
Telephone: (312) 730-1560  
Fax: (312) 730-1576  
TDD#: (800) 877-8339  
Email: OCR.Chicago@ed.gov

## **6. Interim Arrangements and Post-Hearing Intervention**

WSC actively provides services, which include interim measures, for all parties in sexual harassment, domestic violence, dating violence, sexual assault, or stalking cases. WSC continues a coordinated response system that attends to the complainant's and the respondent's physical and emotional well-being as well as the safety of the community. Interim measures are available during the investigation process as well as during any student conduct process, including appeals. Requests for interim measures should be directed to WSC's Title IX Coordinator.

### **6.1 Administrative Services to Assist a Student Complainant or Respondent**

The Student Affairs Office will assist students, including collaborating with campus security and other departments to provide:

- Referral to the Campus Counselor, or referrals to outside provider(s).
- Escort services.
- Assistance in petitioning for a protection order. WSC honors orders of protection, no-contact orders, restraining orders, or similar orders issued by a criminal, civil, or tribal court.
- Withdrawal from college.
- An on-campus investigation and, if appropriate, initiate on-campus disciplinary procedures.
- Other referrals as necessary.

### **6.2 Administrative Services to Assist Faculty or Staff Complainant or Respondent**

The Title IX coordinator will assist faculty and staff, including collaborating with campus security and other departments to provide:

- Referral to the Employee Assistance Program.
- Escort services.
- Assistance in petitioning for a protection order. WSC honors orders of protection, no-contact orders, restraining orders, or similar orders issued by a criminal, civil, or tribal court.
- An on-campus investigation and, if appropriate, initiate disciplinary/dismissal procedures.
- Other referrals as necessary.

### **6.3 Interim Conditions and Post-Hearing Interventions Applying to Complainants and Respondents**

- The complainant and/or respondent may have parking re-assigned.
- The complainant and/or respondent may have on-campus residence changed.
- The complainant and/or respondent may have his/her academic schedule altered and/or arrangements with instructors to assist in offsetting potential academic problems will be coordinated.



- The respondent may be directed not to have contact, by any means, with a complainant.
- The complainant may be directed not to have contact, by any means, with a respondent.
- Any individual who is alleged to have committed a violent act, including domestic violence, dating violence, sexual assault, or stalking upon a member of the campus community, may be banned from campus and campus activities.
- Other conditions as deemed appropriate.

The Vice President for Student Affairs may impose one or more WSC sanctions as described below for violations of the *Student Code of Conduct*.

## 7. Status Sanctions

The Vice President for Student Affairs may impose one or more sanctions as described below for violations of the *Student Code of Conduct*:

- Written Warning,
- Consultation,
- Referral to special classes or counseling sessions,
- Parental notification,
- Restitution and/or fines,
- Conduct probation,
- Supervised conduct probation,
- Eviction from college-owned housing,
- Suspension, and/or
- Recommendation to the provost to withhold or rescind degree.

### 7.1 Restrictions of Educational Activities Sanctions

Having the intent of effecting a safer campus environment and/or promoting the development of a student determined responsible for *Student Code of Conduct* violations, the VPSA may impose additional sanctions. Such sanctions may include but are not limited to:

- The VPSA will direct a disciplinary withdrawal of a student whose suspension was upheld by the Hearing Committee.
- No Contact Directive: A directive to refrain from any intentional contact, direct or indirect, with one or more designated persons or group(s) through any means, including personal contact, email, telephone, or through third parties.
- Suspension of or restriction(s) on access to all or to specified campus facilities, buildings, or other locations; or services; or events.
- Residence hall transfer, residence hall floor transfer, restricted access within the residence halls, restricted access to dining services, and removal and/or ban from the residence hall system for a specified period of time.
- Suspension of or restriction(s) on driving on or parking in campus-controlled streets, roads, and parking lots.
- Restitution to WSC for cleaning, replacing, or restoring some specific area or thing when loss or damage was a result of the student's disciplinary violation.
- Referral to the Campus Counselor or another provider approved by the Campus Counselor.
- Mandated community service and/or participation in campus educational programs.
- Mandated participation in one or more campus activities, lectures or workshops, and/or other activity that employs an educational purpose.
- Enhanced Sanctions for Bias-Motivated Offenses – Violators of the regulations and policies outlined in this document whose violations are motivated by bias may face more severe or enhanced sanctions. Violations motivated by bias include the intentional selection of a person against whom the violation is committed because of the race, religion, color, genetic information, gender, disability, sexual orientation, gender identity, national origin, ethnicity, age, or ancestry of that person.

## 7.2 Suspension

The Hearing Committee will convene to hear a Title IX case if the VPSA's recommendation involves suspension of any type. The Hearing Committee may impose one or more College sanctions listed above and/or others and/or the WSC sanction of suspension as described below.

Suspension will normally be for at least the remainder of the semester in which the penalty is imposed and will normally result in the cancellation of registration of the student. Suspension may be recommended for violations involving sexual harassment, assault, domestic violence, dating violence, sexual assault, stalking, possession or trafficking in the sale of drugs or weapons, false emergency report, interference in WSC activities (classes, administration, research, fire, police, etc.), or other serious offenses, or knowingly violating the terms of any disciplinary sanctions imposed in accordance with the *Student Code of Conduct*.

- Suspension — Suspension is a temporary withdrawal of enrollment privileges and ban from campus property and activities (student) or recognition (student organization) for a specific period. Suspension notification will include conditions of the suspension and terms for reinstatement. In some cases, short term suspension may be imposed depending on the nature and severity of the offense.
- Indefinite Suspension — Indefinite suspension is a suspension which involves no definite time limit and may carry conditions which must be met before the student/student organization may request reinstatement.
- Emergency Suspension – The Vice President for Student Affairs (VPSA) or designee may direct the temporary, immediate removal of a student in accordance with the Student Code of Conduct.

## 7.3 Recommendation and Authority to Impose Sanction

VPSA has the final authority in the recommendation of a suspension in Title IX cases. The VPSA or designee authorizes an Emergency Suspension, subject to an Emergency Suspension Review Hearing by the Hearing Committee. The Hearing Committee has the sole authority to impose suspension in Title IX cases.

