

NORTHLAND COLLEGE



Annual Security Report

Annual Fire Report

October 2016

Preparing the Annual Security Report

This publication is produced annually in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. Section 1092 (f)) and reflects the Crime and Fire Statistics reported during the **calendar years** of 2012, 2013, 2014 and 2015 on the Northland College campus. All students and employees are notified by October 1 each year of the report’s availability, the exact electronic address at which the report is posted, a brief description of the contents and a statement that the institution will provide a paper copy upon request to the College. Crime statistics are reported to the Department of Education and the annual security report also discloses the total number of crime reports that were “unfounded” and subsequently withheld from its crime statistics.

This Annual Safety and Security Report is compiled and prepared by the Office of Student Affairs in compliance with the Clery Act and in cooperation with the Ashland Police Department, Northland College Campus Safety Office, Title IX campus officials, the Risk and Crisis Management Working Group, the Office of Residential Life and various other campus departments. Crime, arrest and disciplinary referral statistics are collected from the above groups. The campus community should report crimes immediately for purposes of safety, timely warning reports, and the annual statistical disclosure required by Clery to the Northland College Campus Safety office or through the online incident report form on *MyNorthland*.

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Northland College Security

Campus Safety

The Campus Safety Office is a contracted service through Securitas Security Services, Inc. Securitas is a locally-focused full service security company offering comprehensive and customized security solutions. The Office consists of four-to-five security officers and is overseen jointly by the Northland College Chief Financial Officer and the Director of Residential Life. The security department is augmented by the Ashland City Police Department and the Ashland County Sheriff's Office. All three entities have established a strong and collaborative working relationship and continue to explore the completion of a written memorandum of understanding.

Securitas staff has the authority to enforce campus policies and regulations. Security staff does not have the authority to enforce local, state, or federal laws. All crime victims and witnesses are strongly encouraged to immediately report crime to Campus Safety and the appropriate police agency. Prompt reporting will assure timely warning notices on campus and timely disclosure of crime statistics.

Should a violation occur on campus that would require a law enforcement response, the College utilizes the services of the Ashland City Police Department and the Ashland County Sheriff. The non-emergency number for the police department is (715) 682-7023. The number for emergency services is 9-1-1. Responding police agencies can enforce state and local laws. The local responding law enforcement agency will contact the appropriate Federal Law Enforcement agency should one be required.

Campus Safety officers have the authority to ask persons for identification and to determine whether individuals have lawful business at Northland College. Northland College security officers have the authority to issue parking tickets, which are billed to the financial accounts of students, faculty, and staff. Campus Safety officers do not possess arrest power. Criminal incidents are referred to the local police who have jurisdiction on the campus. The Campus Safety Office at Northland College maintains a highly professional working relationship with the Ashland County Sheriff's Office, Ashland City Police, and other local law enforcement. All crime victims and witnesses are strongly encouraged to immediately report the crime to the Campus Safety office and the appropriate police agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

Reporting Crimes and Emergencies

Community members are strongly encouraged to immediately report criminal incidents, suspicious activity, and emergencies occurring on College property to the Campus Safety Office. The safety office is located on the second floor of Mead Hall and can be reached at (715) 682-1399. **To reach an outside line from a campus phone, you must first dial 8.**

For on campus emergencies (police, fire or medical):

- Dial 9-1-1 from a campus phone
- Dial (715) 682-1399 from a campus phone or cell phone
- Dial 1399 from a campus phone
- Use the emergency (blue) call boxes located at each Residence Hall

For off campus emergencies:

- Dial 9-1-1 from hard wired phone or cell phone

For on campus non-emergencies:

- Dial (715) 682-1399 from a campus phone or cell phone
- Dial 1399 from a campus phone

Dialing 9-1-1 will initiate local law enforcement or fire department response. After you contact 9-1-1, we encourage you to call Campus Safety to notify them that you contacted the local authorities so that the security staff may provide any assistance that is required. If the situation is an emergency and you are in the vicinity of a blue light phone, it can be used to contact Campus Safety or the local police.

