

WILLISTON STATE COLLEGE 2026 ANNUAL SECURITY & FIRE SAFETY REPORT



Sitting Bull
c. 1831 – December 15, 1890
Sitting Bull (Lakota: Tashanka Inyanka) was a Hunkpapa Lakota. Once a holy man and war chief, on June 25, 1876, after refusing to leave a reservation, he won a major victory at the Battle of the Little Bighorn against Lieutenant Colonel George Armstrong Custer and the United States 7th Cavalry regiment. Seven months later, Sitting Bull and his group retreated to Wood Mountain, South Dakota, where they remained peacefully until ordered to leave by the U.S. Army. He was killed on July 19, 1890.

Hunkpapa Sioux
The Hunkpapa (Lakota: Hunkpapa) are one of the seven branches of the Lakota Sioux tribe. The name Hunkpapa is a Sioux word meaning "Heart of the Circle." During the 1870s, the Hunkpapa were led by Sitting Bull. They were among the last of the tribes to go to the reservation. By 1880, the majority of the Hunkpapa people, about 371 people, resided on the Standing Rock Indian Reservation of North and South Dakota. Some Hunkpapa have not been counted separately from the Lakota.



Where the people make [the difference].

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President's Message

Dear Community Member:

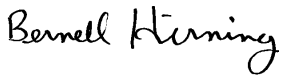
The 2026 Annual Security and Fire Safety Report for Williston State College presents crime and fire statistics for calendar years 2023, 2024, and 2025 and current campus safety policies. It is prepared by a comprehensive team representing Title IX, Student Affairs, Campus Security, Residence Life, and Campus Services. This report supports compliance with the Jeanne Clery Campus Safety Act and informs you of the safety programs, services, and steps you can take to maintain your safety and the security of others.

The safety and well-being of our students, faculty, staff, and visitors are our foremost concern. The best protections against campus crime are a strong security presence; collaboration with local law enforcement; an aware, informed, alert campus community; and a commitment to reporting suspicious activities and using common sense when carrying out daily activities.

Williston State College works diligently to reduce risk and the potential for crime. However, despite our best efforts, crimes may occur. Safety and security are a shared responsibility, and we expect all current and prospective community members to contribute to the safety and security of our campus.

If you have any questions or suggestions concerning this publication, please contact the President at (701) 774-4231.

Sincerely,

A handwritten signature in black ink that reads "Bernell Hirning". The script is cursive and fluid, with the first name "Bernell" and last name "Hirning" clearly distinguishable.

Dr. Bernell Hirning, President

Published: October 1, 2026

Quick Reference: Resources

WSC Campus Security (On-Campus)

Campus Security(701) 570-6699
Director for Campus Services.....(701) 774-4578

Law Enforcement (Off-Campus)

Emergency9-1-1
Non-Emergency:
Williston Police(701) 577-1212
Williams County Sheriff's Office(701) 577-7700
Northwest Narcotics Task Force(701) 577-7711

Fire Department (Off-Campus)

Emergency9-1-1
Non-Emergency:
Williston Fire Department.....(701) 572-2196

Health

Emergency9-1-1
Non-Emergency:
CHI St. Alexius.....(701) 774-7400
Trinity Community Clinic(701) 572-7711
Upper Missouri District Health Unit(701) 774-6400

Additional Campus Offices

Office Hours: 8 am – 4:30 pm
(summer hours may vary – please call for appointment)

Athletics(701) 774-4588
1410 University Avenue, Thomas Witt Leach Complex (The Well)

Facilities Management(701) 774-4578
1410 University Avenue, Art Wood Building
<http://www.willistonstate.edu/About-Us/Facilities-Management.html>

Housing(701) 774-4582
1410 University Avenue, Frontier Hall, Nelson Hall, Manger Hall, Abramson
Hall <http://www.willistonstate.edu/Future-Students/Housing.html>

Human Resources(701) 774-4204
1410 University Avenue, Stevens Hall, 202A
Employee Assistance Program1 (800) 627-8220

Student Affairs Office(701) 774-4200
1410 University Avenue, Stevens Hall, 105

Title IX(701) 774-4204
1410 University Avenue, Stevens Hall, 105E
<http://www.willistonstate.edu/Current-Students/Title-IX.html>

Visitors & Information(701) 774-4200
1410 University Avenue, Stevens Hall, 105

Williston Community Services

Family Crisis Shelter(701) 572-0757
Williams County Social Services(701) 774-6300
Northwest Human Service Center(701) 774-6400

National & Statewide Hotlines

Poison Control1 (800) 222-1222
Road Emergency Assistance1 (800) 472-2121
National Suicide Prevention Hotline1 (800) 273-TALK (8255)
Suicide Hotline..... 1 (800) SUICIDE (784-2433)
988 Suicide & Crisis Lifeline: call or text 988

The Clery Act

Choosing a postsecondary institution is a major decision for students and families. Along with academic, financial, and geographic considerations, campus safety is a vital concern. The Jeanne Clery Campus Safety Act (Clery Act), 20 U.S.C. 1092(f), requires institutions participating in federal student financial aid programs to disclose campus safety policies and statistics for their defined Clery geography. The U.S. Department of Education enforces these requirements.

The law was signed in 1990 as the Crime Awareness and Campus Security Act and later named for Jeanne Clery, who was murdered in her Lehigh University residence hall in 1986. The Stop Campus Hazing Act, enacted in December 2024, added hazing statistics, policies, prevention disclosures, and a separate Campus Hazing Transparency Report requirement.

CLERY ACT COMPLIANCE

The Clery Act requires Williston State College (WSC) to provide timely warnings of crimes that represent a threat to the safety of students or employees and to make their campus security policies available to the public. The act also requires WSC to collect, report, and disseminate crime data to everyone on-campus and to the Department of Education annually.

When the Higher Education Opportunity Act (HEOA) was signed into law in 2008, it amended the Clery Act by adding several safety- and security-related requirements to the Higher Education Act of 1965. To be in full compliance with the law, WSC must:

1. 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.
2. Provide students and employees with timely warnings of crimes that represent a threat to their safety. WSC Campus Security 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 and logs older than 60 days must be made available within two business days upon request.
3. Keep the past three years of crime statistics detailing crimes that have occurred: on-campus; in college residential facilities; in public areas on or near campus; and in certain non-campus buildings, such as fraternities/sororities and remote classrooms. WSC must also report liquor and drug law violations and illegal weapons possession if they result in a disciplinary referral or arrest.
4. Disclose missing student notification procedures that pertain to students residing in any on-campus student housing facilities.

5. 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, injuries, deaths and property damage of each fire.

6. Submit the collected crime and fire statistics to the Department of Education each fall.

7. Inform prospective students and employees about the availability of the Annual Fire Safety Report.

WSC has a vested interest in campus security and the personal safety of its students and employees. This report contains crime prevention, fire safety, law enforcement authority, crime reporting policies, disciplinary procedures and other matters of importance related to security and safety on campus. This report also contains campus crime statistics information.

Members of the campus community are encouraged to use this report as a guide for safe practices on and off campus. The report is available [online](#). All WSC employees and students receive an email describing the report and its website address. For more information, contact the WSC Campus Security at 701-570-6699.

Hazing Reporting and Prevention

Beginning with this 2026 report, WSC discloses reportable hazing incidents for calendar year 2025. The hazing section describes the reporting process, applicable definitions, investigation and prevention information, and the separate Campus Hazing Transparency Report. Earlier years are identified as not required for this first reporting cycle.

Campus Safety

This report contains emergency management information, campus crime statistics and critical campus safety information such as policies, crime prevention, crime reporting, and resources to aid you in becoming more safety minded. The best protections against campus crime are a strong law enforcement presence; an aware, informed, and alert campus community; and a commitment to reporting suspicious activities and using common sense when carrying out daily activities. WSC strives to be a safe place to learn, live, work, and grow.

CAMPUS SECURITY

WSC Campus Security is responsible for policy enforcement, security and emergency response on the campus. Campus Security is guided by the mission strategic principles of service, protection, enforcement, continuous and quality improvement.

The Department is under the leadership of the Director for Campus Services who reports to the Vice President for Business Services. The Director for Campus Services is responsible for coordinating the daily patrol and security operations and activities of the Department. The Director for Campus Services is additionally responsible for safety and environmental compliance, health, and safety concerns. The Director for Campus Services is additionally responsible for in-service training, crime prevention services, community-policing compliance, and field training and when appropriate. The Director for Campus Services is assigned the responsibility of coordinating the institution's life and fire safety and crime prevention program/initiatives, coordinating administrative duties and assignments relative to the public safety environment, including managing compliance records retention processes.

Campus security is contracted to Badlands Security Services, a security agency that operates for 16 Mon.- Thur., and Saturday, Friday 19hr, Sunday 10hrs and their patrol area includes the main campus at WSC and TrainND. Badlands Security Services conducts security related duties such as: campus patrol, emergency non-emergency calls for service, life safety operations, parking enforcement, building checks, traffic control, access monitoring, escorts, on-campus event security, crowd control activities, as well as other pertinent security related operations.

Campus Security patrols the campus and provides public safety services through the deployment of vehicle and foot patrols. The main goal of patrol is to provide a means for security personnel to randomly patrol parking lots and other areas not open to vehicle traffic, such as walkways and student gathering areas.

To be successful in providing the highest degree of public safety services on the campus, community members must follow good safety practices and understand that safety is the responsibility of all community members, not just those officially and formally charged with enforcing the laws, policies, and rules. This includes using the escort service, locking valuables, and reporting suspicious/criminal activities. Campus Security takes a leadership role in this area. This includes educational programs on campus safety, preventative patrols, incident investigation and crime reporting, fire safety and prevention, and crime prevention. Campus Security personnel receive security and emergency care training. Campus Security is located at 1410 University Avenue, Stevens Hall 131B, Williston, ND 58801.

This publication is intended to provide information concerning educational programs, safety practices, and policies regarding the reporting of emergencies and campus crime rates. It is the primary objective of Campus Security to work collaboratively with campus community members in its efforts to work toward a safe campus environment wherein its community members can work, live, study, and personally and professionally develop both intellectually and socially. Should you have questions, comments, or suggestions regarding the information contained within this publication or any related public safety policies, procedures, or operations, please feel free to contact the Director for Campus Services, at (701) 774-4578 or jeff.larson@willistonstate.edu.

CRIME/EMERGENCY REPORTING AND COLLEGE RESPONSE

Campus community members - students, faculty, staff, and guests - are encouraged to report all criminal actions, emergencies, or other public safety related incidents occurring within the College's Clery geography to WSC Campus Security in an accurate, prompt, and timely manner. The College's Clery geography includes on campus property including campus residence halls, buildings, and/or facilities; designated non-campus properties and facilities; public property adjacent to or contiguous to on campus property, and leased, rented, or otherwise recognized and/or controlled buildings, spaces, and/or facilities.

Campus Security has been designated by WSC as the official office for campus crime reporting. Campus Security strongly encourages the accurate and prompt reporting of crimes. Accurate and prompt reporting ensures Campus Security can evaluate, consider, and recommend timely warning reports and accurately document reportable crimes in its annual statistical disclosure. WSC further encourages accurate and prompt reporting to Campus Security, and/or the local police when the victim of a crime elects to, or is unable to, make such a report. This publication focuses on Campus Security because it has primary responsibility for patrolling the WSC campus. However, criminal incidents or incidents off campus can be reported to the local Williston Police Department.

To report a crime or emergency, members of the community should:

- Call Campus Security by dialing (701) 570-6699
- Report in person to Campus Security in Stevens Hall office 131B located at 1410 University Avenue, Stevens Hall, Williston, ND 58801
- Crimes or emergency situations can be reported to the Williston Police Department or local emergency services by dialing 911
- Sex offenses and other incidents of sexual or relationship violence can also be reported to the WSC's Title IX Coordinator, Harrison Lucas, by calling (701) 774-4204 or emailing harrison.lucas@willistonstate.edu, or in person at the Business office, Stevens Hall, STE 202, 1410 University Avenue, Williston, ND 58801

Campus Security procedures require an immediate response to emergency calls. Campus Security works closely with a full range of community resources to assure a complete and timely response to all emergency calls. Priority response is given to crimes against persons and personal injuries. Campus Security responds to all reports of crimes and/or emergencies that occur on- campus, adjacent to campus within its public property reporting area, or within a campus-controlled, -owned, operated, and/or -recognized facility, building, residence hall, or area. Campus Security personnel also have the ability to notify Williams County emergency dispatchers of emergency situations occurring on-campus via portable, mobile communications systems. This system allows Campus Security to summon assistance from emergency responders if deemed necessary and appropriate.

Incidents occurring on-campus, within residence halls or non-campus buildings, or on recognized private property adjacent to or contiguous to College-owned, controlled, operated, or recognized facilities, buildings, or areas are documented and processed for further investigation and review by the Director for Financial Aid as the Clery Compliance Officer and/or the local Williston Police Department, depending upon the nature of the crime or emergency and the involvement of the local Williston Police Department. Additional information obtained via any investigation will also be forwarded to the Director for Campus Services and Campus Security.

To obtain information or request any public safety or safety escort services, community members should call (701) 570-6699. If assistance is required from the local Williston Police Department or Williston Fire Department, Campus Security will contact the appropriate unit.

If any form of sexual misconduct should occur on campus, staff on scene, including Campus Security, can offer the reporting party a variety of resources and services. This publication contains information about on- and off-campus resources and services and is made available to the WSC community. The information regarding "resources" is not provided to infer that those resources are "crime reporting entities" for WSC.

Crimes should be reported to Campus Security to ensure inclusion in the annual crime statistics and to aid in providing timely warning Campus Safety Alert notices to the community, when appropriate. For example, a crime that was reported only to WSC's Counselor would not be known to Campus Security, a Campus Security authority (CSA), or other College officials.

ACCURATE AND TIMELY REPORTING OF CRIMINAL OFFENSES

Prompt and accurate reporting of criminal offenses aids in providing a timely response and timely warning notices to the community when appropriate and assists in compiling accurate crime statistics.

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents in an accurate and timely manner to the WSC Campus Security and/or local law enforcement.