## 7.4 College Disciplinary Sanctions for Faculty and Staff

The College will follow the disciplinary policies and procedures in the Faculty Handbook for faculty. [North Dakota University System Human Resource Policy Manual section 25](#) and [section 27](#) will be followed for any disciplinary acts involving staff. For employees excluded from the broadbanding system, [State Board of Higher Education \(SBHE\) policy 608.2](#) will be followed. Faculty are not included under SBHE 608.2.

## 8. Title IX Hearings

The Hearing Committee consists of a group of staff and faculty members, appointed by the Title IX Coordinator, trained, and called upon to hear cases of alleged Title IX violations of the *Student Code of Conduct*. The Hearing Committee has the authority to suspend a student or student organization in Title IX cases.

When a student or student organization has allegedly committed a Title IX violation and the VPSA or designee recommends suspension for the alleged behavior, the Hearing Committee will convene to hear the case. If it is determined that there may be cause for a Hearing, the Title IX Coordinator shall inform the student of his/her rights related to the Hearing. If the student or student organization is found to have violated Title IX policy as described in the *Student Code of Conduct*, appropriate sanctions are determined by the Hearing Committee. All procedural rules for the conduct of hearings shall be identified in the *Student Code of Conduct*. All procedures will apply to students and student organizations.

### 8.1 Types of Title IX Hearings

**Full Hearing for an accused student** - A hearing committee is convened to consider cases of a very serious nature which could lead to a sanction of suspension from the College. After hearing information from all parties, including the accused student; witnesses; student complainant, if any; and the VPSA; the hearing committee decides whether the student is responsible for a Title IX violation of the *Student Code of Conduct*, using a preponderance of evidence standard. If the student is found responsible for violation(s) of the *Student Code of Conduct*, the committee will also determine the appropriate sanction for the student.

***Emergency Suspension Review Hearing for an accused student*** – In extraordinary circumstances and/or emergency situations, the VPSA or designee may suspend a student or student organization for a Title IX violation, pending action on charges, the right of the student to be present on the campus and/or to attend classes (including on-campus or on-site instruction or practicum or on-line environments). The purpose of an Emergency Suspension Review Hearing is to determine if an Emergency Suspension should remain in effect until the matter is resolved.

***Full Hearing for a student organization*** – A committee is convened to consider cases of a very serious nature which could lead to a sanction of suspension from the College. After hearing information from all parties, including the accused student organization; witnesses; student complainant, if any; and the VPSA; the Committee decides whether the student organization is responsible for a violation of the *Student Code of Conduct*, using a preponderance of evidence standard. If the student organization is found responsible for violation(s) of the *Student Code of Conduct*, the committee will also determine the appropriate sanction for the student organization.

***Emergency Suspension Review hearing for a student organization*** - In extraordinary circumstances and/or emergency situations, the VPSA or designee may suspend a student or student organization, pending action on charges, the right of the student to be present on the campus and/or to attend classes (including on-campus or on-site instruction or practicum or on-line environments). The purpose of an Emergency Suspension Review Hearing is to determine if an Emergency Suspension should remain in effect until the matter is resolved.

## **8.2 Hearing Committee Membership**

The Hearing Committee for a Full Hearing shall normally consist of three WSC employees, one of whom will act at the Hearing Committee Chair. All panelists shall be trained in conducting hearings as it relates to possible violations of the *Student Code of Conduct*. When that composition of members is not available (e.g., summer session, College breaks, or other exceptional circumstances), the Committee size shall be determined by the VPSA or designee. The Committee size for an Emergency Suspension Review Hearing shall be determined by the VPSA or designee.

Composition of any Hearing Committee shall include a minimum of three members.

## **8.3 Personal Advisors (Advocates)**

Both the complainant and the respondent are entitled to have a Personal Advisor present during the hearing. The rights/restrictions placed on a Personal Advisor and/or Personal Advocate will be applied equally to both parties. By definition, a Personal Advisor may act on behalf of the student, make opening and closing statements, and call and question witnesses during the hearing. However, a Personal Advisor does not have speaking privileges during a hearing (unless previously mentioned), must not disrupt the hearing, and cannot be called as a witness during any phase of the process. Conversely a Personal Advocate acts only as a support system to the student during the hearing process. Additionally a Personal Advocate may provide support, guidance, and advice to the student but may not act on his/her behalf.

The accused, and if applicable, complainant, student may each have one Personal Advisor present during all portions of the proceedings in which the student participates. A Personal Advisor may, but does not need to, be an attorney. An attorney who is serving as a Personal Advisor is expected to follow the [North Dakota Rules of Professional Conduct](#). Personal Advisors and Personal Advocates are selected by the student. The student is responsible for sharing and communicating all information with his/her Personal Advisor (Advocate) unless other arrangements are made. If applicable, the student is responsible for any and all expenses associated with the Personal Advisor (Advocate).

A student should select a Personal Advisor (Advocate) whose schedule allows attendance at a previously scheduled date and time for the hearing. If a student has selected a Personal Advisor (Advocate) prior to a hearing being scheduled, the student can provide his/her Personal Advisor's (Advocate's) contact information and availability to the VPSA for consideration in scheduling.

If the Personal Advisor (Advocate) is unable to attend a previously scheduled hearing, the student is encouraged to inform the VPSA that his/her Personal Advisor (Advocate) is unable to attend. Upon request the Hearing may be rescheduled. The College requests that a student notify the VPSA at least five business days prior to the scheduled hearing date of his/her intent to bring a Personal Advisor (Advocate).

The College requests that the notification also indicate if the Personal Advisor (Advocate) is a licensed attorney. This request is made to ensure that the parties involved in the Hearing may be notified of the name of the Personal Advisor (Advocate) and that any reasonable accommodations may be made prior to the hearing. If the student brings a licensed attorney to a Hearing as a Personal Advisor (Advocate) without prior notice to the VPSA, the attorney shall identify him/herself to the panel as such and the hearing may be rescheduled to allow for the College's legal representative to attend.