When Campus Safety is notified, they will respond to your location, investigate the situation, provide support, file an incident report (when applicable) and assist you with any other needs you may have as a result. All reports made to Campus Safety will be referred to the Director of Residential Life or the Dean of Students for further investigation and review. All individuals witnessing a crime will be encouraged to report the incident to local law enforcement. All reports made to Campus Safety will be included in the campus crime log.

Any member of the campus community can file an incident report. The online incident report form can be found on My Northland. Please click [here](#) to go directly to the form.

Reporting Hate Crimes

Wisconsin law prohibits threats or acts of violence against individuals or groups or their property because of personal characteristics or associations. State laws prohibit defacing, damaging, or destroying another's property to intimidate or interfere with his/her rights. If you are the victim of or witness to a hate crime, report it as soon as possible to the appropriate police agency and/or campus security.

Campus Crime Log

The Campus Safety office maintains a daily log listing all incidents reported to the department. This log includes the nature, date, time, and general location of each incident and the disposition of the complaint, if known. The daily log is available for inspection within a reasonable time frame after the initial report.

Campus Security Authorities

Although the reporting of criminal activity directly to the Northland College Campus Safety Office is encouraged, crimes may also be reported to Campus Security

Authorities (CSA). CSA’s are College officials who have responsibility for campus safety and who have significant responsibility for student and campus activities. CSA’s will forward non-identifying information to Campus Safety or the Division of Student Affairs for inclusion in the annual security report, regardless of whether or not the victim chooses to file a report with law enforcement or press charges. You may report an incident to the following areas:

Dean of Students	(715) 682-1230
Vice President for Academic Affairs	(715) 682-1226
Director of Residential Life	(715) 682-1674
Counseling Staff	(715) 682-1369
Human Resources	(715) 682-1841
Director of Athletics	(715) 682-1868

Title IX Coordinator

Northland has several individuals who fulfill important roles related to Title IX and gender-based misconduct on the college campus. The following individuals serve as the leads in Title IX education, prevention, and investigations.

Hal Haynes, Title IX Administrator	(715) 682-1230
Dean of Students	Ponzio Campus Center
hhaynes@northland.edu	

Paul Skoraczewski, Deputy Title IX Coordinator	(715) 682-1841
Executive Director of Human Resources	Brownell Hall
pskoraczewski@northland.edu	

Title IX Investigators

Institutional officials who conduct proceedings must be trained on how to investigate and conduct hearings in a manner that “protects the safety of victims” and “promotes accountability.” Northland investigators are trained yearly in investigation techniques, victim-centered approaches, support services, and the issues related to dating violence, domestic violence, sexual assault, and stalking.

Professional Counselors

Although the Campus Counselor typically has significant responsibility and involvement in student and campus activities, they are exempt from mandatory reporting requirements provided they are acting in the role of professional counselor. Counselors are encouraged to forward non-confidential information to the Dean of Students on any crimes that may be reported through her offices for inclusion in the annual security report.

Confidential Reporting Process

If an individual does not wish to file an incident or police report, victims and others can report crimes informally and confidentially (no names or criminal investigation) to the Dean of Students (Ponzio Campus Center) or any CSA for inclusion in the annual security report. A confidential report would provide valuable information that can enhance community safety by providing a more accurate picture of campus crime. The online incident report form can also be used to report informally and confidentially.

Security and Access to Residential and Campus Facilities

All doors leading to the living areas of the residence halls are locked 24 hours a day. Residents are given access to campus residence halls via their student ID card. Residents are responsible for their room key/student ID card and for keeping their room door locked. Residents must escort their guests at all times. Maintaining residence hall security is a shared responsibility of all residents. It is a violation of policy if residents are found to be loaning their student ID card or room key to anyone or propping a security door. Residents are encouraged to contact Campus Safety and housing staff if they observe anyone in their living area who is unknown or appears suspicious. Over extended breaks, the doors to all the halls will not be accessible unless the student has received prior permission to stay on campus.