To report a crime or an emergency, a non-emergency security or public safety related matter on the WSC Campus, call 701-570-6699 for Campus Security or 911 for local law enforcement.

In response to crime reports, Campus Security will take the required action, dispatching a security officer or asking the complainant to report to Campus Security to file an incident report.

Individuals on campus may also report crimes to a designated campus security authority (CSA). A CSA is a Clery-specific term that encompasses four groups of individuals and organizations associated with an institution. These designated individuals are provided notice by WSC as to the extent of their responsibility and how to report crimes to Campus Security.

- A campus police department or a Campus Security department of an institution
- Any individual or individuals who have responsibility for Campus Security but who do not constitute a campus police department or a Campus Security department (e.g., an individual who is responsible for monitoring the entrance into an institutional property)
- Any individual or organization specified in an institution's statement of Campus Security policy as an individual or organization to which students and employees should report criminal offenses
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

WSC designated CSAs include:

- Campus Security (701-570-6699)
- Vice President for Academic Affairs or designee (701-774-4500)
- Vice President for Student Services or designee (701- 774-4295)
- WSC Student Organization Advisors (701-774-4213)
- Athletic Director or designee (701-774-4546)
- Head & assistant coaches or designees (701-774- 4546)
- Athletic Trainers (701-774-4287)
- Director Housing or designee (701-774-4582)
- Housing personnel (resident assistants) or designees (701-339-3733)
- Title IX Coordinator or designee (701-774-4204)
- Deputy Title IX Coordinator (701-774-4295)
- Clery Compliance Officer (701-774-4242)

A student's privacy concerns are considered alongside WSC's responsibility to respond to incidents and campus safety concerns. Information is shared with authorized officials and agencies on a need-to-know basis, consistent with applicable law. A report to Campus Security or another Campus Security Authority (CSA) is not a privileged counseling communication.

Campus Security reports may be forwarded to the appropriate campus office for review, investigation, or other action. Local law enforcement may also respond to criminal incidents. Public statistical disclosures and timely warnings do not identify victims.

Professional Counseling and Confidential Resources

Professional counselors, when acting within the scope of their counseling role, are exempt from CSA crime-reporting duties. WSC does not employ pastoral counselors. A counselor serving a separate role with significant responsibility for student or campus activities may have CSA duties in that role. Medical providers are evaluated according to their responsibilities; a medical title alone does not establish CSA status.

Individuals may discuss concerns with the Campus Counselor or an appropriate off-campus counselor. Confidentiality is subject to applicable legal exceptions. When appropriate, counselors are encouraged to explain voluntary reporting options and may facilitate a report without identifying the person seeking counseling.

Voluntary and Anonymous Reporting

WSC accepts anonymous Title IX reports, and the online Hazing Report Form accepts anonymous and personally identifiable reports. Individuals may also ask a counselor to facilitate a report to Campus Security using the incident date, time, location, and nature of the conduct without personal identifying information. Anonymous reporting and privileged counseling are different: an anonymous incident report may be used for statistics and safety assessment.

Anonymous reports can limit the College's ability to investigate, provide individualized assistance, and avoid duplicate counts. Reportable crimes received by a CSA or Campus Security are evaluated for the annual statistics and any appropriate safety notice. A CSA must fulfill the applicable reporting duty; an anonymous hazing submission does not satisfy the mandatory reporter's obligation.

For immediate danger, call 911. For campus assistance, call Campus Security at (701) 570-6699. The Title IX and hazing sections identify the relevant reporting channels and contacts.

RESPONSIBILITIES OF THE WSC COMMUNITY FOR PERSONAL SAFETY

Members of the WSC community must assume responsibility for their own personal safety and the security of their personal property. The following precautions provide guidance.

- Report all suspicious activity to Campus Security immediately.
- Never take personal safety for granted.
- Try to avoid walking alone at night.
- Limit your alcohol consumption, and leave social functions that get too loud, too crowded, or that have too many people drinking excessively. Remember to call Campus Security or WPD for help at the first sign of trouble.
- Carry only small amounts of cash.
- Never leave valuables (wallets, purses, books, phones, etc.) unattended.
- Always carry your keys and do not lend them to anyone.
- Lock up bicycles and motorcycles. Lock car doors and close windows when leaving your car.
- Always lock the door to your residence hall room, whether you are there. Be certain that your door is locked when you go to sleep, and keep windows closed and locked when you are not at home. DO NOT PROP INTERIOR OR EXTERIOR DOORS.
- Do not leave valuables in your car, especially if they can be easily noticed.
- Engrave serial numbers or owner's recognized numbers, such as a driver's license number, on items of value.
- Inventory your personal property and insure it appropriately with personal insurance coverage.

STATISTICAL DISCLOSURE OF REPORTED INCIDENTS

Incidents reported to Campus Security that fall into one of the required reporting classifications will be disclosed as a statistic in the annual security and fire safety report published by Campus Security.

REPORTING A CRIME TO THE WILLISTON POLICE DEPARTMENT

A person reporting a crime to Campus Security has the right to report the crime to the Williston Police Department by calling 911. Campus Security regularly discusses this option with the victim of a crime and will assist the victim with that process.

OFF-CAMPUS CRIME

If the Williston Police Department is contacted about criminal activity off-campus involving WSC students, the police may notify Campus Security. Students in these cases may be subject to arrest by the local police and college disciplinary proceedings through the Office of Student Affairs.

CRIMES INVOLVING STUDENT ORGANIZATIONS AT OFF-CAMPUS LOCATIONS

WSC operates no off-campus student organization locations. All student organizations recognized by WSC are located on the main campus and are within the jurisdiction of the Campus Security. If a crime has been committed on-campus by student organization, report the incident to the Campus Security at (701) 570-6699 or to local authorities at 911.

DISCLOSURE OF DISCIPLINARY PROCEEDING RESULTS FOR VIOLENT CRIME

WSC will, upon written request, disclose to the alleged victim of a crime of violence or non-forcible sex offense, the results of any disciplinary proceeding conducted by WSC against a student who is the alleged perpetrator of the offense or violation. If the alleged victim is deceased as a result of the crime or offense, WSC will provide the results of the disciplinary proceeding to the victim's next of kin.

CAMPUS SECURITY ENFORCEMENT AUTHORITY

WSC Campus Security is responsible for providing security services for the WSC Campus. Campus Security is responsible for the enforcement of College policies and Federal and State laws for campus administrative purposes only. Campus Security investigates campus criminal incidents for administrative purposes as they relate to its campus judicial process. Criminal incidents may be investigated for possible criminal prosecution by the local Williston Police Department or other law enforcement agency with jurisdiction. The Vice President for Student Affairs, the Title IX Coordinator and Director for Residence Life, coordinate disciplinary action for matters that are violations of College policy and procedure.

Campus Security Arrest Authority:

Campus Security personnel are unsworn security personnel for WSC and have no official powers of arrest authority. Campus Security will summon support from the Williston Police Department or other applicable law enforcement entities to affect an arrest on or within campus owned, controlled, leased, or recognized property.

Campus Security Jurisdiction:

Campus Security's jurisdiction encompasses on campus property that includes campus residence halls, buildings, and/or facilities; property designated non-campus properties and facilities; public property adjacent to or contiguous to on campus property, and owned, operated, leased, rented, or otherwise recognized and/or controlled buildings, spaces, and/or facilities. Campus Security has no jurisdiction or enforcement authority outside of its identified Clery reporting geography – this includes areas and/or properties that are not owned, rented, leased, recognized or otherwise controlled by the College. WSC's Campus Security Jurisdiction is outlined on its CLERY maps.

SECURITY OF AND ACCESS TO CAMPUS FACILITIES

Academic and Administrative Buildings:

WSC's campus is open to the public. The majority of academic and administrative buildings are open during normal business hours (typically Monday through Friday, from 7am to 5pm, except holidays) and are typically secured at 8pm, depending upon special event scheduling and community usage. Afterhours access is gained to these buildings via the access control system. The Learning Common's hours can fluctuate, but the library is normally accessible 8am to 4:30pm Monday through Friday of each week, except holidays, break periods, and summer session. Members of Campus Security regularly patrol the interiors and exteriors of all campus facilities.

Residence Halls:

Access to residence halls is restricted to WSC students and authorized staff, and the halls are secured by access control systems, key and lock systems 24 hours a day/7 days a week. Members of Campus Security regularly patrol the interiors and exteriors of all campus residence halls. Residence hall professional and student staff also enforce campus policies and security measures within the residence halls to achieve a community respectful of individual and group rights and responsibilities.

Break Housing:

During the academic year, the College housing officially closes for Thanksgiving, Semester Break, and Spring Break. Residence halls usually close at 10am the day after the last day of class or exams during these periods and reopen at noon on the day before the first regularly scheduled class. Notices of specific times and dates are publicized in the Residence Halls and before each break. Students are reminded to make travel arrangements accordingly; all students must vacate the residence halls during the breaks. For students who cannot return home or leave campus over breaks, break housing contracts may be provided. Should a student need break housing accommodations during *any* portion of a break, they must complete and submit the contract, to the Director for Residence Life for approval. The dates for the request form will be announced approximately one month prior to the beginning of each break.

When the residence halls close for breaks, students are expected to take out trash and perishable food, unplug items in the room, turn out the lights, and shut and lock the windows. Bedroom doors that are lockable and apartment doors must be closed and locked. A list of complete closing procedures will be distributed about two weeks prior to each break closing. Residents may leave personal items in their room during all breaks, except for the summer. However, due to the "unoccupied" status of the campus during breaks, it is suggested that students take valuable items with them to ensure their safety.

Staff members from the Residential Life Department and/or Campus Security may conduct inspections during breaks. Any infractions will be noted, and the student will be notified and/or charged accordingly. Any student requesting access to their residence hall or room during College break periods when the College is officially closed shall present themselves to the Director for Residence Life or to Campus Security and request permission for access.

Campus Security will authorize a student access to their respective room for legitimate reasons only. Campus Security authorizes full discretion in determining a student's legitimacy to enter the closed residence hall based on the information given. For example, access should be limited to medical needs and necessities and similar related urgent requests. Once the legitimacy of the request is established, access requests will be managed as follows: the student's identity, resident status, and room assignment will be verified. After this verification, Campus Security will escort the student to their room, allow drop-off or retrieval of the item(s) in question, and then escort the student from the building.

Residence Hall Guests/Visitors:

Campus housing is provided for the exclusive use of WSC students as assigned by the Residence Life Office. Current WSC Residence Life contracts can be found [online](#). Visitors may be allowed to use residence facilities with the following guidelines:

1. Visitors in the building must be invited guests of residents.
2. Residents are responsible for the behavior of guests and liable for loss or damage to property caused by their guests.
3. Residence hall visitation hours are
4. 10:00 a.m. to 12:00 a.m. Sunday through Thursday
5. 10:00 a.m. to 2:00 a.m. Friday and Saturday
6. Guests must be escorted by a student resident at all times.
7. No guests are permitted during break periods specified in Section 1.2 of contract
8. Any overnight guest stay must be approved by the Director for Residence Life or designee prior to the guest stay and shall not exceed 72 hours without written permission. Allowing an un-contracted individual to reside in a residence hall room is grounds for eviction from college housing. The college reserves the right to deny access to non-residents at any time

MAINTENANCE OF CAMPUS FACILITIES

WSC facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Campus Security regularly patrols the campus and reports malfunctioning lights and other unsafe physical conditions to Director for Campus Services for correction. Other members of the College community are helpful when they report equipment problems to Campus Security or Campus Facilities.

CAMPUS SECURITY TRAINING

Director for Campus Services is responsible for ensuring contracted security services have and maintain ongoing training for Campus Security. Training subjects include criminal law, civil law, federal law, the Clery Act and Campus Security authority, Title IX, sexual assault and gender violence response and investigation, trauma informed investigation, public relations, race relations, interpersonal communications, crisis intervention, critical incident response and incident command system, emergency operations, first responder medical training, and all facets of protection of persons and property. Training includes annual in-service sessions, select out-service seminars and conferences, and applicable online training/webinars.

CAMPUS SECURITY'S WORKING RELATIONSHIPS THE OTHER LAW ENFORCEMENT AGENCIES

WSC Campus Security maintains a close working relationship with the Williston Police Department, Williams County Sheriff's Office, Northwest Narcotics Task Force, local FBI office, and North Dakota State Police. Collaborative meetings and training sessions are occasionally held to review issues and incidents occurring within the multiple local jurisdictions. Campus Security and local law enforcement officers communicate regularly on the scene of incidents that occur in and around the campus area. Campus Security works closely with local law enforcement investigators when incidents arise that require joint communication efforts.

Written Memorandums of Understanding with Local Police:

There is a Memorandums of Understanding (MOU) between WSC and the Williston Police Department. The purpose of the agreement is to enhance both parties ability to effectively address alleged crimes of violence. This includes sharing information about WSC students and employees who are the victim of, a witness to, or an alleged perpetrator of an offense of violence or sex offense. The MOU also establishes a standard procedure for handling incidents and reports of

Sexual Assaults and issuing Timely Warnings and Emergency Notifications.

TRAINING OF RESIDENCE HALL STAFF

Campus Security, the Director for Residence Life, the Title IX Coordinator and Vice President for Student Affairs provide annual security and life safety training. This training minimally includes introduction of staff, description of services offered, instruction on fire safety hazards and building evacuation, instruction on the emergency operations plan and emergency notification system, training related to the Clery Act and Campus Security Authorities (CSA), Title IX Awareness training, and general information on requesting emergency assistance from Campus Security.

Other related training conducted for the Resident Assistants includes locking buildings, responding to fire alarms, and other crisis response procedures. Several times each academic year, Campus Security may be invited into residence halls to conduct informal meetings with students on security and enforcement procedures.

WEAPONS/FIREARMS/EXPLOSIVES POLICY

Unauthorized and/or illegal possession, storage, display or use of firearms, explosives, or other weapons on College owned and/or leased property, including personal vehicles and at WSC sponsored events, is prohibited.