If the student is not in attendance, the Personal Advisor (Advocate) may not be in attendance.

## 8.4 Hearing Procedures

**8.4.1 Prior to the Hearing** – The Title IX Coordinator shall confer with the Hearing Committee to establish a time, date, and place for the hearing, and notify the accused student and the complainant, if applicable, of such in writing, via Williston State College E-mail, the College's official means of communication. The accused student and the complainant, if applicable, shall receive the Hearing Notification Letter at least seven business days prior to the hearing date. A student may request in writing that an earlier date be set. The Title IX coordinator will send each member of The Hearing Committee the final investigative report written by the Title IX investigator four business days before the hearing. The Hearing Committee, for good cause, may postpone the hearing. In the event that this occurs, the Title IX Coordinator will notify all interested persons of the new hearing date, time, and place. The Hearing Committee Chair, in consultation with the Hearing Committee, may refuse to conduct a hearing when in their determination there is insufficient information for a Committee to consider the alleged violation or if the alleged violation would not merit suspension as a sanction. The Hearing Committee Chair may then assign such a case to the Student Review Committee for resolution.

### 8.4.2 The Hearing Notification Letter to the accused student shall:

- Direct the accused student to appear at the date, time, and space specified.
- Include alleged violations of the *Student Code of Conduct*.
- Advise the student that information provided to the Hearing Committee will be included in the deliberations.
- Advise the student of his/her rights.
- Include a request to the student to provide the following information to the Title IX Coordinator at least five (5) business days before the hearing: the identity of the student's Personal Advisor (Advocate) if any, whether the Personal Advisor (Advocate) is a licensed attorney, when the Person Advisor (Advocate) will act as a Personal Advocate, will be the student's Personal Advisor, and whether the student requests the hearing be an open hearing.
- Include a notice to the student to provide the following to the Title IX Coordinator at least two (2) business days before the hearing: a list of witnesses to be called on behalf of the student and copies of any documents or other materials to be presented by the student at the hearing.
- Contain the name of the person appointed to act as chairperson of the Hearing Committee.
- Contain the name of the person appointed to act as Process Advisor for the student.
- Contain the names of witnesses being called by the Hearing Committee Chair, and a description of information, materials, and charges that will be offered against them.
- Contain a redacted copy of the complaint.
- Provide a copy of the Retaliation Prohibited Statement.
- Notify the student that if he/she chooses to serve as a witness, the student may be questioned by the Hearing Officer, the student Complainant, and the Hearing Committee.

#### 8.4.3 Rights of the Accused Student

- To a closed hearing unless the accused student, the student complainant, if applicable, and the Hearing Officer agree to an open hearing.
- The opportunity to appear alone or with a Process Advisor, a Personal Advocate, and/or Personal Advisor.
- To challenge one (1) member of the Hearing Committee for bias at the start of the hearing.
- To know the identity of each witness who will speak to the alleged events.
- To serve as a witness, or not; to call witness(es); submit documentary and other information; offer information; and speak on his/her own behalf.
- To question each witness, for the purpose of clarification.
- To have access to the record of the hearing after all proceedings are complete.
- To appeal the decision of the Hearing Committee.

#### 8.4.4 When applicable, the Hearing Notification Letter to the student complainant shall:

- Inform the student of the date, time, and place specified for the hearing.
- Advise the student that information provided to the Hearing Committee will be included in the deliberations.
- Advise the student of his/her rights.
- Include a notice to student to provide to the VPSA at least five (5) business days before the hearing, whether an attorney will be the student's Personal Advisor.
- Contain the name of the person appointed to act as chairperson of the Hearing Committee.
- Provide a copy of the Retaliation Prohibited statement.
- Notify the student that if he/she chooses to serve as a witness, the student may be questioned by the Hearing Officer, the accused student, and the Hearing Committee.

#### 8.4.5 Rights of the Student Complainant

- In such cases when an act of violence or harassment is alleged, the student complainant has the following rights:
- To receive a notice of the hearing.
- The opportunity to appear, alone or with a Process Advisor, Personal Advocate, and/or Personal Advisor.
- To request accommodations during the hearing to increase his/her comfort or sense of safety in providing information.
- To speak for him/herself.
- To know the outcome of the hearing.
- To appeal the decision of the Hearing Committee.

#### Honesty Statement

The College expects that all information presented in this hearing will be true and correct to the best of each person's knowledge. If students willfully provide false information, they will be in violation of WSC's Student Code of Conduct. As a result, they also may be subject to additional disciplinary action. Dishonest behavior of any faculty or staff members will be reported to supervisors for any necessary disciplinary action.

#### 8.5 Full Hearing Process:

**Introduction** – With all parties present, the hearing officer will call the meeting to order and will ask all parties participating in the hearing to introduce themselves and identify their role in the proceedings.

The hearing officer will describe the general outline of the hearing and will read the honesty statement. If a student is represented by an attorney or nonattorney advisor, that individual has the ability to fully participate in the hearing. Hearing advisors (attorney or nonattorney) will be required to sign a confidentiality statement pertaining to information about all parties involved in the hearing.

The hearing officer will dismiss witnesses until they are called to speak.

**Complaint and Response** – The hearing officer will introduce the case.

The accused student (and/or attorney or nonattorney advisor) will be permitted to respond to the charges and present information that is relevant in determining whether the student violated one or more sections of the code.

**Presentation of Witnesses** – The complainant and the respondent will be allowed to present witnesses who may be asked questions by the hearing officer, complainant (and/or attorney or nonattorney advisor), respondent (and/or attorney or nonattorney advisor) and VPSA or designee. All questions will be directed to the hearing officer who will determine relevancy to the proceeding, request clarification if necessary, ask if the respondent understands the question, and request a response.

**Final Questions** – The hearing officer and the respondent (and/or attorney or nonattorney advisor) will be permitted to ask questions of each other.

The hearing officer and the complainant (and/or attorney or nonattorney advisor) will be permitted to ask questions of each other.