Non-residential campus facilities remain unlocked during the day and into the evening. Some buildings are locked at the end of the work day while others are open until 11 PM. However, hours do vary depending on the use of the building. For questions regarding building accessibility, contact Campus Safety. During non-business hours access to all College facilities is by ID card, by key, or by admittance via Campus Safety.

Northland College does not operate any off-campus housing or off-campus facilities for student organizations. However, some students live in the neighborhoods surrounding the College. The Ashland Police Department has primary jurisdiction in all areas off campus.

Please remember that the doors on campus are not to be propped open. Anyone propping an exterior door or computer room door without the permission of Campus Safety may be subject to campus discipline.

Timely Warnings

In the event that a situation arises on campus that may impose an impending threat to safety and security, a “timely warning” will be sent out to alert students, faculty, staff, and visitors. The alert will include the type of incident, location, and status of the individuals involved. Information will include the extent of the situation and what members of the community can do to best protect themselves. Anyone with information warranting a timely warning should contact Campus Security (682-1399). Any alerts will be sent out in coordination with the Dean of Students. Typical methods for distributing alerts include electronic communication, email, website alert, campus phone system, and postings on campus. The college currently uses E2Campus to provide timely warning and alerts. The college will post updates during critical incidents on the campus website at www.northland.edu.

It is important to note that the Clery Act mandates, for crimes considered a threat to other students and employees, that victims' names be withheld.

Events that can qualify for a timely warning include, but are not limited to, the following:

- Homicide
- Manslaughter
- Sex Offenses
- Robbery
- Burglary

- Aggravated Assaults
- Motor Vehicle Theft
- Arson
- Hate Crimes
- Any crime considered to represent a threat to the public

Emergency Notifications

In the event of a serious or emergency situation that poses an immediate threat to the health or safety of the campus community, a campus-wide notice will be disseminated, unless issuing a notification will, in the judgment of the responding authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The office of Campus Safety, the office of Student Affairs, and the Maintenance and Facilities office are responsible for confirming there is a significant emergency or dangerous situation on campus that could cause an immediate threat to the health and safety of the members of the campus community. There are other departments on campus that could be in a position to confirm certain types of emergencies, such as a pandemic flu outbreak. The Marketing and Communications office, The Vice President for Finance and Administration, and the Dean of Students have access to the systems to notify the campus community of immediate threats that have occurred and necessitate evacuation or shelter-in-place or other action on the part of students, employees, and campus visitors. The Marketing and Communications office has the authority to determine the appropriate segment or segments of the campus community that will receive alerts, to determine the content of the alert, and to initiate the notification system.

In addition to the notification of the on-campus community, the College will also report any significant emergency or dangerous situation to the local community. The initial report will be executed by the College President, or designee. All follow-up reports and all communications to local and regional media will be managed by the Marketing and Communications Office. This will ensure Northland College sends consistent information to those off campus.

All messages should include the type of situation, the location of the situation, the time and date, instructions for the recipient and an additional method for the public to obtain information. The following individuals, at a minimum, will routinely be involved in making these determinations/decisions:

- College President
- Dean of Students
- Vice President for Academic Affairs
- Vice President for Finance and Administration
- Vice President for Institutional Advancement
- Emergency Management Coordinator

Events that qualify for the emergency notification include, but are not limited to, the following:

- Severe Weather Warning
- Natural Disaster
- Civil Disorders
- Structure or Wild-land Fire
- Dangerous or Serious Crime in Progress or Other Police Emergency
- Active Shooter
- Suspicious Person Alert
- Bomb Threat
- Power Outage
- Chemical/Nuclear/Biological Spill or Other Hazardous Materials Incident
- Airplane Crash

Northland College Emergency Alert Notification System equipment is tested at least once per calendar year to ensure it is working properly. At least once annually the College will conduct a full activation of the Emergency Alert Notification System which will be advertised to Northland College and the local communities beforehand. The Northland College-wide emergency management plan is put into place at least once per year depending of the nature of events on campus. If an event does not occur in a

calendar year, the plan will be tested as a table top or field exercise. In addition, residential building fire and emergency evacuations plans are tested at least twice per year.