- Firearms and weapons include, but are not limited to, air-soft guns, BB guns, billy clubs, dart guns, handguns, paintball guns, pellet guns, rifles, shotguns, stun gun or similar devices designed to deliver an electric shock, daggers, knives (blade length of five (5) inches or more), martial arts implements, sabers, swords, bows and arrows, and dangerous fuels and/or chemicals.
- Explosives include, but are not limited to, bombs, firecrackers, fireworks, and other incendiary devices. Incendiary devices are defined as any flammable liquid enclosed in a readily breakable container that can be equipped with an igniter of any type.
- Any object may be considered a weapon when used to inflict or threaten infliction of bodily injury or property damage.
- Throwing or casting any object into, upon, or against any building, structure, motor vehicle or at any person is prohibited.
- Ammunition of any type is prohibited.

Concealed weapons permits are not valid on WSC property or at College sanctioned events and activities.

Dependent upon the nature of the violation as determined by the Vice President for Student Affairs, sanctions for violations of this policy range from, but are not limited to, a \$100 fine, eviction from campus housing, and/or suspension of any kind from the institution. Possession of a knife (blade length of five (5) inches or more), firearm, explosive, or other weapon in or on College owned buildings, grounds, or controlled property, including personal vehicles while on College grounds, may result in immediate suspension of any kind from the institution.

This policy shall not prohibit persons or student organizations from possessing, storing or using weapons at approved locations for the purpose of meeting requirements of educational programs and/or a student group recognized by the College. This policy does not apply to law enforcement officers. For authorization, contact the Director for Campus Services, (701) 774- 4578.

STUDENT/STAFF/COMMUNITY SUGGESTIONS

Students, employees, and community members are encouraged to bring forward constructive suggestions. Appropriate divisions or departments will receive suggestions and review them courteously and efficiently. Suggestions may be submitted online.

MISSING STUDENTS

Any concern that a student living in campus housing may be missing should be reported immediately. There is no waiting period to report a concern or begin a response. For purposes of required notifications, this policy addresses a resident student determined to have been missing for 24 hours.

Designating a Contact Person

Each student living in campus housing may identify a confidential contact to be notified if the student is determined to be missing. This person may differ from the emergency contact in Campus Connection. The Director for Residence Life maintains this information. Access is limited to authorized campus officials and law enforcement in furtherance of a missing-person investigation; it is not disclosed for other purposes.

Students may update their designated contact at housing-contract renewal or by contacting the Director for Residence Life at any time.

Procedures for a Missing-Student Report

1. Immediately notify Campus Security at (701) 570-6699. Information received by Residence Life or another campus office must be referred immediately to Campus Security. In an emergency or suspected abduction, call 911. Residence Life can be reached at (701) 774-4582 in Frontier Hall.
2. Campus Security initiates a missing-person response and coordinates with the Williston Police Department. Residence Life assists with information such as the student's description, last known location, schedule, known contacts, recent photograph, and safety concerns. Initial information gathering must not delay referral or emergency assistance.
3. Within 24 hours after determining that the resident student has been missing for 24 hours, the Director for Residence Life notifies the student's designated confidential contact.
4. For a student under 18 who is not emancipated, WSC also notifies the custodial parent or guardian within the same 24-hour period, in addition to the designated contact.
5. WSC notifies local law enforcement within 24 hours of the determination, regardless of the student's age or whether a contact was designated, unless local law enforcement made the missing-person determination. These deadlines do not prevent earlier notification when warranted.

Additional provisions concerning emergency contacts and media communications follow on the next page.

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 by the Williston Police Department or other appropriate law enforcement agency.

Failure to designate a contact

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

All communication with the media 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.

EMERGENCY MEDICAL RESPONSE PROCEDURES

Students, faculty, staff, and guests should report any emergency medical situations to Williams County emergency center immediately by dialing 911. First Responders are trained to provide medical assessment and emergency care. Campus Security can help summon an ambulance through the Williams County Emergency Center by dialing (701) 570-6699.

RESPONSE PROCEDURES FOR AN EMERGENCY OR DANGEROUS SITUATION

When a serious threat or disaster to the campus community occurs, the WSC Campus Security and the College will coordinate with other first responders, which may include the Williston Police Department, Williams County Sheriff's Office, Northwest Narcotics Task Force, local FBI office, and North Dakota State Police, the Williston Fire Department.

WSC incident response resources include the Campus Security and other employees designated in the Emergency Operations Plan and Continuity of Operations Plan who are tasked to help mitigate campus impacts. Depending on the nature and magnitude of the incident, other local, state, and federal agencies may be called upon for assistance.

CRIME PREVENTION, FIRE SAFETY, AND SAFETY AWARENESS PROGRAMMING

WSC offers many programs designed to inform students and employees about Campus Security procedures and practices. A common theme of all awareness and crime prevention programs is to encourage students and employees to be responsible for their own safety and for the safety of others on campus. Crime prevention programs on personal safety and security are sponsored by various campus organizations throughout the year.

These programs include general crime prevention and security awareness programs, such as safety education forums, programs, and discussions about topics such as alcohol abuse, sexual assault awareness and prevention, relationship violence awareness and prevention, fire safety, emergency response and evacuation procedures, and theft prevention. Campus Services, Residence Life, Student Affairs, and the Title IX Coordinator participate in meetings, and programs in residence halls to explain College security, campus safety, and fire safety measures and procedures at WSC with all incoming students during the fall move-in program.

New-employee orientation includes the distribution of crime prevention and fire safety materials to all new employees during scheduled orientation sessions throughout the year.

Additional safety awareness and crime prevention training/programming occurs at the end of each fire/evacuation drill, during RA, training, and during other special campus events and safety forums throughout the year.

SECURITY PROGRAMS

Security awareness and crime prevention programs encourage students and employees to be aware of their responsibility for their own security and the security of others. Campus security in cooperation with other college organizations and departments, is responsible for presenting security awareness and crime prevention programs to the campus community on an ongoing basis.

For Students

- Residence Life Student and Staff Resident Assistants (RAs), receive training with campus security, Title IX, and others as appropriate: Ongoing
- New student orientation and Sexual Violence Prevention Programming - Ongoing

For Employees

- New employee orientation: Ongoing
- Key inventory: Annually Ongoing
- Defensive driving training: Ongoing
- Escort program: Ongoing
- Title IX compliance training: Ongoing
- Campus lighting checks performed by Campus Security: Ongoing

Programs Encouraging Personal Security and the Security of Others for Students

- Student Orientation: Ongoing
- Residence Hall Floor Meetings: Ongoing

Crime Prevention Programming

Campus crime prevention programming is done through the partnership of various WSC departments and campus security.

Alcohol Awareness Programs

The office of Student Affairs uses both a proactive and reactive approach to addressing the problems of underage drinking and drunk driving. Using a proactive approach, office of Student Affairs, WSC Counseling and the Student Life Department provide educational programs regarding the problems associated with alcohol abuse and misuse and its relationship to crimes such as drunk driving. In a reactive approach, Campus Security, Residence Life and the office of Student Affairs contact local law enforcement authorities for suspicion of drunk driving and cite violators for minor in consumption and minor in possession of alcohol. In addition, the office of Student Affairs, WSC Counseling and Student Orientation programming provide education on substance use and abuse issues.

Campus Lighting Checks

Campus Security completes campus lighting checks regularly. Facilities Management is notified when there are burned out or damaged street and building lights via submission of online work tickets. This ensures adequate on campus lighting for the public at night. Shrubs are trimmed, lights changed, and improvements made to make campus a safer environment for the campus community.

Expos and Wellness Fairs

WSC participates in activities such as wellness fairs and expos by providing wellness information. Informational materials inform members of the campus community about campus services and how people can better protect themselves from becoming the victims of crime.

BYSTANDER INTERVENTION

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another, and it is not safe for you to interrupt.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

RISK REDUCTION TIPS

With no intent to victim blame, the following are some strategies to reduce one's risk of sexual assault or harassment.

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cash money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 9-1-1 in most areas of the U.S.).
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 9-1-1 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

If you need to get out of an uncomfortable or scary situation here are some things that you can try:

- Remember that being in this situation is not your fault. The person who is making you uncomfortable that is to blame.
- Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
- Establish a means of communication with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
- Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

Communication About Campus Crime

TIMELY WARNING CAMPUS SAFETY ALERTS – NOTIFYING THE WSC COMMUNITY ABOUT CRIMES

In compliance with the Jeanne Clery Act, WSC will issue a timely warning campus safety alerts when it receives a report of a crime that represents a serious or continuing threat to the safety of members of the campus community. WSC may also issue a warning to the campus community when other instances pose a safety concern.

Timely warning campus safety alerts are sent in response to reports that have occurred on campus or on non-campus property or public property, where it is determined that the incident may pose a serious or ongoing threat to members of the College community.

Such warnings provide an opportunity for individuals to take reasonable safety precautions.

Crimes that occur outside the campus' Clery geography, as stipulated or other non-Clery specific crimes, will be evaluated on a case-by-case basis. Information related to these crimes may be distributed to the campus as a Public Safety Notice, as outlined and described in the below statement for Public Safety Bulletins.

Initiating Timely Warnings

Campus Safety Alerts are generally written and distributed to the campus community by the Clery Compliance officer or designee, and they are routinely reviewed and approved by one of the Executive Cabinet members prior to distribution. The Clery Compliance Officer has the authority to issue a Campus Safety Alert without such consultation if consultation time is not available.

WSC, in conjunction with various campus offices, will distribute timely warning announcements when there appears to be a threat to the safety and security of persons on campus for the following crimes:

- Aggravated assault
- Arson
- Burglary
- Negligent manslaughter
- Motor vehicle theft
- Murder/non-negligent manslaughter
- Robbery
- Sexual offenses
- Domestic violence, dating violence, and stalking
- Violations of liquor law, drug law, or weapons possession law
- Any other crime in which the victim was chosen on the basis of race, gender, gender identity, religion, disability, sexual orientation, ethnicity, or national origin,
- Other crime classifications, as deemed necessary.

Responsibility for Issuing Timely Warnings

The Clery Compliance Officer may, within its discretion, consult with appropriate individuals or offices to determine whether an incident represents a serious or continuing threat or to determine the appropriate content of a timely warning notice using the following criteria:

- Nature of the crime,
- The timeliness of the report,
- Continuing danger to the campus community,
- Possible risk of compromising law enforcement efforts.

Distribution of Timely Warnings

WSC issues timely warnings as soon as pertinent information is available when a reported Clery crime presents a serious or continuing threat to students or employees. The Clery Compliance Officer or designee assesses the nature of the crime, continuing danger, available information, and law-enforcement concerns. Consultation must not create an avoidable delay.

The age of a report does not automatically prevent a warning. Delayed reports are evaluated individually for a continuing threat. Serial crimes, ongoing criminal activity, and hazing may warrant a warning when the circumstances meet the applicable criteria.

Timely warnings differ from emergency notifications. Emergency notifications address confirmed significant emergencies or dangerous situations involving an immediate threat on campus and follow the separate emergency-notification procedures in this report. When an emergency notification satisfies the applicable exception to a separate timely warning, WSC provides follow-up information as needed.

Warning Content

A warning provides enough information for community members to take protective action. Depending on the incident, it may include:

- The nature of the incident and the known date, time, and general location.
- A suspect description, when available and appropriate.
- Connections to previous incidents, if known.
- Protective actions, risk-reduction information, and relevant updates.

Victims' names and other identifying information are withheld. Some investigative details may be omitted to protect privacy or an investigation, while still communicating the threat and useful protective information.

The professional and pastoral counseling exemption applies when a counselor receives information while acting in that counseling role. WSC evaluates information reported to its security and other reporting channels under the applicable Clery requirements.

Notification methods and responsible officials are described on the following page.

Notification Methods

The following methods may be used to notify the campus community of various emergencies that may affect the campus community

Primary Methods				
Method	Descriptions	Authority to Approve/Send	Primary Message Creator and Sender(s)	Backup Message Sender(s)
Blast Email (Campus Email System)	Sends alerts via email to all campus members	If time allows, consult with the VP for Student Affairs; or, if time does not permit, the sender can proceed.	Clery Compliance Officer or Director of Marketing	CIO, VPSA, VPBS, VPAA, President
Official WSC Website	Alert displayed at the top of the website or banner.	If time allows, consult with the VP for Student Affairs; or, if time does not permit, the sender can proceed.	Clery Compliance Officer or Director of Marketing	CIO, VPSA, VPBS, VPAA, President
Secondary Methods				
Emergency Notification System (Everbridge)	Sends alerts via campus email, phone call, and text message	If time allows, consult with the VP for Student Affairs; or, if time does not permit, the sender can proceed.	Clery Compliance Officer or Director of Marketing	CIO, VPSA, VPBS, VPAA, President
Local Media	Campus-wide audio alerts, also utilize local media outlets	If time allows, consult with the VP for Student Affairs; or, if time does not permit, the sender can proceed.	Clery Compliance Officer or Director of Marketing	CIO, VPSA, VPBS, VPAA, President
Social Media	Posts to official College Social Accounts	If time allows, consult with the VP for Student Affairs; or, if time does not permit, the sender can proceed.	Clery Compliance Officer or Director of Marketing	CIO, VPSA, VPBS, VPAA, President
Targeted Communications	posters, letters, group meetings, etc. posted in campus buildings, posted in lobby/entrance areas of key buildings	If time allows, consult with the VP for Student Affairs; or, if time does not permit, the sender can proceed.	Clery Compliance Officer or Director of Marketing	CIO, VPSA, VPBS, VPAA, President

Testing and Review

- Regular Testing: The emergency notification system will be tested at least once per year.
- Annual Review: This policy will be reviewed annually by the Clery Compliance Officer, and the Executive Cabinet to ensure it remains current and effective.

DAILY CRIME AND FIRE LOG

WSC Campus Security maintains crime and fire logs for public inspection. The most recent 60 days are available during normal business hours. Older portions are made available within two business days of a request. For access, contact Campus Security at (701) 570-6699.

The crime log records the nature of the crime, the date reported, the date and time of occurrence, general location, and disposition when known. It covers crimes reported to Campus Security within the applicable campus, noncampus, public-property, and security patrol coverage. The fire log records the nature, date, time, and general location of fires in on-campus student housing.