Questions will be permitted by the Hearing Committee, who may question either party.

The hearing officer and complainant (and/or attorney or nonattorney advisor) may be permitted to ask additional questions of each other.

The hearing officer and respondent (and/or attorney or nonattorney advisor) may be permitted to ask additional questions of each other.

In no event will the parties be allowed to personally cross-examine each other. The same applies to appeal proceedings.

**Closing Statements** - The complainant (and/or attorney or nonattorney advisor) will have an opportunity for a closing statement.

The respondent (and/or attorney or nonattorney advisor) will have an opportunity for a closing statement.

**Deliberation and Decision** – If the Hearing Committee believes that suspension is warranted, the Hearing Committee will make its written recommendation to the Vice President for Student Affairs. When the recommendation has been approved by the Vice President for Student Affairs, the Vice President for Student Affairs or designee will issue the written decision.

The Vice President for Student Affairs will provide written notice of findings to all parties stating whether or not the *Student Code of Conduct* was violated. The written notice will include sanctions and terms and conditions for continued enrollment or re-enrollment, if any, as well as appeal information. The written notice, which will be provided via WSC email, will generally be provided within 10 business days following the hearing.

### **8.6 Record of the Hearing**

An individual student's hearing record is confidential and consists of:

- A copy of the Hearing Notification Letter sent to the accused student.
- All documents, information, and materials admitted in the hearing.
- The audio recording of the hearing, which is the sole official verbatim record of the Hearing, is the property of Williston State College.
- A copy of the Hearing Decision Letter.

The result of a hearing involving a student organization is not subject to FERPA. The records of student members of student organizations are subject to FERPA. The charges, findings, and sanctions for the student organization will be considered public information. Personally identifiable information will be redacted or omitted from any disclosure document. The Office of Record for Hearings is the Office of Student Affairs. Records will be kept for a minimum of six (6) years following final resolution. Even if the report was unsubstantiated, files must be kept in order to monitor progress in creating a safer campus by conducting assessments of the campus climate. In addition, files must be kept in order to identify and resolve harassment-related issues, patterns and problems. Students who wish to review their disciplinary or hearing records may contact the Student Affairs Office to schedule an appointment to conduct the review of these records.

### **8.7 Appeal Procedures**

The student in violation and the complainant student have the right to appeal the outcome of a Full Hearing and both parties have the right to participate equally in the appeal process, even if the party has not filed an appeal. Appeals of a decision made by the Hearing Committee are made to the Vice President for Academic Affairs. Appeals must be made in writing to the VPAA within one (1) year after delivery posted date of the Hearing Decision Letter. A notice of appeal shall contain the student's name and contact information, the date of the decision or action, the reason for appeal, and the name of the student's Personal Advisor (Advocate), if any. An appeal may only be based on new information, contradictory information, and information that indicates the student in violation was not afforded due process.

The specific items for review that may be addressed in a written appeal are the following:

- Were Procedures for a Full Hearing as listed in section 8.4 of the Code followed? Please explain.
- Was a procedural error committed? Please explain.
- Were you given an adequate opportunity to make your presentation? Please explain.
- Is there any new or contradictory information that was unavailable at the time of the hearing that may have affected the outcome of the hearing and/or the sanctions? Please explain the information and why the information was unavailable at the time of the hearing.

Filing of an appeal suspends the sanctions until the appeal is decided. However, interim action may be taken as outlined in Section 6 herein.

The case will be reviewed by the VPAA or designee. The VPAA or designee may consider police reports, transcripts, the outcome of any civil or criminal proceedings directly related to the appeal, and information presented to the Hearing Committee. The VPAA or designee will make all decisions regarding the appeal. The disciplinary process is educational in nature and a determination is made using a preponderance of evidence standard. A later finding of a court of law does not change the outcome of any completed disciplinary process, but it may be considered by the VPAA or designee during an appeal process.

After reviewing the request for appeal, the VPAA or designee will determine if there are grounds for appeal, and make a determination whether to deny or grant the appeal. If the VPAA or designee denies the appeal, the decision of the Hearing Committee is final. If an appeal is granted, the VPAA or designee may:

- Modify the decision of the Hearing Committee. The VPAA or designee may overturn all or some of the decisions regarding violations determined by the Hearing Committee. If a violation is overturned, the VPAA or designee may modify, reduce, or vacate any sanction. If the accused student is found to be in violation of the *Student Code of Conduct* as the result of the appeal, the VPAA or designee may impose sanctions, including, but not limited to, suspension.
- Order a new hearing. The VPAA or designee may void all or some of the determinations of the Hearing Committee and call for a new Hearing. The VPAA or designee may provide specific instructions to those participating in the Hearing regarding the rights of a student, the hearing process, or information that is or is not relevant to the hearing as it relates to the details of the appeal.
- Uphold the decision made by the Hearing Committee.

The VPAA or designee shall have 21 business days from the receipt date of the appeal in which to issue a written determination on the appeal, although extensions of time may be granted and are available equally to each party. Such written determination shall be forwarded to the accused student; student complainant, if applicable; and each Hearing Committee member. The action of the VPAA or designee shall be final. If the appeal results in a reversal of the decision or lessening of the sanction, the institution may reimburse the student for any tuition and fees paid to the institution for the period of suspension which had not been previously refunded.

### **8.8 Compliance with Sanctions**

The student in violation is responsible for completing the sanctions imposed by the Hearing Committee within the timeframe stated in the Hearing Decision Letter. If a student does not complete the sanctions or violates the sanctions as prescribed, the student will be prohibited from registering. If a student has already pre-registered and the sanction has not been completed, the student's classes will be canceled. Student organizations that do not complete the sanctions or violate the sanctions as prescribed will no longer be considered in good standing and will not be entitled to the rights or privileges of student organizations.