Educational Programming on Safety Procedures, Practices, and Prevention

Campus Safety at Northland College offers training and information sessions to students throughout the year. At each initial hall meeting, students meet the Campus Safety officers and are trained on safety procedures and crime prevention. This includes information about the escort service offered by Campus Safety. Additional trainings for the campus community are provided on an as-needed basis. A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. In addition, information is available to the campus community through posters, brochures, displays, awareness days, and articles in the student newspaper.

Blue Phones:

To enhance safety on campus, the College has installed safety telephones (blue phones) at several campus locations. The phones provide callers with the ability to summon help in an emergency and the phones are accessible 24/7. The phones include an emergency button which immediately summons 911. The phones can also be used to call Campus Safety as well as other numbers on campus.

Blue Phone Locations:

- Memorial Hall
- McMillan Hall
- McLean Environmental Living and Learning Center
- Mead Hall
- Fenenga Hall

Safe Walk Escorts:

Campus Safety officers are available to escort students, faculty, and staff between facilities on campus. All campus residents are informed of this service at the initial hall meetings each semester and in numerous campus publications.

Campus Video System

There are several cameras at key locations across campus to help provide a safer campus environment. The cameras have continuous recording capabilities and can store weeks of activity.

Card Access System

The campus has a card access system that controls entry into campus facilities. The residential halls are locked 24/7 and can only be accessed through the use of the card. Students have access to on-campus residence halls. Other facilities are open during daytime hours, and have card access during closed periods for those who are authorized to use the facility.

Safety Tips:

- Travel in pairs at night.
- Make use of the safe walk escort service provided by Campus Safety (x1399).
- Park in well-lit areas at night.
- Notify your RA if you plan to be gone from campus for more than 1 day.
- Lock your bicycle.
- Keep all valuables out of site in your parked vehicle.
- Use locks at all times.
- Do not prop open doors.
- Be aware of date rape drugs or eating food prepared by people who you don't know.
- Do not give out any personal or financial information over the internet, email, or by telephone without first verifying with the organization requesting the information that the request is genuine.
- If you observe an unknown visitor in your residence hall, notify your RA or Campus Safety immediately.
- If your ID card is lost or stolen, notify Campus Security and Residential Life immediately.
- Have your key or ID card ready as you approach your vehicle or living area.

- When you are out for the evening, let someone know where you are and who you are with and to report it to Campus Security if you do not return when you have indicated that you would return to campus.
- Be aware of your surroundings. If something doesn't look or feel right, assume that it is not right.

Support for Students Who Have Been Victimized

Northland College and the local community offer a vast array of support services for those who have been victimized. Services including counseling, health, mental health, victim advocacy, legal assistance, visa assistance, and student financial aid.

Additionally, Northland College provides assistance with and explaining the process for requesting changes to academic situations, living situations, transportation situations, and working situations. Protective measures including no-contact orders are available through both on-campus processes and Ashland County. The Dean of Students is responsible for issuing no-contact orders on campus and can provide guidance on the process for securing a protection order within the community. The Dean of Students is able to assist victims if they choose to contact local police.

The College does not require students to report possible crimes to local law enforcement. However, we do encourage students to report to law police and to preserve evidence that may assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

The College provides written notification to victims of the support services available on campus, the names and contact information for reporting allegations of sexual misconduct, how to access assistance with changing academic and campus life situations, and an outline of the investigation process and related timelines.

Registered Sex Offenders

In 1997 the State of Wisconsin enacted the Sex Offender Registration and Community Notification Law. This law was created to monitor and track people convicted of sex crimes and to provide access to this information to police, victims, and the general

public. Information about registered sex offenders can be found at <http://offender.doc.state.wi.us/public>.