Entries and updates are made within two business days of receiving information, subject to lawful withholding provisions. Crime information may be temporarily withheld when disclosure would jeopardize an investigation, a person's safety, confidentiality, or other permitted interests; it is released when the reason for withholding ends. Fire-log entries follow the applicable public-access requirements.

Public logs exclude information that would identify victims where disclosure is prohibited or would jeopardize confidentiality. Statistical geography and crime-log coverage are evaluated separately. Members of the community are encouraged to review the logs and promptly report crimes, fires, and evidence of an extinguished fire.

PREPARATION OF ANNUAL STATISTICS & CLERY COMPLIANCE

The following information provides context for the crime statistics reported as part of compliance with the Clery Act. The Vice President for Student Affairs or designee is primarily responsible for preparing the Annual Security and Fire Safety Report. The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the College community obtained from the following sources: WSC Campus Security, the Division of Student Affairs, which includes Residence Life, the Williston Police Department, the Williams County Sheriff's Office, and individuals who have been designated as CSAs.

The Vice President for Student Affairs or designee annually requests statistical information from the appropriate law enforcement agencies for non-campus operations. These sites are classified as non-campus property and vary year-to-year based on WSC's program and outreach activities. The Vice President for Student Affairs or designee contacts appropriate law enforcement units requesting crime data for the specified locations.

WSC reviews law-enforcement data for the requested locations and periods, identifies applicable Clery offenses and geography, and reconciles it with campus reports to avoid duplicate counting. When a response describes a broader area or uses different classifications, the responsible office seeks clarification and documents the location and classification decisions. Requests, responses, and reasonable follow-up efforts are retained.

For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported.

Final report preparation is coordinated by the Vice President for Student Affairs in coordination with the Clery Compliance Officer, Campus Services, and other departments on campus.

A written request for statistical information is made at least on an annual basis to all Campus Security Authorities or CSAs (as defined by federal law). CSAs are also informed in writing and through training to report crimes to Campus Security in a timely manner so those crimes can be evaluated for timely warning purposes.

Statistical information is not requested from, nor is it provided by, WSC's Counselor. The Counselor is not required by law to provide statistics for this compliance document. The Counselor, as defined by the Federal law, who act in such capacities, have been advised that, while they are not obligated to report crimes for the purpose of compiling these statistics, they are encouraged, when they deem it appropriate, to inform the persons they are counseling of their ability to report any crimes to Campus Security for inclusion in the annual statistics.

The Campus Counselor facilitates anonymous reporting, as outlined earlier in this Annual Security and Fire Safety Report. Anonymous reports of Clery Act crimes received by a CSA and reported to Campus Security are included in the College's annual crime statistics.

All statistics are gathered, compiled, and reported to the college community via this report, entitled the "Annual Security and Fire Safety Report," which is published by the Vice President for Student Affairs or designee. The Vice President for Student Affairs submits the annual crime statistics published in this brochure to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through their website.

The Vice President for Student Affairs or designee sends an email to every enrolled student and current employee on an annual basis informing them of the availability of the Annual Security and Fire Safety Report. The email includes a brief summary of the contents of this report, the web address where the Annual Security and Fire Safety Report can be found online, and notification that a physical copy may be obtained by making a request to Campus Security by calling (701) 570-6699 or in person at Campus Security Headquarters located at 1410 University Avenue, Stevens Hall Office 131B, Williston, ND 58801.

Specific Information about Classifying Crime Statistics:

The statistics in this report are published in accordance with the standards and guidelines used by the relevant federal law (the Clery Act). For Clery Act reporting purposes, the number of victims involved in a particular incident is indicated in the statistics column for the following crime classifications: murder/non-negligent manslaughter, manslaughter by negligence, sex offenses, and aggravated assault. For example, if an aggravated assault occurs and there are three victims, this would be counted as three aggravated assaults in the crime statistics chart. The number reflected in the statistics for the following crime categories includes one offense per distinct operation: robbery, burglary, larceny, vandalism, and arson. For example, if five students are walking across campus together and they are robbed, this would count as one instance of robbery in the crime statistics chart. In cases of motor vehicle theft, each vehicle stolen is counted as a statistic. In cases involving liquor law, drug law, and illegal weapons violations the statistics indicate the number of people arrested or referred to the Division of Student Affairs for possible disciplinary action for violations of those specific laws.

Hate crimes are reported in narrative form and are separated by category of prejudice. A hate crime is not a separate, distinct crime, but is the commission of a criminal offense, which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of their bias against the victim's race, sexual orientation, gender, religion, ethnicity, national origin, gender identity, or disability, the assault is then also classified as a hate crime.

Campus SaVE was signed into law on March 7, 2013, as part of the reauthorization of the Violence Against Women Act (VAWA); it covers students and staff of institutions of higher education and amends the Jeanne Clery Act to include new reporting requirements for domestic violence, dating violence, and stalking and additional policy statements and training requirements.

Clery Act Geography Definitions:

On-Campus *defined as:* (1) 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; and (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), 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 Building or Property *defined as:* (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution (i.e. privately owned fraternity); or (2) 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 Property *defined as:* All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus. The WSC crime statistics do not include crimes that occur in privately-owned homes or businesses within or adjacent to the campus boundaries.

On-campus Student Housing Facility *defined as:* Any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility. This category is a considered a subset of the on-campus category

UNFOUNDED CRIMES

If a crime is reported as occurring on campus, in on- campus residential facilities, in or on non-campus buildings or property, or on Public Property, and the reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded." Only sworn or commissioned law enforcement personnel may unfound a crime.

CAMPUS CRIME STATISTICS FOR WILLISTON STATE COLLEGE
(Jeanne Clery Campus Safety Act - Calendar Years 2023-2025)

	On-Campus			On-Campus Residence			Non-Campus			Public			Unfounded Cases		
	2025	2024	2023	2025	2024	2023	2025	2024	2023	2025	2024	2023	2025	2024	2023
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary: Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Attempted Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Offenses: Total	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arrests															
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Arrest Campus Referrals															
Alcohol	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	2	0	0	2	0	0	0	0	0	0	0	0	0
Weapons Violations	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0
Hate Crime Statistics															
2025	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2024	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2023	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

NOTE: The College made a reasonable and good faith effort to request and retrieve statistics from all local law enforcement agencies with jurisdiction over the College's identified Clery geography. Reportable Clery crime data received from agencies who responded to these requests are included in the Table One crime statistics noted above. Not all of these agencies responded to these requests for crime statistics. Reported crimes may involve individuals not associated with or affiliated with WSC. Reported Crimes may include information received from anonymous reporting. **Residential Facility crime statistics are a subset of the On Campus category, i.e. they are counted in both categories.**

Hazing Awareness, Education, and Prevention

Policy and Scope

Williston State College prohibits hazing on and off campus, in College activities and other activities. Individuals and organizations are subject to the applicable conduct or employee process. The Student Code of Conduct prohibits acts that endanger health, cause mental distress or humiliating treatment, damage property, or require consumption of substances as a condition of membership. A participant's consent is not a defense.

Federal Definition for Statistical Reporting

Hazing involves an intentional, knowing, or reckless act against another person in connection with initiation, affiliation, or continued membership in a student organization, regardless of willingness to participate, that causes or creates an unreasonable risk of physical or psychological injury beyond the reasonable risks of participation in higher education or the organization. A student organization includes a group with at least two enrolled students, whether recognized by WSC or not.

Examples include physical abuse, dangerous exposure or confinement, sleep deprivation, forced consumption, coerced sexual acts, threats of bodily harm, and required criminal conduct. The federal statistical definition is distinct from broader institutional conduct rules and state criminal law.

Reporting Procedures

For immediate danger or injury, call 911. Report hazing to Campus Security at (701) 570-6699 or use the online Hazing Report Form. The form accepts anonymous and identifiable reports. Hazing may also be reported to Williston Police at (701) 577-1212.

Provide the incident date, time, location, involved people or organization, witnesses, injuries, substances involved, and supporting documents when available. Anonymous submissions can limit follow-up. CSAs must immediately report known past, current, or planned hazing; an anonymous report does not fulfill their mandatory reporting duty.

Investigation and Response

WSC officials investigate hazing reports; law enforcement is involved when applicable. Student-related concerns are directed to Student Affairs, (701) 774-4200, and employee-related concerns to Human Resources, (701) 774-4204. Campus Security coordinates safety concerns and reporting information. Investigations and disciplinary action follow the applicable Student Code of Conduct, organization, employee, or Title IX procedure according to the conduct and parties involved.

Possible outcomes under the applicable conduct process include warnings, education, probation, housing restrictions, suspension, and organization restrictions. A report is not a finding of responsibility. Criminal prosecution and institutional conduct action are separate processes.

Policy: WSC Hazing Awareness, Education, and Prevention. Conduct procedures: willistonstate.edu/students/Student-Policies/WSC-Code-of-Conduct/.

Hazing Prevention and Education

WSC publishes campus-wide hazing information for students, faculty, and staff through its hazing awareness webpage. Its approach emphasizes recognizing harmful traditions, reporting concerns, safe bystander action, and healthy alternatives. Research-informed prevention resources are linked on that page, including StopHazing and the Hazing Prevention Network.

Healthy alternatives include service projects, collaborative problem solving, mentoring, inclusive leadership roles, study groups, and positive social activities. Individuals should seek assistance rather than intervene in a way that creates danger. The National Hazing Hotline is (888) 668-4293; use 911 for an emergency. Current prevention resources and reporting information are available on the WSC hazing webpage.

North Dakota Hazing Law

NDCC 12.1-17-10 prohibits willful conduct during initiation or affiliation that creates a substantial physical-injury risk, including forced activity threatening health or causing extreme mental stress. It is a Class A misdemeanor if injury results and a Class B misdemeanor otherwise. Current state law: <https://ndlegis.gov/cencode/t12-1c17.pdf>.

Campus Hazing Transparency Report

WSC's website currently states, "No report at this time." This separate disclosure concerns findings of responsibility involving established or recognized student organizations. It differs from statistics of reported incidents. When required, the public report includes the organization, violation and sanctions, and the required incident, investigation and notice dates without student-identifying information. Findings are retained publicly for five calendar years. Updates occur at least twice annually when there are new findings; the statutory exception applies before a qualifying finding and when no new finding requires an update.

Hazing Statistics - First Required Reporting Year

No reportable hazing incidents were reported in calendar year 2025. The 2026 annual report is the first required hazing statistical disclosure. Earlier years are shown as not required, rather than as verified zero counts.

Clery Geography	2025	2024	2023
On-Campus	0	N/R	N/R
On-Campus Student Housing (subset)	0	N/R	N/R
Noncampus	0	N/R	N/R
Public Property	0	N/R	N/R

N/R = not required for the first hazing reporting cycle. Housing is a subset of on-campus totals.

EMERGENCY RESPONSE AND NOTIFICATION

Williston State College (WSC) Emergency Operation Plan (EOP) describes the responsibilities and duties of campus personnel, departments, agencies, and nongovernmental organizations in event of an emergency or dangerous situation involving an immediate threat. The EOP is designed to assist WSC employees to respond appropriately when emergency conditions exist. To ensure emergency plans are appropriate, WSC conducts emergency response exercises. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.

The EOP allows for immediate response procedures, thereby minimizing danger to the campus and students.

Moreover, WSC subscribes to the WSC emergency notification system (ENS). All WSC students and employees have access to WSC's ENS. To ensure the emergency notification system is functioning appropriately, WSC conducts a test of WSC-Alert at least once each semester.

How to Report an Emergency

The campus community is encouraged to call 9-1-1 to report any situation on-campus that could constitute a significant emergency or dangerous situation involving an immediate or on-going threat to the campus. Dialing 9-1-1 is also the best way to help expedite an emergency notification to alert the rest of the campus community of the threat.

Response Procedures for an Emergency or Dangerous Situation

When a serious threat or disaster to the campus community occurs, Campus Security will coordinate with other first responders, which may include the Williston Police Department, the Williston Fire Department, and the Williston County Sheriff's Department. WSC incident response resources include Campus Security and members of the Executive Cabinet and can help mitigate impacts to the campus. Depending on the nature and magnitude of the incident, other local,

state, and federal agencies may be called upon for assistance.

Confirming a Significant Emergency or Dangerous Situation

First responders and Campus Security are responsible for confirming emergency situations.

Campus Security works in close collaboration with agencies and departments both on and off campus to gather and assess information related to events that may pose an immediate threat or hazard to the campus community. Campus Security, as the first responders, will investigate all reported incidents to determine if the incident poses an immediate threat to the campus community. Campus Security, in coordination with other departments, works with local authorities to confirm threats and implement procedures to minimize the impact of the incident to the campus community.

The Emergency Operations and Communication Center (EOCC) is the physical location at which the coordination of information and resources to support campus incident management activities takes place. The EOCC is the location of the emergency operations center. It is a centrally located facility with staff trained to notify and deploy college resources to an emergency or dangerous situation. It is also responsible for pushing information to and pulling information from the incident site to local responders. Furthermore, if a large-scale situation exceeds, or is likely to exceed, available campus capabilities and resources, the EOCC will contact the City of Williston and Williston County for additional resources.

Authorized Officials

During or in the time leading up to an emergency that threatens life, safety, or security, it will be necessary for notification to be provided to the WSC community with speed and accuracy. Conditions may not allow time for responders or other officials to seek approval to send notification messages.

For this reason, WSC has designated specific campus officials to serve as authorized officials who are empowered to authorize the issuance of emergency notifications. Each authorized official is expected to act within his/her realm of responsibility as defined by department mission and authorize emergency notification when experience and prudence indicate that emergency conditions warrant such actions be taken.

It is important to draw a distinction between the authorization of an emergency notification and the issuance of a notification. Authorizing a notification involves:

- Making a determination that notification is necessary,
- Formulating message content,
- Selecting the appropriate segment of the campus to receive notification, and
- Choosing the appropriate communication tool(s).

In contrast, issuing a notification is the physical act of using a communication tool to send a notification message to the population. Authorized officials likely will have not received training for all the emergency notification systems, nor is this necessary. Upon authorization of an emergency notification, the authorized official will either issue the notification him/herself or contact an individual who is trained to operate the system to send it.