### **8.9 Reinstatement Following a Suspension**

Reinstatement for students following a Suspension involves the following procedure:

- The suspended student applies in writing to the VPSA for reinstatement.
- The VPSA reviews the record and ensures that the conditions (if any) for reinstatement have been satisfied.
- The VPSA shall either grant or deny the application. The student status of the complainant student may be a factor among others in determining the reinstatement of the suspended student.
- If the VPSA reinstates the suspended student, the student must still complete the readmission process through the Enrollment Services Office.

Reinstatement for Student Organizations following a Suspension involves the following procedure:

- The suspended student organization applies to Student Senate for reinstatement.
- The Student Senate President, who may be assisted by other Student Senate members, reviews the record and ensures the conditions for reinstatement have been satisfied. The Student Senate President may consult with the Hearing Committee about the completion of the conditions.
- Student Senate shall either grant the reinstatement or deny the application.

## **9. Emergency Suspension Review Hearing Procedures**

An emergency suspension is considered extraordinary and temporary in nature and subject to an Emergency Suspension Review Hearing (hereinafter "Review Hearing") by the Hearing Committee. In most circumstances a Hearing Committee will be convened within ten (10) business days. However, in extenuating circumstances, the Hearing Committee Chair, with the approval of the VPSA, may grant an extension of that timeframe. All Review Hearings will be scheduled as expeditiously as possible.

The purpose of a Review Hearing is to hear information from both the student who has been placed under temporary suspension and the Office of Student Affairs for consideration in determining if the temporary suspension should remain in effect until the matter is resolved. Final resolution of the matter will include an investigation by the Student Affairs Office and any necessary actions to follow, possibly to include a Full Hearing before the Hearing Committee. Under the *Student Code of Conduct*, a student may be suspended on an emergency basis for behavior that the Vice President for Student Affairs determines met at least one of the Criteria for Suspension.

### **9.1 Criteria for Emergency Suspension**

Student's behavior poses a significant threat of danger and/or injury to self or others,  
OR

Student's behavior poses a threat of disruption of the educational process for others,  
OR

Student's behavior poses a threat of destruction of property.



### **9.2 Prior to the Emergency Suspension Review Hearing**

The Vice President for Student Affairs or designee shall confer with the Hearing Committee to establish a time, date, and place for the hearing. Notice is provided to the accused student by the Student Affairs office. The date, time, and place for the Review Hearing will be specified in the Review Hearing Notification Letter.

### **9.3 The Emergency Suspension Review Hearing Notification Letter:**

The Emergency Suspension Review Hearing Notification Letter shall:

- Direct the accused student to appear at the date, time, and place specified.
- Include the alleged violations of the *Code*.
- Provide the name and contact information of the Process Advisor.
- Advise the student that information provided to the Hearing Committee will be included in the deliberations.
- Advise the student of his/her rights.
- Include a request to the student to provide the following information to the VPSA prior to the hearing: the identity of the student's Personal Advisor (Advocate) if any, whether the Personal Advisor (Advocate) is a licensed attorney, whether the Personal Advisor will act as a Personal Advocate, and whether the student requests that the hearing be an open hearing.

### **9.4 Rights of the student during the Emergency Suspension Review Hearing Process**

- To a closed hearing unless the accused student and the Judicial Officer agree to an open hearing.
- The opportunity to appear, alone or with a Process Advisor, Personal Advocate, and/or Personal Advisor.
- To challenge one member of the Panel for bias at the start of the hearing.
- To know the identity of each witness who will speak to the alleged events.
- To serve as a witness, or not; to call witness(es); to submit documentary and other information; to offer information; and to speak on his/her own behalf.
- To question each witness, for the purpose of clarification.
- To have access to the record of the hearing after all proceedings are complete.

### **9.5 Emergency Suspension Review Hearing Process**

The accused student, the Hearing Officer, and each witness will sign an honesty oath, confidentiality statement, and Retaliation Prohibited statement prior to the hearing.

The Hearing Officer will convene the hearing at the designated time and location.

The Hearing Committee may proceed with a hearing in the absence of the accused student. Such an absence is not to be interpreted as an admission of responsibility nor as a basis for additional disciplinary action. The College will be required to document that a reasonable attempt has been made to provide notification of the hearing to the student.

The accused student and the Hearing Officer are given the opportunity to challenge one member of the Hearing Committee for bias. A confidentiality statement is read. The hearing shall be closed to the public unless the Hearing Officer and the accused student agree to an open hearing.

The Hearing Committee Chair will read the complaint as included in the Review Hearing Notification letter sent to the accused student by the VPSA.

The Hearing Officer presents the reason for emergency suspension.

Witnesses may be called to offer testimony for consideration in determining if the emergency suspension should remain in effect until the matter is resolved. Any one of Criteria for Suspension is sufficient for continuing the suspension pending further investigation. The Hearing Officer, the accused student or his/her Personal Advocate, and the Hearing Committee members will have an opportunity to question the witnesses.

The accused student or his/her Personal Advocate may make a statement or call witnesses to offer testimony. The accused student or Personal Advocate, Hearing Officer, and the Hearing Committee will have an opportunity to question the witnesses.

Members of the Hearing Committee deliberate and determine if the Emergency Suspension should remain in effect until the matter is resolved. After the Panel makes their determination, the Hearing Committee Chair and the VPSA will meet with the accused student to announce the decision.

### 9.6 Emergency Suspension Review Hearing Decision Letter

A written notification of the outcome of the Emergency Suspension Review Hearing will be sent to the accused student within one week following the preliminary hearing, with copies provided to the VPSA and to the Student Services Office to be placed in the student's personal file.

## 10. Documentation

WSC will document all complaints received, regardless of outcome. A final report will be compiled for each complaint rising to the level of an investigation. When applicable, the Final report will include the following information:

- Description of the incident
- Record of how and when the incident was brought to attention
- Documentation of investigation process, including interview notes and supporting materials
- Documentation of all information reviewed by adjudicator
- Documentation of policy violation(s) and sanction(s)
- Documentation of all updates given to involved parties
- Documentation of all contact with law enforcement
- Documentation of interim measures and services provided
- Any other relevant information to the case.