Campus Resources Directory

To secure an off-campus phone line, please dial 8 first.

Campus Safety	(715) 682-1399
Ashland Police Department	9-1-1
President's Office	(715) 682-1202
Dean of Students	(715) 682-1230
Residential Life	(715) 682-1272
Personal Counseling	(715) 682-1369
Human Resources	(715) 682-1841
Health Services	(715) 682-1340
Student Advocacy	(715) 682-1230
Vice President, Academic Affairs	(715) 682-1226

Policies and Procedures

Northland College: Code of Student Conduct

Preface

Core Values of Student Conduct at Northland College

- **Integrity:** Northland College students exemplify honesty, honor and a respect for the truth in all of their dealings.
- **Community:** Northland College students build and enhance the college community.

- **Social Justice:** Northland College students are just and equitable in their treatment of all members of the college community and act to discourage and/or intervene to prevent unjust and inequitable behaviors.
- **Respect:** Northland College students show positive regard for each other, for property and for the college community.
- **Responsibility:** Northland College students are given and accept a high level of responsibility to self, to others and to the college community.

Northland College students are responsible for knowing the information, policies and procedures outlined in this document. Northland College reserves the right to make changes to this code as necessary and once those changes are posted online, they are in effect. Students are encouraged to check the Northland College catalog for the updated versions of all policies and procedures.

Section 1: Mission/Vision/Philosophy/Ethos Statement

MISSION

The Northland College mission reflects our core purpose and confirms our faithfulness to the College's direction established in the early 1970s.

Northland College integrates liberal arts studies with an environmental emphasis, enabling those it serves to address the challenges of the future.

VISION

Our history and our mission inform our future and lead us to our vision for Northland College in this decade.

Northland College will be the nation's preeminent liberal arts college focused on the environment, preparing students and other stakeholders to lead us toward a more sustainable, just, and prosperous future.

We will model and lead in everything we do to create sustainable and thriving communities and regions, while using Lake Superior and the world as our classroom and laboratory.

We will continuously assess, innovate and reinvent ourselves and our programs.

Philosophy Statement

The Northland College community is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life and thoughtful study and discourse. The office of Student Affairs and the office of Residential Life are committed to an educational and developmental process that balances the interests of individual students with the interests of the Northland College community.

A community exists on the basis of shared values and principles. At Northland College, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the *Code of Student Conduct*. These standards are embodied within a set of core values that include integrity, social justice, respect, community, and responsibility.

Each member of the Northland College community bears responsibility for their conduct and to assume reasonable responsibility for the behavior of others. When members of the community fail to exemplify these five values by engaging in violation of the rules below, campus conduct proceedings are used to assert and uphold the *Code of Student Conduct*.

The student conduct process at Northland College is not intended to punish students; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with our college community expectations. When a student is unable to conform their behavior to college community expectations, the student conduct process may

determine that the student should no longer share in the privilege of participating in this college community.

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fairness to all, but do not include the same protections afforded by the courts. Fair process, as defined within these procedures, assures written notice and a hearing before an objective decision-maker. No student will be found in violation of Northland College policy without information showing that it is more likely than not that a policy violation occurred and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

Section 2: Jurisdiction

Students at Northland College are provided a copy of the *Code of Student Conduct* annually in the form of a link on the Northland College website. Hard copies are available upon request from the Office of Residential Life. Students are responsible for having read and abiding by the provisions of the *Code of Student Conduct*. Each Resident Assistant (RA) will maintain a copy of the *Code of Student Conduct* in a binder in their room for review by residents as requested.

The *Code of Student Conduct* and the student conduct process apply to the conduct of individual students, and all Northland College-affiliated student organizations. For the purposes of student conduct, Northland College considers an individual to be a student when an offer of admission has been extended and thereafter as long as the student has a continuing educational interest in Northland College.