The following individuals are the authorized officials at WSC (in the order listed below). Such authority is delegated to the highest ranked official on the list with whom the EOCC is able to contact in a timely manner:

1. WSC President
2. Director of Marketing
3. VP for Business Services
4. Chief Information Officer
5. VP for Academic Affairs
6. VP for Student Affairs
7. Director of Campus Services

In cases of imminent threat to the campus community, such as a tornado warning, the EOCC staff may send out initial emergency warning messages upon confirmation of such threat with the National Weather Service or the Williams County Emergency Management personnel.

Notifying the Campus

Decisions concerning whether to issue a notification will be made on a case-by-case basis using the following criteria:

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

The EOCC will, without delay, and considering the safety of the campus community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The EOCC will activate the appropriate emergency notification system(s).

A library of notification statements is scripted for anticipated emergencies and may be found in WSC's ENS. The EOCC is responsible for disseminating these statements when immediate campus notification is necessary. The release of all subsequent information is collaborated upon by first responders, the Operations Center and WSC administration, and

is released as the situation unfolds.

Notification Methods

The following methods may be used to notify the campus community of various emergencies that may affect the campus community:

- Phone
- Text message
- Email
- Official WSC website
- WSC internal televisions
- Local media
- WSC social media
- Targeted communication – posters, letters, group meetings, etc. posted in campus buildings, posted in lobby/entrance areas of key buildings for a time period determined by the Clery Compliance Officer, Director of Marketing or designee.

Everbridge is WSC's campus-wide emergency notification system. Everbridge is used when there is a severe or imminent threat to the public safety and health of the entire campus. Phone numbers entered by students into Campus Connection and by employees into Employee Self-Service are utilized by the Everbridge emergency notification system to disseminate emergency alerts by telephone and/or text. Students and employees must check information in Campus Connection and Employee Self-Service respectively at least once each semester to ensure data is current and up to date.

Contact information or preferences for the Emergency Notification System may be updated:

- Log onto Campus Connection
- Select Emergency Notification Update (from left column)
- Update phone numbers, emails and campuses as desired
- Click Accept upon completion

Individuals and organizations outside the campus community are notified of emergency and dangerous situations through the use of local media (i.e., radio and television), WSC's website, and WSC social media platforms. The Creative Services Department receives information to update these sources from the EOCC and provides campus updates to the media. Additionally, Campus Security can notify via land or cellular devices Williams County 9-1-1 Emergency System, when situations arise.

Notifying the Community

The EOCC has several redundant methods of communication with the campus community and general public during and after an emergency. Depending on the type of emergency and the type of information to be disseminated, the EOCC can use one or a combination of the following methods to provide information: emergency notification system, electronic mail, website, voicemail, and media announcements.

Procedures for Evacuation in Emergency or Dangerous Situations

In an emergency or dangerous situation, the Emergency Operations and Communication Center (EOCC) may direct evacuation of a building, several buildings, a portion of campus, or the entire campus. Students, employees, and guests must follow building and campus procedures and directions from on-scene responders. Some hazards, such as a hazardous-material release, may require sheltering in place.

Drills and Exercises

WSC tests emergency response and evacuation procedures at least annually. Emergency-notification checks occur at least once each semester, with at least one full-system Everbridge test each calendar year. Residence-hall fire drills occur each semester. These are separate activities within the College's overall testing program.

Each qualifying test is documented with a description, date, time, and whether it was announced or unannounced. Emergency response and evacuation procedures are publicized in conjunction with at least one test each year. Campus departments coordinate additional evacuation, sheltering, and lockdown exercises with Campus Security, Campus Services, and EOCC personnel as appropriate.

Tests are evaluated to identify needed improvements. Drills requiring special precautions or outside assistance must be planned with the responsible emergency-management personnel.

Threat Reports and Swatting

Report threats promptly to 911 and Campus Security. Responders assess the available information and coordinate with law enforcement to confirm a significant emergency or dangerous situation. A suspected hoax does not replace prompt assessment. When the emergency-notification criteria are met, WSC follows its notification procedures and provides updates. Community members should follow official instructions and avoid circulating unverified threat details.

Promoting Emergency Procedures

WSC communicates emergency procedures through training, drills, and campus safety information. On-campus residents receive move-in guidance and participate in evacuation drills.

Alcohol and Drugs

WSC prohibits the unlawful or unauthorized manufacture, distribution, dispensation, possession, use, or sale of alcoholic beverages, controlled substances, and illegal drugs. This prohibition applies even if the North Dakota Department of Public Health has issued a certificate of registration permitting the individual to possess a limited amount of marijuana for medical purposes; those with medical marijuana cards are not permitted to use medical marijuana on campus. The impairment by alcohol or drugs of any student or employee while participating in an academic function, or of employees when reporting for work or engaging in work — during normal work hours or other times when required to be at work — is also prohibited. WSC employees and students are required to abide by all federal and state laws, local ordinances, North Dakota State Board of Higher Education (SBHE) policies, and other related requirements regarding the consumption or possession of alcoholic beverages, controlled substances, and illegal drugs.

Additionally, WSC is concerned about the academic success of students and the safety of all members of the campus community and is committed to maintaining an academic and social environment conducive to the intellectual and personal development of students.

ALCOHOL/DRUG POLICIES

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 policy 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) 774-4295.

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: WSC 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.

The WSC Student Code of Conduct and [WSC's Drug and Alcohol Abuse Prevention Program \(DAAPP\)](#) specify the policy, prohibitions and penalties for drug and alcohol violations. Both are published under separate cover and is available through the Office of the Vice President of Student Affairs. Additional alcohol and drug policies, standards of conduct, applicable disciplinary sanctions, health risks, counseling and treatment, processes, goals, objectives, outreach and education can be found on this website and within the DAAPP. The [Biennial Review](#), developed in accordance with the Drug Free Schools and Communities Act (DFSCA) of 1989 can be obtained from the Office of Student Affairs, located at 1410 University Avenue, Stevens Hall 105, Williston, ND 58801 or by calling (701) 774-4200. Students, staff, and faculty are informed each year about the DAAPP and DFSCA and how to obtain copies.

[WSC's Student Code of Conduct.](#)

[WSC'S Drug and Alcohol Abuse Prevention Program \(DAAPP\).](#)

ALCOHOL AND OTHER DRUGS (AOD) EDUCATION AND OUTREACH

Five primary points comprise WSC's Drug and Alcohol Abuse Education and Outreach Prevention Program (DAAPP). Detailed information concerning each point below can be found in the [WSC'S Drug and Alcohol Abuse Prevention Program \(DAAPP\)](#).

- 1) **Alcohol Free Options:** Offer and promote social, recreational, extracurricular, and public service options that do not include alcohol.
- 2) **Normative Environment:** Create a social, academic, and residential environment that supports health-promoting norms.
- 3) **Alcohol Availability:** Limit alcohol availability both on and off campus.
- 4) **Alcohol Marketing and Promotion:** Restrict marketing and promotion of alcoholic beverages both on and off campus.
- 5) **Policy Development and Enforcement:** Develop and enforce campus policies and local, state, and federal laws

Preventing and Responding to Domestic Violence, Dating Violence, Sexual Assault, and Stalking

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

Sexual violence is a form of sexual harassment and services are available to students, faculty, and staff who experience sexual violence, domestic violence, dating violence, and instances of stalking.

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.

The WSC prohibits retaliation by its officers, employees, students, or agents against a person who exercises his or her rights or responsibilities under any provision federal or state law, including Title IX and the Violence Against Women Reauthorization Act (VAWA), or this policy.

Title IX-related proceedings will be conducted by officials who do not have a conflict of interest or bias for or against the reporting or responding party. When a student or employee reports to WSC that an on- or off-campus Title IX-related incident has occurred, WSC will provide written explanation of the student or employee's rights and options including the procedures one can follow if such an incident has occurred, WSC and community victim services, and how to request protective and interim measures. WSC provides written information about how it protects reporting parties', responding parties' and other necessary parties' confidentiality.

WSC also provides written explanations of institutional disciplinary action procedures. WSC provides written notification to students and employees about options for and available assistance with how to request protective measures. WSC provides reasonably available protective measures regardless of whether the reporting party reports to local law enforcement. WSC provides written notification to students and employees about existing WSC and community resources such as: counseling, health, mental health, victim advocacy, legal assistance, visa & immigration assistance, student financial aid, and other victim-related services.

SEXUAL MISCONDUCT POLICIES, SERVICES, RESOURCES, AND PROTOCOLS

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 responds promptly to reports of sexual misconduct and considers safety, supportive measures, the wishes of the complainant, and the applicable policy. A report does not automatically initiate a formal Title IX investigation. The Title IX Coordinator explains how to file a formal complaint and determines the applicable process. The formal grievance procedure applies to covered complaints; conduct outside that jurisdiction may be addressed under other College policies. Confidential resources remain available for support and guidance.

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 students, staff and faculty members are provided with training regarding sexual violence and mandatory reporting responsibilities. All WSC Students are required to complete a Sexual Violence Prevention training before the end of their first term. Failure to complete will result in the inability to enroll for subsequent terms. All WSC Employees are required to complete annual Sexual Violence Prevention Mandated Reporter training. Failure to complete will result in a written statement placed in the employee's personnel filing stating they did not complete on the required date. They will have 10 days to complete, or another written notice will be placed in their file.

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 and Applicable Processes

For the formal Title IX grievance process, sexual harassment means sex-based conduct involving an employee's conditioning an institutional benefit on unwelcome sexual conduct; unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies equal educational access; or covered sexual assault, dating violence, domestic violence, or stalking.

WSC also prohibits sexual and gender-based misconduct under its broader institutional policies. Conduct can violate those policies even when it does not meet the formal Title IX definition or jurisdiction. The Title IX Coordinator identifies the applicable procedure and explains available supportive measures. Electronic harassment is also subject to applicable SBHE and NDUS computer and network policies.

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.

North Dakota Definitions and Consent

Incest: North Dakota law addresses intermarriage, cohabitation, or a sexual act with a person within a prohibited degree of relationship, with knowledge of that relationship. See NDCC 12.1-20-11 and 14-03-03.

Domestic violence: Under NDCC 14-07.1-01, the definition includes physical harm, bodily injury, compelled sexual activity, assault, or fear of imminent such conduct against family or household members, excluding self-defense. NDCC 12.1-17-01.2 separately establishes the criminal offense. The appendix distinguishes state law from the federal statistical definition.

Stalking - NDCC 12.1-17-07.1

North Dakota prohibits intentional stalking. Its definition includes a purposeful pattern of at least two acts that frightens, intimidates, or harasses a person or their immediate family, serves no legitimate purpose, and would cause a reasonable person to experience fear, intimidation, or harassment. It also covers qualifying unauthorized electronic tracking of a person's location. Constitutionally protected activity is excluded.

The statute addresses notice, available defenses, and penalties; the complete current text is available at <https://ndlegis.gov/cencode/t12-1c17.pdf>. The federal stalking definition used for Clery statistics appears in Appendix I.

Consent

Consent is a clear, knowing, and voluntary agreement, expressed through words or actions, to engage in mutually agreed sexual activity. Silence, passivity, or lack of resistance alone does not establish consent. A current or previous dating or sexual relationship does not establish consent.

Consent to one activity does not imply consent to another. If willingness is unclear, stop and clarify. Consent may be withdrawn. A person unable to make a legally valid decision because of age, incapacity, or other circumstances cannot provide valid consent. State-law defenses and institutional conduct standards must be evaluated under their respective definitions.

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.

The College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programs consist of the following:

- Online Education: First year students complete online learning for effective ways to prevent and report sexual assault on our campus.
- Employees receive online education through Vector Solutions.
- Consent Programming such as Student Life and the Health and Wellness Department put on Condoms and Consent.
- Specialty Programs: Speakers like CL Lindsay, and Briana Hansen are invited to campus to discuss social media and sexual assault awareness for students regarding consent, social media posting, and how to protect their privacy to avoid being a target in particular situations.

Some of the events that occurred in 2024:

- CL Lindsey 08/26/2024
- UMDHU Alcohol Compliance 10/22/2024
- Friendship Bracelets & The Buddy System 09/11/2024

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 <https://www.cawsnorthdakota.org/get-help/>)

- 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

An individual may decline to notify law enforcement. Other options include:

- 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 Jeanne Clery Campus Safety Act, 20 U.S.C. 1092(f), include specified crime statistics within Clery geography, timely warnings when a serious or continuing threat exists, and campus safety policies. Sexual assault, dating violence, domestic violence, stalking, and hazing are evaluated under the applicable reporting definitions. Public disclosures do not identify victims.

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 Title IX Coordinator receives reports and identifies the applicable procedure. WSC's formal Title IX grievance process applies to covered sexual harassment in the College's education program or activity against a person in the United States. Other misconduct may be addressed through the Student Code of Conduct or other applicable policy, with the protections required for dating violence, domestic violence, sexual assault, and stalking.

Initial Response and Formal Complaints

The Coordinator contacts the complainant to discuss supportive measures, considers the complainant's wishes, explains that support is available with or without a formal complaint, and explains the complaint process. A formal complaint is a signed complaint requesting investigation, filed by an eligible complainant or signed by the Coordinator. A Coordinator's signature does not make that official a party.

When a covered formal complaint proceeds, the Coordinator assigns an investigator and gives both parties written notice of the allegations and applicable process. Notice includes the known conduct, parties, date and location; the presumption that the respondent is not responsible; advisor and evidence-review rights; and the prohibition on knowingly false information. Parties receive sufficient time to prepare. Additional allegations require updated notice.

Investigation

WSC bears responsibility for gathering and evaluating evidence. Both parties may identify witnesses and present relevant information. Officials must be impartial and avoid conflicts of interest. Private medical or counseling records are not obtained or used without the legally required consent.

WSC seeks to complete investigations promptly, ordinarily within the report's stated 60-day goal. Good-cause delays or extensions are explained in writing to both parties, with the reason and revised timeline. Concurrent criminal proceedings do not automatically stop the College process; supportive measures remain available.