## 11. References

Clery Act	<a href="http://clerycenter.org/summary-jeanne-clery-act">http://clerycenter.org/summary-jeanne-clery-act</a>
NDCC 12.1-17-07.1 – Stalking	<a href="http://www.legis.nd.gov/cencode/t12-1c17.pdf">www.legis.nd.gov/cencode/t12-1c17.pdf</a>
NDCC 12.1-17-08 – Consent as a Defense	<a href="http://www.legis.nd.gov/cencode/t12-1c17.pdf">www.legis.nd.gov/cencode/t12-1c17.pdf</a>
NDCC 12.1-20-02 – Definitions related to Sex Offenses	<a href="http://www.legis.nd.gov/cencode/t12-1c20.pdf">www.legis.nd.gov/cencode/t12-1c20.pdf</a>
NDCC 14-03-03 – Void Marriages	<a href="http://www.legis.nd.gov/cencode/t14c03.pdf">www.legis.nd.gov/cencode/t14c03.pdf</a>
NDCC 14-07.1-01 – Definitions related to Domestic Violence	<a href="http://www.legis.nd.gov/cencode/t14c07-1.pdf">www.legis.nd.gov/cencode/t14c07-1.pdf</a>
NDUS Human Resource Policy Manual 25 – Job Discipline/Dismissal	<a href="http://ndus.edu/makers/procedures/hr/?SID=44&amp;PID=246&amp;re=d%20">http://ndus.edu/makers/procedures/hr/?SID=44&amp;PID=246&amp;re=d%20</a>
NDUS Human Resource Policy Manual 27 – Appeal Procedures	<a href="http://ndus.edu/makers/procedures/hr/?SID=46&amp;PID=248&amp;re=d%20">http://ndus.edu/makers/procedures/hr/?SID=46&amp;PID=248&amp;re=d%20</a>
U.S. Department of Labor - Title IX, Education Amendments of 1972	<a href="http://www.dol.gov/oasam/regs/statutes/titleix.htm">http://www.dol.gov/oasam/regs/statutes/titleix.htm</a>
NDCC 12.1-32-15 – Sex Offender Registration Policy	<a href="http://www.legis.nd.gov/cencode/t12-1c32.pdf?20151207113531">http://www.legis.nd.gov/cencode/t12-1c32.pdf?20151207113531</a>

Students are encouraged to report incidents or information related to sexual misconduct as soon as possible. Anyone who becomes aware of a Title IX complaint or violation of this policy and has the authority to take action on the complaint or violation, shall report the complaint or violation either to the Title IX Coordinator or a Deputy Title IX Coordinator:

Heather Fink  
Director for Student Financial Aid/Title IX Coordinator  
Student Affairs Office, Stevens Hall  
Phone: (701) 774-4281

Amy Armstrong  
Executive Assistant to the Vice President for Student Affairs/Deputy Title IX Coordinator  
Student Affairs Office, Stevens Hall  
Phone: (701) 774-4586

## Campus Crime Statistics

### Preparation and Disclosure of Crime Statistics

WSC's Annual Security and Fire Safety Report (ASR) is compiled by the Director for Campus Services in collaboration with additional WSC divisions and departments as per the Annual Security Report and Annual Fire Safety Report Policy & Procedure. The annual report fulfills Williston States responsibility to disclose crime statistics in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act), 20 U.S.C Section 102.

The purpose of this report is to inform current and potential WSC community members of crime, arrest and referral statistics, prevention and awareness policies, including policies regarding sexual assault domestic violence, dating violence and stalking, campus disciplinary policies and relevant state laws, and of campus safety and security. This Annual Security and Fire Safety Report includes crime, arrest and referral statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by Williston State College, and on public property within, or immediately adjacent to, and accessible from, the campus. The Fire Report at the end the document contains WSC housing fire safety protocols and fire statistics for the previous three calendar years.

Statistics reported are prepared in cooperation with the local Williston Police department surrounding our main campus and alternate sites. Campus crime, arrest and referral statistics include those reported to a designated Williston State College campus security authorities (CSA).

Williston State College publishes this information annually. The report is available on the internet at [www.willistonstate.edu](http://www.willistonstate.edu). Additionally, each member of the WSC community receives an email that describes the report as well as its location on the website. Hard copies are available by contacting the office for Student Affairs at 701-774-4585.

### Definitions of Criminal Offenses

The following definitions are those used in the Uniform Crime Reporting system of the U.S. Department of Justice, Federal Bureau of Investigation.

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

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

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

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

**Hate Crimes** – Crimes that evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. Under the Clery Act, the following eight hate crime categories are reported: race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability.

- **Larceny-Theft** is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.
- **Simple Assault** is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Intimidation** is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Destruction/Damage/Vandalism of Property** is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

**Larceny**- The unauthorized taking and removal of the personal property of another by an individual who intends to permanently deprive the owner of it; a crime against the right of possession.

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

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

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

**Murder and non-negligent manslaughter** - The willful (non-negligent) killing of one human being by another.

**Negligent manslaughter** – The killing of another person through gross negligence.

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

Note: Car-jacking is a robbery offense where a motor vehicle is taken through force or threat of force.

**Stalking**- A Course of conduct directed at a specific person that would cause a reasonable person to fear for the person safety or the safety of others or to suffer substantial emotional distress.

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

### Definitions of Criminal Offenses of Sexual Nature

Definitions are from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program.

**Dating Violence**- Violence by a person who is or has been in social relationship of a romantic or intimate nature with the victim. Whether there was such relationship will be gaged by its length, type, and frequency of interaction.

**Domestic Violence**- Domestic violence is 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, 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.

**Forcible** – any sexual act directed against another person, forcibly or against that person's will where the victim is incapable of giving consent.