Before completing the report, the investigator provides both parties and their advisors directly related evidence and an opportunity for a written response. The completed investigative report is then shared for review before a hearing. The applicable review periods are described in the hearing procedures.

Adjudication

A covered formal Title IX complaint proceeds to a live hearing unless dismissed or resolved through an authorized process. A hearing is not contingent on a proposed suspension. The decision-maker is separate from the investigator and Coordinator. WSC uses the preponderance-of-evidence standard and provides both parties written outcomes and appeal information.

An institutional investigation and disciplinary process is independent of criminal prosecution. Mediation is not used to resolve sexual violence complaints under the procedures described in this report.

Rights and Protections in Sexual-Misconduct Proceedings

Proceedings involving dating violence, domestic violence, sexual assault, or stalking provide a prompt, fair, and impartial process. Officials receive annual training on these issues and on conducting proceedings that protect safety and accountability. These protections apply under the relevant institutional process even when a matter is outside formal Title IX jurisdiction.

- Both parties may be accompanied by an advisor of choice, including an attorney, at related meetings and proceedings. Equivalent participation rules apply to each party. Scheduling requests help preparation but do not eliminate advisor rights.
- Both parties receive timely notice of meetings and proceedings, timely and equal access to information used in the disciplinary process, and updates concerning progress and good-cause delays.
- Parties may present relevant evidence and witnesses, raise conflicts of interest or bias, and receive appropriate accommodations. Formal Title IX hearing protections are described in the following sections.
- WSC provides simultaneous written notice of the result, appeal procedures, any change to the result, and when the result becomes final. Outcomes include applicable sanctions and the rationale required by the governing process.

Standard of Evidence and Participation

WSC uses a preponderance-of-evidence standard: whether the alleged conduct more likely than not occurred. A respondent is presumed not responsible until the applicable process concludes. Credibility is not determined by a person's status as complainant, respondent, or witness.

Individuals may choose not to participate. A party's absence or refusal to answer questions alone does not establish responsibility. At a formal Title IX live hearing, a party does not personally cross-examine another party; questioning is conducted through advisors under the hearing rules.

Privacy and Off-Campus Conduct

WSC limits disclosures to those with an appropriate role and legal basis. Confidentiality cannot be guaranteed in a process that requires notice and an opportunity to respond. Public reports and safety notices protect victims' identifying information.

Off-campus misconduct may be addressed under College policy when it affects the campus community, even if formal Title IX jurisdiction does not apply. A dismissal from the Title IX process does not necessarily end other institutional action. Available support and applicable written rights are explained to the affected individuals.

5.2 On-Campus Investigation and Adjudication for Faculty and Staff

Reports involving faculty or staff are directed to the Title IX Coordinator. Covered formal Title IX complaints use the same grievance protections described for students, including an impartial investigation, the applicable evidence-review periods, a live hearing, an independent decision-maker, simultaneous written outcomes, and equal appeal opportunities. The standard of evidence is preponderance of evidence.

Following the grievance process, employee discipline is implemented through applicable institutional policies, the NDUS Human Resource Policy Manual sections 25 and 27, or SBHE Policy 608.2 for covered employees outside the broadbanding system. Faculty are governed by the applicable faculty policies. Those implementation procedures do not replace required Title IX protections.

If a complainant requests confidentiality or asks that the College not investigate, the Coordinator explains the options, supportive measures, and any limits on WSC's ability to respond. Information is disclosed only for an appropriate institutional or legal purpose.

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:

Harrison Lucas
Title IX Coordinator
1410 University Avenue, Stevens Hall 2nd Floor Ste. 202, Williston, ND 58801
Phone: (701) 774-4204
Email: harrison.lucas@willistonstate.edu
Hours: 8a-4:30p, Monday through Friday
Summer Hours may vary, please call for appointment.

or to the:

Office of Civil Rights/HHS
1961 Stout Street, Room 08-148
Denver, CO 80294

Telephone #: (800) 368-1019
Fax: (202) 619-3818
TDD#: (800) 537-7697
Email: ocrmail@hhs.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, Harrison Lucas, Human Resources Office, Stevens Hall, Ste.202 Williston, ND 58801, Phone: (701) 774-4204. Email: harrison.lucas@willistonstate.edu

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.

The Title IX Office will provide the Complainant and Respondent with written options available to them for assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures.

Additionally, The Title IX Office will provide the Complainant and Respondent with written resources available to them both within the institution and within the larger community.

Accommodations and protective measures provided to the Complainant and/or Respondent will be maintained as confidential by the Title IX Office, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

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 Supportive Measures and Emergency Removal

Supportive measures are individualized, reasonably available services without charge or disciplinary punishment. They may include counseling, escorts, schedule or housing changes, and contact restrictions. They are available with or without a formal complaint or police report and preserve educational access without unreasonably burdening another party.

An allegation alone does not justify removal. Title IX emergency removal requires an individualized risk analysis, an immediate physical health or safety threat arising from the allegations, notice, and an immediate opportunity to challenge. Applicable disability protections remain in effect. A nonstudent employee may be placed on administrative leave as allowed by the rules.

Final remedies and sanctions follow the applicable grievance process.

The Vice President for Student Affairs, or designee, 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, or designee, 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 Vice President for Student Affairs or designee may impose additional sanctions. Such sanctions may include but are not limited to:

- The Vice President for Student Affairs or designee 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

A covered formal Title IX complaint receives a live hearing regardless of the proposed sanction. Suspension, when imposed after a finding of responsibility and the applicable appeal process, is one available disciplinary sanction. General conduct hearings follow the Student Code of Conduct.

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 or designee may direct the temporary, immediate removal of a student in accordance with the Student Code of Conduct.

7.3 Decision and Authority to Impose Sanctions

The independent Title IX decision-maker determines responsibility and applicable sanctions under the grievance process. The responsible College offices implement final sanctions consistent with student or employee policies. The Coordinator oversees remedies. Emergency removal is governed by the individualized assessment and immediate-challenge procedure, not by a prejudgment of responsibility.

7.4 College Disciplinary Sanctions for Faculty and Staff

The College will follow the disciplinary policies and procedures in the Institutional Policies and Procedures. [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

Formal Title IX hearings are conducted by a trained, impartial decision-maker who is not the Coordinator or investigator. WSC's published Title IX procedure uses an individual decision-maker. Any supporting hearing panel does not replace that decision-maker's responsibility. General student or organization conduct hearings may use the committee structure described in the Student Code of Conduct.

Hearings may occur in person or through technology allowing participants to see and hear one another. Either party may request separate rooms with simultaneous audio and video. A hearing is not limited to cases involving possible suspension.

8.1 Types of Hearings and Applicable Process

Covered formal Title IX complaints receive a live hearing following the investigation and party review. The hearing determines responsibility under the applicable policy and preponderance-of-evidence standard. A complaint dismissed from formal Title IX jurisdiction may still be addressed under another College conduct procedure.

Student and student-organization conduct hearings outside formal Title IX jurisdiction follow the Student Code of Conduct. Emergency suspension reviews determine whether a temporary action remains justified; they do not determine final responsibility.

8.2 Hearing Decision-Maker and Committee

The Title IX decision-maker is impartial, trained, and separate from the Coordinator and investigator. Conflicts of interest and bias may be raised by either party. General conduct committees normally consist of three trained WSC employees, including a chair, as provided by the Student Code of Conduct.

8.3 Personal Advisors and Support

Both parties may select an advisor, who may be an attorney, to attend related meetings and proceedings. Parties may share process information with their advisors. Participation and decorum rules are applied equally.

At the formal Title IX live hearing, each party's advisor conducts relevant cross-examination directly, orally, and in real time. A party may not personally cross-examine another party or a witness. The decision-maker rules on relevance before a question is answered and explains exclusions.

If a party has no advisor at the live hearing, WSC provides an advisor without charge to conduct questioning. A privately retained advisor's fees remain that party's responsibility. An advisor's hearing role cannot be restricted in a way that prevents the required questioning.

A support person or advocate may provide guidance within the applicable process. The presence of a support person does not replace the required hearing advisor. Parties should communicate advisor contact information and scheduling needs to the Coordinator so that the hearing can be arranged fairly.

8.4 Hearing Procedures

8.4.1 Evidence and Investigative Report Review

Before completing the investigative report, WSC sends each party and their advisor the directly related evidence for inspection. Each party has at least 10 days to submit a written response. The investigator considers those responses before finalizing the report.

The report fairly summarizes relevant evidence and is sent to both parties and their advisors at least 10 days before the hearing for review and written response. The evidence remains available at the hearing for both parties to use.

8.4.2 Hearing Notice and Scheduling

The Coordinator provides written hearing notice through WSC email, the College's official communication method. Notice identifies the date, time, location or connection instructions, participants, allegations and applicable process, the decision-maker, advisor arrangements, and available accommodations. Parties receive sufficient preparation time; WSC ordinarily provides at least seven business days' hearing notice while also meeting the separate evidence and report review periods.

Parties should provide advisor and witness information and relevant documents as directed. Requests for good-cause changes are considered equally. A postponement is communicated in writing with the reason and revised schedule. Scheduling instructions do not eliminate required review rights or the institution-provided hearing advisor.

8.4.3 Jurisdiction and Dismissal

The Coordinator evaluates whether alleged conduct falls within formal Title IX jurisdiction. A formal complaint must be dismissed from that process when the alleged conduct, even if proved, does not meet its definition or occurred outside the covered program or activity or outside the United States. Other permitted grounds for dismissal are evaluated under the applicable policy.

Both parties receive simultaneous written notice of a dismissal and its reasons, with appeal information. Dismissal does not prevent action under another College policy. A live hearing is not refused merely because suspension is unlikely.

8.4.4 Hearing Preparation

Parties may request separate-room arrangements, accessibility accommodations, or assistance with hearing technology. The Coordinator addresses these requests in advance when possible. Relevant evidence, privacy protections, and the prohibition on retaliation apply throughout the process.

8.4.5 Equal Rights of Complainants and Respondents

Both parties have the following rights in the formal Title IX grievance process:

- Notice of allegations and of meetings or proceedings with sufficient time to prepare.
- An advisor of choice at related meetings and proceedings; a hearing advisor provided without charge if none is present.
- Equal opportunity to identify witnesses and submit relevant evidence, and the evidence and report review opportunities described in Section 8.4.
- An impartial investigation and decision by officials without a conflict of interest or bias. A concern about any such official may be raised; a party is not limited to challenging only one person.
- An opportunity to be heard, to choose whether to participate, and to have relevant questions asked through the advisor at the live hearing.
- Separate-room arrangements upon request, with technology allowing simultaneous observation and hearing of testimony, and appropriate disability-related accommodations.
- Inspection and review of the hearing recording or transcript.
- A simultaneous written determination with the required findings, rationale, sanctions/remedies information, and appeal instructions.
- Equal appeal opportunities and simultaneous written notice of the appeal outcome, changes to the result, and finality.

Privacy and Hearing Conduct

Hearings are conducted with appropriate privacy protections. Participants must follow reasonable decorum rules and must not intimidate, retaliate, or knowingly provide false information. These rules are applied equally and do not prohibit parties from discussing allegations or gathering and presenting evidence.

WSC does not require waiver of legally recognized privileges. Protected counseling or medical records are used only with the applicable voluntary consent. A party's participation decision does not, by itself, establish responsibility.

In other institutional proceedings addressing dating violence, domestic violence, sexual assault or stalking, the applicable Clery protections include equal advisor opportunities, a prompt and impartial process, appropriate access to information, and simultaneous written results. The responsible office identifies the governing procedure.

8.5 Full Hearing Process

Introduction and Ground Rules

The decision-maker identifies the participants and their roles, explains the process and applicable policy, and reviews honesty, privacy, decorum and anti-retaliation expectations. Advisors are identified and any required institution-provided advisor is arranged. The respondent is presumed not responsible pending a determination.

Presentation of Information

The allegations and response are reviewed. Both parties may present relevant information and witnesses. The decision-maker evaluates evidence objectively without assuming credibility based on a person's role. The College retains responsibility for establishing whether its evidence standard is met.

Questions and Cross-Examination

For a formal Title IX live hearing, each advisor asks the other party and witnesses relevant questions directly, orally, and in real time. The decision-maker determines relevance before an answer and explains any exclusion. This questioning is not replaced by the decision-maker asking an advisor's questions. Parties do not personally cross-examine one another.

Questions about a complainant's sexual predisposition or prior sexual behavior are excluded, except for the limited circumstances allowed by the governing rule. Legally privileged information is not used without the required waiver.

The decision-maker does not automatically exclude every statement of a person who declines cross-examination. Relevant evidence is evaluated under the current rules. No inference of responsibility is drawn solely from absence or refusal to answer questions.

Closing Statements and Record

Each party has an equal opportunity to provide a closing statement within the hearing rules. The hearing is recorded or transcribed, and the record is available to both parties for inspection and review. The decision-maker may request further investigation if needed, while preserving equal notice and review opportunities.

Decision

An independent decision-maker evaluates the complete record using preponderance of evidence, issues the written determination, and identifies applicable sanctions and remedies following a finding of responsibility. The next section explains results, recordkeeping and appeals.

Deliberation and Written Determination

The decision-maker, who is not the Title IX Coordinator or investigator, issues the written determination. It identifies the allegations, procedural steps, findings of fact, policy conclusions, result and rationale for each allegation, any sanctions and remedies, and appeal instructions. WSC's published Title IX procedure ordinarily provides for a determination within 10 business days of the hearing; additional investigation or a good-cause extension is communicated to both parties.

Both parties receive the determination simultaneously in writing. The result becomes final when an appeal is resolved or the applicable ordinary appeal period expires. The Coordinator is responsible for implementing remedies. Parties are informed of any subsequent change and when the outcome becomes final.

8.6 Record of the Hearing

The record includes notices, evidence, the investigative report, the hearing recording or transcript, the determination, appeals, sanctions, remedies, and supportive-measure documentation. Title IX records are retained for at least seven years, including records of reports that did not result in a finding. Training materials are retained and made publicly available as required.

Access to student records is governed by FERPA and applicable law. Individual identifying information is protected in public disclosures. A student organization's public outcome does not authorize disclosure of individual student records. Parties may contact the responsible office to arrange permitted record review.

8.7 Title IX Appeal Procedures

Both parties may appeal a determination or dismissal of a formal complaint or allegations on these grounds:

- A procedural irregularity that affected the outcome.
- New evidence not reasonably available at the time that could affect the outcome.
- A conflict of interest or bias by the Coordinator, investigator, or decision-maker that affected the outcome.

The written determination or dismissal notice supplies filing instructions and the applicable deadline. Any additional appeal ground is offered equally to both parties. Appeals are submitted in writing and explain the ground and supporting information. A separate impartial appeal decision-maker reviews the appeal; that person is not the original decision-maker, investigator, or Coordinator.

WSC notifies the other party when an appeal is filed, provides equal opportunities for written submissions, and sends both parties a simultaneous written appeal decision with its rationale. Final sanctions follow the applicable process. Supportive measures and properly justified interim safety actions may continue.

Additional Review and Implementation

WSC's published procedure also provides the additional review required by SBHE Policy 514 when a student or student organization receives suspension or expulsion. For at least one year following the original decision, qualifying additional appeals may be based on new information, contradictory information, or a denial of due process, as allowed by that policy. This additional review is distinct from the ordinary Title IX appeal and does not replace equal Title IX appeal rights.

An appeal may uphold or modify the result or require further proceedings. Any further hearing follows the applicable protections. Outcomes and reasons are communicated in writing to both parties, and changes affecting implementation are communicated only to authorized officials with a need to know.

Criminal proceedings and institutional proceedings apply different standards. A later court outcome does not automatically reverse an institutional decision, but relevant new information may be considered through an available appeal process.

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 Vice President for Student Affairs or designee for reinstatement.
- The Vice President for Student Affairs or designee reviews the record and ensures that the conditions (if any) for reinstatement have been satisfied.
- The Vice President for Student Affairs or designee 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 Vice President for Student Affairs or designee 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 Removal and Suspension Review

For Title IX emergency removal, WSC first conducts an individualized safety and risk analysis. An immediate threat to physical health or safety arising from the sexual-harassment allegations must justify the removal. The respondent receives notice and an immediate opportunity to challenge it. This review is not postponed until a ten-business-day committee hearing. Applicable disability rights remain in effect.

9.1 General Conduct Emergency Suspension

Outside the formal Title IX emergency-removal process, the Student Code of Conduct permits extraordinary temporary action for a significant danger to self or others, a threat of disruption of the educational process, or a threat of property destruction. Such action is reviewed as expediently as possible, ordinarily within ten business days under the general conduct procedure. An extension requires the approval described in that procedure.

A general emergency suspension review evaluates whether the temporary action should remain in effect pending resolution; it does not establish final responsibility. The following committee procedures describe that general conduct review and do not replace the immediate Title IX challenge opportunity.

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 Vice President for Student Affairs or designee 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 Personal Advisor.
- To raise a conflict of interest or bias concerning any panel member.
- 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 Vice President for Student Affairs or designee.

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. Any applicable general conduct criterion may justify continued temporary 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 Vice President for Student Affairs or designee 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 Vice President for Student Affairs or designee and to the Student Services Office to be placed in the student's personal file.

10. Communication of Decisions and Appeals. WSC provides required results and appeals simultaneously to the parties. Implementation information is shared only with authorized officials who need it, consistent with privacy law. Academic and support arrangements are coordinated without unnecessary disclosure.

11. 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.

12. References and Current Policy Information

Jeanne Clery Campus Safety Act: 20 U.S.C. 1092(f); federal annual security and fire disclosures: 34 C.F.R. 668.41, 668.46, and 668.49.

Title IX: 34 C.F.R. Part 106, including the formal grievance process in section 106.45. Current federal regulations are available at <https://www.ecfr.gov/current/title-34>.

WSC policy and procedure information: willistonstate.edu/students/Student-Policies/Title-IX/. Apply current law where an older policy copy contains superseded language.

North Dakota statutes: NDCC 12.1-17 (stalking, consent as a defense, and hazing), 12.1-20 (sex offenses), 14-03-03 (void marriages), 14-07.1-01 (domestic violence definitions), and 12.1-32-15 (registration). Current text: <https://ndlegis.gov/cencode/>.

Employee discipline and appeals: applicable institutional policies, NDUS Human Resource Policy Manual sections 25 and 27, and SBHE Policy 608.2 where applicable. Student suspension/expulsion additional review: SBHE Policy 514.

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:

Harrison Lucas
 Director for Human Resources\Title IX Coordinator
 Stevens Hall, Second Floor
 1410 University Avenue, Suite 202
 Williston, ND 58801
 Phone: (701) 774-4204
 Email: harrison.lucas@willistonstate.edu Hours: 8a-4:30p, Monday through Friday
 Summer Hours may vary, please call for appointment

SEX OFFENDER REGISTRATION

All registered sex offenders are required to self-report their status upon employment to WSC's Director for Human Resources or WSC's Enrollment Services Department upon enrollment. Some limitations and restrictions may apply to that employment and/or enrollment.

Convicted sex offenders must register with the local law enforcement agency in the jurisdiction where the offender resides. Out-of-state sex offenders are required to register with the local North Dakota law enforcement agency if they work or attend school in North Dakota.

Each time the offender moves or changes jobs, the offender must notify the local law enforcement agency.

All registered sex offenders are required to self-report their status to campus security upon employment or enrollment. If designated as a registered sex offender after employment or enrollment, the self-reporting must occur within three working days of the designation. Failure to self-report may result in disciplinary action up to and including termination of employment or suspension.

Employment and Enrollment of Sex Offenders Registered sex offenders are not barred from employment or enrollment at WSC. Limitations and restrictions on employment and enrollment must be reasonable, job related (for employees) and directly related to areas of potential risk.

Employment

Registered sex offenders are prohibited from working in or being on the premises, without proper authority, of any area of the College that is designated to provide service/care to minors. Locations and/or events may be added at the discretion of College administration.

Registered sex offenders are also prohibited from working in residence halls and apartments. Furthermore, registered sex offenders are prohibited from being within the living areas of Colleges residence halls, apartments, or any other living facilities owned or operated by WSC. Supervisors of registered sex offenders should not assign the employee to an area from which they are prohibited if other employees are available to complete the assignment. If the assignment of the sex offender is essential, their immediate supervisor must escort them for the entire time that they are working in the prohibited location.

Enrollment

Registered sex offenders are prohibited from living in College residence halls. Additionally, registered sex offenders are prohibited from being within the living areas of College residence halls, apartments or any other living facilities owned or operated by WSC. Other locations and/or events may be added at the discretion of College Administration.

Public Access to Sex Offender Information

The North Dakota Office of Attorney General maintains the public registry at <https://sexoffender.nd.gov/>. Registration information is available under NDCC 12.1-32-15. Use this information lawfully; it must not be used to harass or threaten any person.

The Adam Walsh Child Protection and Safety Act and applicable North Dakota registration requirements provide for reporting and tracking registered offenders. Campus employment and enrollment restrictions remain subject to applicable law and the institutional procedures described above.

Annual Fire Safety Report

The Campus Fire Safety Right-to-Know Act is an amendment to the Higher Education Opportunity Act. This amendment serves to increase campus fire safety awareness across the nation, providing students and their families with the fire safety records of colleges and universities. Signed into law on August 14, 2008, this amendment requires post-secondary institutions to publish fire safety information and statistics, much as is already done with other crime statistics, such as campus thief and assault.

Additionally, the National Student Loan Program requires all eligible Title IV institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. The statistics include the number, cause, related injuries and deaths, and property damages associated with each fire. In addition, each institution is required to report fire safety information to the U.S. Department of Education.

Collectively, this information provides prospective and current students information regarding the policies, concerns, and fire safety conditions that are present at the WSC.

GENERAL RESIDENCE HALL FIRE SAFETY

WSC's primary on-campus residential student housing facility, Frontier Hall, is completely covered by integrated automatic sprinkler and hard-wired addressable fire alarm systems, which are monitored twenty-four hours a day, seven days a week by central monitoring. In addition, these facilities have the following life safety systems: portable fire extinguishers, emergency lighting, emergency exit signs and doors, and fire stairways.

Abramson Hall, Manger Hall, and Nelson Hall have room fire detection, smoke detection, and portable extinguishers. They do not have building fire alarms or installed evacuation maps. The systems table details the equipment present in each facility.

Each building is inspected by trained building inspectors on a regular basis to ensure that these systems are in working condition and includes a yearly fire alarm and sprinkler systems test and inspection.

Each resident receives the WSC Housing Contract with fire-safety requirements and response instructions. Frontier Hall has installed evacuation maps. Residents in all facilities should identify their primary and alternate exits during orientation. Fire drills are conducted each semester; two drills were conducted in each listed facility in calendar year 2025.

If a fire occurs in a WSC building, community members should immediately notify the local fire department by dialing 911. Campus Security can be contacted at (701) 570-6699. Campus Security will initiate a response to all fire alarms or reports it receives. Upon confirmation of a fire, Campus Security will immediately summon the local fire department for assistance by contacting 911 Williams County Emergency Center.

Fires should be immediately reported to 911 or Campus Security: If a member of the WSC community finds evidence of a fire that has been extinguished, and the person is not sure whether Campus Security has already responded, the community member should immediately notify Campus Security 701-570-6699 to document the incident, involve local law enforcement, if necessary and assure the fire is included in the annual fire safety report.

Fire alarms alert community members of potential hazards, and community members are required to heed their warning and evacuate buildings immediately upon hearing a fire alarm in a facility. Use the nearest stairwell and/or exit to leave the building immediately. Do not use the elevator. Community members should familiarize themselves with the exits in each building.

Campus Security can work with other College offices to sanction individuals who fail to evacuate a building promptly – but a more important reason for evacuating is for safety. When a fire alarm is activated, the elevators in most buildings will stop automatically. Occupants should use the stairs to evacuate the building.

Campus Security publishes this fire safety report as part of its annual Clery Act Compliance document, via this annual report, which contains information with respect to the fire safety practices and standards for WSC. This report includes statistics concerning the number of fires, the cause of each fire, the number of injuries and deaths related to a fire, and the value of the property damage caused by a fire. The compliance document is available for review 24 hours a day on the Campus Security website, and a physical copy may be obtained by making a request to Campus Security (701) 570-6699 or by visiting Campus Security in person at: 1410 University Avenue, Art Wood Building, Williston, ND 58801.

Procedures for Students and Employees in the Event of a Fire:

Find nearest pull station and sound central alarm, or call 911, or contact Campus Security directly at: (701) 570-6699.

- Shut all doors and windows in the vicinity of the fire
- If the fire is small, use fire extinguishers to put it out
- Exit by nearest safe stairway
- Do not use the elevators
- Do not run
- If there is smoke in the room, keep low to the floor
- Try to exit the room, feel the doorknob
 - If it is hot, do not open the door
 - If the doorknob is not hot, brace yourself against the door and crack it open
 - If there is heat or heavy smoke, close the door and stay in your room
- Don't panic
- Seal up the cracks under the door with sheets, or towels.
- If there is smoke in the room, crack the windows, if possible, to allow for ventilation
- Hang a sheet or towel from the window to announce that you are in your room.
- Call 911. Be sure to give your room number and your location.
- If you can exit the room, put on shoes (and if necessary, a coat). If smoke is evident, get a wet towel to cover your face.
- Close all doors.
- If in exiting the building you are blocked by fire, go to the safest fire-free area, or stairwell. If a phone is available call Campus Security; or find a window, and signal that you are still in the building.
-

Student Residence Hall Fire Evacuation Procedures in the Event of a Fire:

- The fire alarm system may be used to evacuate a building(s) if there is a potential threat to the health and safety of that segment of the community.
- Activate the building fire alarm if it is not already sounding. Pull a fire alarm station on the way out.
- Leave the building by using the nearest exit.
- Crawl if there is smoke. Cleaner, cooler air will be near the floor. Get low and go.
- Before opening any doors, feel the metal knob.
 - If it is hot, do not open the door.
 - If it is cool, brace yourself against the door, open it slightly, and if heat or heavy smoke are present, close the door and stay out of the room.
- Go to the nearest exit or stairway. If the nearest exit is blocked by fire, heat, or smoke, go to another exit.
- Always use an exit stairway, not an elevator.
 - Elevator shafts may fill with smoke, or the power may fail, leaving you trapped.
 - Stairway fire doors will keep out fire and smoke, if they are closed, and will protect you until you get outside.

- Close as many doors as possible as you leave; this helps to confine the fire.
- Total and immediate evacuation is safest.
- Only use a fire extinguisher if the fire is very small and you know how to do it safely.
 - Do not delay calling emergency responders or activating the building fire alarm.
 - If you cannot put out the fire, leave immediately.
 - Make sure the fire department is called—even if you think the fire is out.
- If you get trapped, keep the doors closed. Place cloth material (wet, if possible) around and under door to prevent smoke from entering. Be prepared to signal your presence from a window.
- Signal for help. Hang an object at the window (jacket, shirt) to attract the fire department's attention. If there is a phone in the room, call 911 or 9-911 from an on-campus phone, or (701) 570-6699 from a cellular phone, and report that you are trapped; be sure to give your room number and location.
- If all exits from a floor are blocked, go back to your room, close the door, seal cracks, open the windows if safe, wave something out the window, and shout or phone for help.
- If you are on fire – stop, drop, and roll, wherever you are. Rolling smothers fire.
- Cool burns. Use cool tap water on burns immediately. Don't use ointments. If skin is blistered, brown or charred, call for an ambulance.
- Be aware of obstacles. Storage of any items in the corridors, such as bicycles, chairs, desks and other items is prohibited in all exit ways, including stairwells. Blocked exits and obstacles impede evacuation, especially during dark and smoky conditions.

- If a disability or temporary condition affects evacuation, discuss an individualized plan with Residence Life, Campus Security, or accessibility staff in advance. Identify safe routes and assistance needs. In an emergency, call 911 with your exact location and follow responder instructions. Do not use an elevator during a fire or enter an unsafe route.