- a. **Forcible Rape** (except "Statutory Rape") - The carnal knowledge of a person, forcibly or against that person's will, or both; or not forcibly or against the person's will where the victim is incapable of giving consent because of his or her temporary or permanent mental or physical incapacity (or because of his or her youth).
- b. **Forcible Sodomy**  
Oral or anal sexual intercourse with another person, forcibly or against that person's will or both; or not forcibly or against the person's will where the victim is incapable of giving consent because of his or her youth or because of his or her temporary or permanent mental or physical incapacity.
- c. **Sexual assault with an object** – To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly or against that person's will, or both; or not forcibly or against the person's will where the victim is incapable of giving consent because of his or her
- d. **Forcible fondling** – The touching of the private body parts of another person for the purpose of sexual gratification, forcibly or against that person's will, or both; or not forcibly or against that person's will, or both; or not forcibly or against the person's will where the victim is incapable of giving consent because of his or her youth or because of his or her temporary or permanent mental or physical incapacity.

**Note:** Forcible Fondling includes "Indecent Liberties" and "Child Molesting."

**Non-Forcible** – Unlawful, non-forcible sexual intercourse. (Except "prostitution offenses")

- a. **Incest** – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein

marriage is prohibited by law.

- b. Statutory rape** – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Note: An “object” or “instrument” is anything used by the offender other than the offender’s genitalia. Examples are a finger, bottle, handgun, stick, etc.

- c. Forcible fondling** – The touching of the private body parts of another person for the purpose of sexual gratification, forcibly or against that person’s will, or both; or not forcibly or against that person’s will, or both; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his or her youth or because of his or her

- d.** because of his or her youth or because of his or her temporary or permanent mental or physical incapacity.

**Note:** Forcible Fondling includes “Indecent Liberties” and “Child Molesting.”

- e. Forcible fondling** – The touching of the private body parts of another person for the purpose of sexual gratification, forcibly or against that person’s will, or both; or not forcibly or against that person’s will, or both; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his or her youth or because of his or her temporary or permanent mental or physical incapacity.

**Note:** Forcible Fondling includes “Indecent Liberties” and “Child Molesting.”

Youth or because of his or her temporary or permanent mental or physical incapacity

**Note:** Forcible fondling includes “Indecent liberties”

And “Child Molesting.”

## Definitions of Geography

As specified in the Clery Act, the following property descriptions are used to identify the location of crimes on and around WSC’s campus.

### On-Campus Buildings or Property

Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution’s educational purposes, including residence halls.

Any building or property that is within or reasonably contiguous to the area identified in the above paragraph, that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or retail vendor).

### Non- Campus Buildings or Property

Any building or property owned or controlled by a student organization that is officially recognized by the institution.

Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

### Public Buildings or Property

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.



## Safety Awareness and Crime Prevention

### Educational Programming

WSC is committed to providing a safe and secure campus learning environment. This effort requires participation from campus community members in exercising reasonable safety and security practices. To assist students and employees in being more safety minded WSC offers various educational programs.

**New Student Orientation Session:** Students are required to attend a new student orientation session at the beginning of each term. WSC security officers attend events and students are given initial information on campus security initiatives as well as procedures to follow in the case of an emergency.

**Crime Prevention Presentations:** Organized through the Student Life Office, various speakers are invited to address the student body on topics that may include personal safety, safe dating practices, drug and alcohol abuse, and social media safety. These events happen throughout both the fall and spring terms.

**Active Shooter Response Training:** The Director for Campus Services as well as security officers and key staff members are trained on how to handle a situation involving a weapon on campus. This event occurs annually.

**Campus Security Authority Training (CSA):** In-person training is provided to all Campus Security Authorities regarding responsibilities under the Clery Act and the campus procedure for reporting Clery-related offenses on an annual basis.

**Housing Residence Assistants, Head Resident Supervisor Training:** The Director for Residence Life in collaboration with campus Security Officers provide annual training to Residence Life Staff. Key topics include, but are not limited to, CSA responsibilities, Title IX, crime prevention, safety, security and emergency preparedness.

**Sexual Violence Prevention Program:** The program reviews important Title IX and Violence Against Women Reauthorization Act material aimed at reducing campus incidents of sexual violence. All first year students are required to complete the online program their first semester. Students have a hold placed on their account which inhibits them from registering for subsequent semesters until they complete the training.

### Alcohol and Drug Awareness and Education

WSC's offers alcohol and drug prevention programs which strive to educate students about the risks associated with alcohol use, communicate clear messages about the consequences of underage drinking, and provide a variety of on-campus student programming. The program provides accurate and personalized feedback about individual drinking patterns, risk patterns, aspirations and goals, as well as helpful college and community resources. All first-year students are required to complete the online program their first semester. Additional information and resources may be found in the WSC Alcohol & Other Drug Abuse Prevention Programs at [www.willistonstate.edu](http://www.willistonstate.edu) > Current Students > Life on Campus > Alcohol & Other Drug Abuse Prevention Program.

### How to Be an Active Bystander

A safe campus community begins with students and employees that look out for their own personal safety as well as the safety of those around them. An important part of assisting one another is learning to recognize the signs when someone is in danger and how to effectively step in and prevent it. This action is called being an Active Bystander. Active Bystanders are able to recognize and safely intervene when they feel that someone near them is in a potentially dangerous situation. The following are a few simple steps you can take to become an Active Bystander and safely intervene:

- Notice the situation and be aware of your surroundings at all times.
- Feel responsible to act.



- Educate yourself on what to do to help.
- Tell another person before you intervene.
- Interrupt the behavior.
- Change the environment by turning on lights or turning off music.
- Spill your drink.
- Ask for the time or directions.
- Let the person that you will leave with them.
- Call the police (9-1-1) or a Campus Security Authority (CSA).
- Call the National Sexual Assault Hotline at 1-800-656-HOPE.

## Fire Safety Report

### Fire Safety Policy

Williston State College will comply with all requirements according to The Higher Education Opportunity Act, which became law in August 2008. Beginning October 1<sup>st</sup>, 2010 this act required all Title IV institutions with on campus housing facilities, to prepare an annual fire safety report. The report must contain information about campus fire safety practices and standards of the institution.

### Fire Safety Improvements and Upgrades

WSC's Director for Campus Services in collaboration with the Director for Residence Life and the local Williston Fire Department annually review the fire systems located in the campus residence halls. Facilities staff are responsible for immediately making upgrades, or addressing repairs as soon as problems are identified.