Fire Safety Education and Training Programs

WSC promotes campus fire safety on an ongoing basis through various safety education and training programs. Fire evacuation and muster points are reviewed with employees during Fall In-service. Residence hall and apartment staff receive orientation to the operations and locations of the fire alarm system, as well as a review of their roles during a fire or fire drill. Resident assistants receive general fire safety training from the Director for Residence Life during fall training. Students receive a general orientation to the fire systems present in the building during the first week of the residents' arrival. Staff also review evacuation and emergency procedures with residents. Residence hall students participate in one fire drill during both the fall and spring semesters.

Plans for Future Improvements in Fire Safety: WSC strives to improve and expand on our in-service training sessions for all Residential Life student staff, Campus Security staff, and other housing staff. The College continues to assess and upgrade fire safety equipment as an ongoing process, to ensure that all equipment meets National Fire Safety standards. Future improvements will be made as needed as part of the ongoing assessment and budget process.

Life Safety Inspections and Violations

Residence Life staff inspect common areas regularly and individual rooms monthly. Full-building inspections are announced; not all common-area inspections are announced. These checks identify and address safety violations. Students must follow Residence Life guidelines and the applicable fire and life safety rules.

The inspections include, but are not limited to, a visual examination of electrical cords, sprinkler heads, smoke detectors, fire extinguishers, and other life safety systems. In addition, each room will be examined for the presence of prohibited items (e.g., sources of open flames, such as candles; non-surge protected extension cords; halogen lamps; portable cooking appliances in non-kitchen areas; etc.) or prohibited activity (e.g., smoking in the room, tampering with life safety equipment, possession of pets, etc.). This inspection will also include a general assessment of food and

waste storage and cleanliness of the room.

Prohibited Items and Prohibited Conduct:

If a student's behavior does not meet College community expectations or is in violation of the policies outlined in the Residence Hall Housing License Agreement or the Handbook of Student Rights and Responsibilities, they may expect conduct action. WSC expects students, as adults, to maintain a standard of personal discipline that is in harmony with the educational goals of the institution, federal, state, and local laws, and to respect the rights, privileges, and property of fellow students, faculty, staff, and administrators. Students are responsible for the items contained in their rooms and the events that occur in their rooms. Special surveillance resources may be utilized by the College when conduct issues become chronic or disruptive.

Prohibited Items:

The following items are prohibited in residence halls and/or rooms:

- Alcoholic beverages, alcohol containers and advertising or promotion of alcoholic beverages (regardless of age);
- Narcotics or other drugs when their use or possession is prohibited by law;
- Weapons including but not limited to firearms, ammunition, fire crackers, explosives, knives, bows and arrows, air-soft guns, paintball guns.
- Cooking/heating appliances require permission under the housing contract. Prohibited examples include hot plates, electric grills, frying pans, toasters, space heaters, unauthorized air conditioners, and halogen lamps.
- Antennas, dishes or aerials for radios or TVs.
- Battery chargers or engine heater cords.
- Open fires, candles, incense, potpourri pots or halogen light bulbs.
- Weightlifting or exercise equipment.
- Pets (other than fish in a tank no larger than 10 gallons).
- Skateboards, roller blades, roller skates, and hoverboards are not to be used in hall at any time.
- Other items deemed inappropriate by campus housing staff.

NOTE: The preceding list is not all inclusive; any item that is a threat to public safety may be removed. In addition to confiscation, violators may be subject to sanctioning.

WSC Housing Contract Standard Regulations and Expectations:

1. The student signature on this contract is an acknowledgement that he or she agrees to the terms and conditions of this contract and the rules and regulations outlined in the WSC Student Code of Conduct. Violation of these rules or other inappropriate conduct is handled through the disciplinary processes outlined in the WSC Student Code of Conduct and may result in termination of this contract. Termination of contract for conduct reasons will result in a breach of contract (see section 4.c.).

2. No student may create excessive noise, disturb or infringe on the rights of others, harass, haze, or in any way lessen the educational effectiveness of the college. This includes behavior that attempts to force a roommate to move out of the room and/or attempts to prevent a new roommate from moving into the room.

a. The college will not tolerate verbally or physically threatening behavior toward staff members or students. Verbal or physical threats to staff members or students may result in eviction from residential and dining facilities and/or suspension or expulsion from the college.

b. Students are responsible for checking the condition of their room upon check-in. A signature on the room inventory and condition form is confirmation of the room condition at check-in. The Director for Residence Life may make a final inspection of the room and may adjust the damage assessment as necessary. Roommates are encouraged to discuss damages with each other and take responsibility for their respective charges before check out. The last roommate to check out is responsible of the remaining unclaimed damages. Failure to complete room

condition form may result in additional charges.

c. Students are responsible for damages and loss to college property resulting from negligence or misuse. When responsibility within a room or suite cannot be determined, all roommates will be jointly responsible. Willful damage of college property shall be cause for disciplinary action, which can result in loss of housing privileges or dismissal from the college.

d. After termination of this contract, the Head Resident may dispose of abandoned or unclaimed property held in storage for more than 30 days by way of public or private sale or can otherwise dispose of such property. The Housing department can keep the proceeds.

e. Students are responsible for information provided during hall/floor meetings, via WSC email as well as materials posted in residential facilities.

f. All campus including residence halls and surrounding college grounds are designated as tobacco free. No tobacco use of any kind is allowed in any area of the campus.

DAILY CRIME AND FIRE LOG

WSC Campus Security maintains crime and fire logs for public inspection. The most recent 60 days are available during normal business hours. Older portions are made available within two business days of a request. For access, contact Campus Security at (701) 570-6699.

The crime log records the nature of the crime, the date reported, the date and time of occurrence, general location, and disposition when known. It covers crimes reported to Campus Security within the applicable campus, noncampus, public-property, and security patrol coverage. The fire log records the nature, date, time, and general location of fires in on-campus student housing.

Entries and updates are made within two business days of receiving information, subject to lawful withholding provisions. Crime information may be temporarily withheld when disclosure would jeopardize an investigation, a person's safety, confidentiality, or other permitted interests; it is released when the reason for withholding ends. Fire-log entries follow the applicable public-access requirements.

EMERGENCY EVACUATION DRILLS

Fire/emergency evacuation drills are conducted each semester in residence halls. Emergency Evacuation Drills are conducted to familiarize occupants with emergency egress from a building and to establish conduct of the drill to a matter of routine. Drills will include suitable procedures, such as potential room-to-room checks, to ensure that all persons subject to the drill participate. Any person who fails to participate in a drill will be subject to disciplinary action by the appropriate authority. In the conduct of drills, emphasis shall be placed on orderly evacuation rather than speed.

Drills shall be held at expected and unexpected times, and under varying conditions to simulate the unusual conditions that can occur in an actual emergency.

Participants shall relocate to a safe location outside the building and remain at such location until a recall signal is given or further instruction.

FIRE INVESTIGATION/ARSON

Every fire that is not known to be accidental (such as a cooking fire) will be investigated by Campus Security in

conjunction with the Williston Fire Department and Williston Police Department, who may provide trained arson investigation techniques. Fires determined through investigation to be willfully or maliciously set are classified as arsons for Clery reporting purposes.

FIRE SAFETY SYSTEMS IN WILLISTON STATE COLLEGE

ON-CAMPUS RESIDENTIAL FACILITIES (2026)

Current systems inventory; fire drills conducted in calendar year 2025.

Facility / Address	Year Built	Building Alarm	Room Fire Detection	Smoke Detection	Pull Station	Monitoring Connection	Evacuation Maps	Sprinkler	Fire Extinguisher	Fire-Rated Doors	2025 Drills
Frontier Hall 1410 University Ave.	2011	YES	YES	YES	YES	YES	YES	Full	YES	YES	2
Abramson Hall 601 E. Highland Dr.	1975	NO	YES	YES	NO	NO	NO	NO	YES	NO	2
Manger Hall 609 E. Highland Dr.	1975	NO	YES	YES	NO	NO	NO	NO	YES	NO	2
Nelson Hall 613 E. Highland Dr.	1975	NO	YES	YES	NO	NO	NO	NO	YES	NO	2

On-Campus Fire Statistics - Calendar Years 2023-2025

Facility	Number of Fires			Cause of Fire			Injuries Requiring Medical Treatment			Deaths			Property Damage		
	2025	2024	2023	2025	2024	2023	2025	2024	2023	2025	2024	2023	2025	2024	2023
Frontier Hall	0	0	0	N/A	N/A	N/A	0	0	0	0	0	0	\$0	\$0	\$0
Abramson Hall	0	0	0	N/A	N/A	N/A	0	0	0	0	0	0	\$0	\$0	\$0
Manger Hall	0	0	0	N/A	N/A	N/A	0	0	0	0	0	0	\$0	\$0	\$0
Nelson Hall	0	0	0	N/A	N/A	N/A	0	0	0	0	0	0	\$0	\$0	\$0

No fires occurred in the listed facilities in 2023, 2024, or 2025. N/A indicates that no fire cause applies because no fire occurred. Fire-related injuries, deaths, and property damage were zero.

Appendix I: Clery-Designated Crime Definitions

WSC is required to report crime statistics as defined by the Clery Act for the following crimes if the crimes are reported and occur in geographic locations as defined above.

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

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, or personal property of another.

Burglary – The unlawful entry of a structure to commit a felony or a theft.

Dating Violence

The Federal definition (from VAWA) of Dating Violence: the term “dating violence” means violence committed by a person:

- who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- The existence of such a relationship shall be determined based on the reporting party’s statement with consideration of:
 - the length of the relationship;
 - the type of relationship;
 - the frequency of interaction between the persons involved in the relationship
- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse
- Dating violence does not include acts covered under the definition of domestic

violence There is no local jurisdiction definition of dating violence.

Domestic Violence

The federal definition covers a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner; a person sharing a child with the victim; a person cohabiting or formerly cohabiting as a spouse or intimate partner; a person similarly situated to a spouse under the applicable jurisdiction's law; or another person whose acts against the victim are covered by that jurisdiction's domestic or family violence law.

North Dakota Century Code 12.1-17-01.2 Domestic Violence

State law defines the offense as willfully causing bodily injury, substantial bodily injury, or serious bodily injury to a family or household member, as defined in NDCC 14-07.1-01. Penalties vary with the injury, prior offenses, and the victim's age. A charge under this section is prosecuted in district court.

The section also applies to an individual under 18 when the victim is or was in a dating relationship with that individual or they have a child in common. The full current statute is available at <https://ndlegis.gov/cencode/t12-1c17.pdf>.

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

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

Motor Vehicle Theft – The theft or attempted theft of a vehicle. Murder/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 or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Sexual Offenses - Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator.
- **Fondling:** The touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.

North Dakota defines sexual assault in NDCC 12.1-20-07. Related state sex offenses appear in Chapter 12.1-20. These state definitions differ from the federal categories used for Clery statistics.

Stalking

The federal definition of stalking is:

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

For the purposes of this definition:

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

[North Dakota Century Code 12.1-17-07.1 Stalking](#)

1. As used in this section:

- 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 months regularly resided in the household.
- c. "Stalk" means:
 - (1) To engage in an intentional course of conduct directed at a specific person which frightens, intimidates, or harasses that person and which 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; or
 - (2) The unauthorized tracking of the person's movements or location through the use of a global positioning system or other electronic means that would cause a reasonable person to be frightened, intimidated, or harassed and which serves no legitimate purpose.

2. A person may not 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 chapter 43-30 or a peace officer licensed under chapter 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. A person who violates this section is guilty of a class C felony if:

(1) The person previously has been convicted of violating section 12.1-17-01, 12.1-17-01.1, 12.1-17-01.2, 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 the stalking;

(2) The stalking violates a court order issued under chapter 14-07.1 protecting the victim of the stalking, if the person had notice of the court order; or

(3) The person previously has been convicted of violating this section.

b. If subdivision a does not apply, a person who violates this section is guilty of a class A misdemeanor.

Unfounded Crime Reports – According to Uniform Crime Report (UCR) guidelines, a reported offense can be cleared as unfounded by a sworn law enforcement authority “if the investigation shows that no offense occurred nor was attempted.” These cases thus remain as official crime reports and are included in the departmental statistics; however, they

are explicitly labeled as “unfounded” cases within UCR reports on the various index crimes.

According to UCR guidelines, the statistics on unfounded cases should include crime reports that are either: False or Baseless.

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

Hate Crimes – any of the above offenses, and any other crime involving bodily injury, reported to local police agencies or Campus Security authority that manifest evidence that the victim was intentionally selected because of the perpetrator’s bias, or the perpetrator perceived the person to be in one of the protected group categories. Additionally, on August 14, 2008, the Clery Act was amended to include larceny/simple assault, intimidation, and destruction/damage/vandalism (except arson) as reportable categories of hate crimes. These new reporting categories are only reported if motivated by bias as determined by one of the designated bias categories. The types of bias categories include race, gender, religion, sexual orientation, ethnicity, national origin, gender identity, and disability.

Hate Crime Definitions:

To ensure uniformity in reporting nationwide, the following definitions have been adopted for use in hate crime reporting:

Bias: a preformed negative opinion or attitude based on race, gender, gender identity, religion, disability, sexual orientation, ethnicity, or national origin.

Bias crime: a criminal offense motivated, in whole or in part, by the offender’s bias concerning one or more of those categories. These categories apply to Clery hate-crime reporting and are distinct from any broader institutional nondiscrimination policy.

An offense may qualify as a hate crime even if the offender was mistaken about the victim's membership in the targeted group; the offender's bias is relevant to the classification.

Questions about this report or applicable Clery requirements may be directed to the Clery Compliance Officer at WSC, 1410 University Avenue, Stevens Hall, Williston, ND 58801; wsc.clery@willistonstate.edu; (701) 774-4242.

Appendix II: Campus Maps and Geographic Categories

WSC discloses statistics for reported Clery crimes in the applicable on-campus, public-property, and noncampus geography. On-campus student housing is identified separately as a subset of on-campus statistics. Public property includes qualifying property within or immediately adjacent to campus. Noncampus coverage is determined by the ownership/control and use criteria, not simply by an off-campus address.

To request the campus maps identifying the reportable locations, contact:

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701-774-4295

Clery Compliance Officer

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