### Residence Hall Fire Drills

Fire drills are held once a semester for each residence hall. Fire drills require mandatory evacuation for all residents currently inside the building and are supervised by Residence Life staff. Evacuation route maps are posted for each floor/hallway/nearest exit and show the closest egress route to the assembly area outside. Failure of a resident to leave during a fire alarm results in a fine or other disciplinary action.

### Fire Safety Policies in Student Housing Facilities

Use of electrical cooking or heating appliances such as electric frying pans, hotplates, toasters, or space heaters are strictly prohibited in resident suites. Also prohibited per the resident housing contract are, candles, candle warmers, incense, refrigerators exceeding 4 cu ft. or microwave ovens exceeding 800 watts.

### Fire Safety Education

Annual fire safety education training is included for faculty, staff and residence life staff. Important topics covered include information on the location and proper use of fire extinguishers and evacuation procedures.

### Smoking Policy

WSC is a tobacco free campus. Smoking of any type is strictly prohibited on campus property. Violators are subject to fines and possible eviction of campus property.

## Reporting a Fire

1. Fire alarms are always to be taken seriously.
2. Contact the WSC Campus Services and/or the Williston Fire Department immediately.
3. The building fire alarm system is activated manually at pull stations.
4. If you see or smell smoke, you should immediately pull the nearest fire alarm, leave the building and dial 911 (or 9-911 if using a campus phone) immediately.
5. When a fire alarm has been activated, everyone is to evacuate the building immediately.
6. Disabled persons unable to move down the stairwells should move to the nearest stairwell landing where the Williston Fire Department can provide for their evacuation.
7. Students, faculty, staff and visitors may reenter the building only when given authorization to do so.
8. Anyone who does not leave the building in the event of a fire alarm or drill is subject to campus discipline and to possible criminal charges. Misuse of any fire equipment is grounds for disciplinary action.
9. For purposes of including a fire in the statistics in the annual fire safety report, students and employees should report that a fire occurred to the Director for Campus Services.

<b>Important Phone Numbers – Fire Emergency</b>	
<b>Emergency Fire, Ambulance, Police</b>	<b>9-1-1</b>
From an internal office phone dial	<b>(9)-9-1-1</b>
<b>Campus Security</b>	<b>701-570-6699</b>
<b>Executive Cabinet Members</b>	
WSC President	(701) 774-4233
CEO Train ND	(701) 774-4246
VP of Student Affairs	(701) 774-4585
Director for Campus Services	(701) 774-4578

## Fire Safety Definitions

**Cause of fire:** The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure or act of nature. If a fire's cause is indeterminable, this will be noted in the report.

**Fire:** Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

**Fire drill:** A supervised practice of a mandatory evacuation of a building for a fire.

**Fire-related injury:** Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term person may include students, faculty, staff, visitors, firefighters, or any other individuals.

**Fire-related death:** Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire, or deaths that occur within 1 year of injuries sustained as a result of the fire.

**Fire safety system:** Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire including: sprinkler or other fire extinguishing systems, fire detection devices, standalone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights, smoke-control and reduction mechanisms, and fire doors and walls that reduce the spread of a fire.

### Procedures for Evacuation of Campus Residence Halls

In case of a fire drill or real life fire the following procedure for an evacuation should be followed:

1. Stay calm.
2. Dress for the weather (time permitting).
3. Open blinds, close windows and leave the lights on.
4. Lock your door and bring your keys.
5. Always check for heat before entering a space you can't actually see.
6. Exit the building using the nearest stairway or exit. NEVER USE THE ELEVATOR DURING A FIRE.
7. Remain outside in a designated meeting space at least 150 feet away from the exit until give permission to return.

### Fire Safety Systems in Residence Halls

Building	Frontier Hall	Nelson Hall	Abramson Hall	Manger Hall
Year Built	2011	1975	1975	1975
Sprinkler System	Yes	No	No	No
Fire Alarm	Yes	Yes	Yes	Yes
Smoke Detection	Yes	Yes	Yes	Yes
Fire Extinguisher	Yes	Yes	Yes	Yes
Fire Evacuation Map	Yes	Yes	Yes	Yes
Fire Drills Held Each Year	3	3	3	3

### Fire Statistics for Residential Facilities: 2013

Building	Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by a Fire
Frontier Hall	1410 University Ave	0	0	N/A	N/A	N/A	N/A
Nelson Hall	613 E. Highland Dr.	0	0	N/A	N/A	N/A	N/A
Manger Hall	609 E. Highland Dr.	0	0	N/A	N/A	N/A	N/A
Abramson Hall	601 E. Highland Dr.	0	0	N/A	N/A	N/A	N/A

### Fire Statistics for Residential Facilities: 2014

Building	Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by a Fire
Frontier Hall	1410 University Ave	0	0	N/A	N/A	N/A	N/A
Nelson Hall	613 E. Highland Dr.	0	0	N/A	N/A	N/A	N/A
Manger Hall	609 E. Highland Dr.	0	0	N/A	N/A	N/A	N/A

<b>Abramson Hall</b>	601 E. Highland Dr.	0	0	N/A	N/A	N/A	N/A
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### Fire Statistics for Residential Facilities: 2015

<b>Building</b>	<b>Address</b>	<b>Total Fires in Each Building</b>	<b>Fire Number</b>	<b>Cause of Fire</b>	<b>Number of Injuries Requiring Treatment at a Medical Facility</b>	<b>Number of Deaths Related to a Fire</b>	<b>Value of Property Damage Caused by a Fire</b>
<b>Frontier Hall</b>	1410 University Ave	0	0	N/A	N/A	N/A	N/A
<b>Nelson Hall</b>	613 E. Highland Dr.	0	0	N/A	N/A	N/A	N/A
<b>Manger Hall</b>	609 E. Highland Dr.	0	0	N/A	N/A	N/A	N/A
<b>Abramson Hall</b>	601 E. Highland Dr.	0	0	N/A	N/A	N/A	N/A