Northland College retains conduct jurisdiction over students who choose to take a leave of absence, withdraw or have graduated for any misconduct that occurred prior to the leave, withdrawal or graduation. If sanctioned, a hold may be placed on the student's ability to re-enroll and all sanctions must be satisfied prior to re-enrollment eligibility. In the event of serious misconduct committed while still enrolled but reported after the accused student has graduated, Northland College may invoke these procedures and

should the former student be found responsible, Northland College may revoke that student's degree.

The *Code of Student Conduct* applies to behaviors that take place on the campus, at Northland College-sponsored events and may also apply off-campus when the Dean of Students or designee determines that the off-campus conduct affects a substantial Northland College interest. A substantial Northland College interest is defined to include:

- Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of him/herself or others; and/or
- Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational mission and/or interests of Northland College;

The *Code of Student Conduct* may be applied to behavior conducted online, via email or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. Northland College does not regularly search for this information but may take action if and when such information is brought to the attention of Northland College officials.

The *Code of Student Conduct* applies to guests of college community members whose hosts may be held accountable for the misconduct of their guests. The Code may also be applied to resident non-students, campers and high school bridge/extension/partner/dual-credit and continuing education programs. Visitors to and guests of Northland College may seek resolution of violations of the *Code of Student Conduct* committed against them by members of the Northland College community.

There is no time limit on reporting violations of the *Code of Student Conduct*; however, the longer someone waits to report an offense, the harder it becomes for Northland College officials to obtain information and witness statements and to make determinations regarding alleged violations.

Though anonymous complaints are permitted, doing so may limit Northland College's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Office of Residential Life and/or to Campus Safety.

A responding student facing an alleged violation of the *Code of Student Conduct* is not permitted to withdraw from Northland College until all allegations are resolved.

Northland College email is Northland College's primary means of communication with students. Students are responsible for all communication delivered to their Northland College email address.

Section 3: Violations of the Law

Alleged violations of federal, state and local laws may be investigated and addressed under the *Code of Student Conduct*. When an offense occurs over which Northland College has jurisdiction, the Northland College conduct process will usually go forward notwithstanding any criminal complaint that may arise from the same incident.

Northland College reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or complaint (additional grounds for interim suspension are outlined below). Interim suspensions are imposed until an inquiry can be completed. The interim suspension will be implemented if a danger to the community is posed.

Students accused of crimes may request to take a leave from Northland College until the criminal charges are resolved. In such situations, the Northland College procedure for voluntary leaves of absence is subject to the following conditions:

- The responding student must comply with all campus investigative efforts that will not prejudice their defense in the criminal trial; and
- The responding student must comply with all interim actions and/or restrictions imposed during the leave of absence; and
- The responding student must agree that, in order to be reinstated to active student status, they must first be subject to, and fully cooperate with, the campus conduct process and must comply with all sanctions that are imposed.

Section 4: The Rules

A. Core Values and Behavioral Expectations

Northland College considers the behavior described in the following sub-sections as inappropriate for the Northland College community and in opposition to the core values set forth in this document. These expectations and rules apply to all students. Northland College encourages college community members to report to Northland College officials all incidents that involve the following actions. Any student found to have committed or to have attempted to commit the following misconduct is subject to the sanctions outlined in “Section 7: Conduct Procedures.”

Integrity: Northland College students exemplify honesty, honor and a respect for the truth in all of their dealings. Behavior that violates this value includes, but is not limited to:

- 1) **Falsification.** Knowingly furnishing or possessing false, falsified or forged materials, documents, accounts, records, identification or financial instruments;

- 2) **Academic Dishonesty.** Acts of academic dishonesty will be addressed by the processes outlined by the faculty of Northland College;
- 3) **Unauthorized Access.** Unauthorized access to any Northland College building (i.e. keys, cards, etc.) or unauthorized possession, duplication or use of means of access to any Northland College building or failing to timely report a lost Northland College identification card or key;
- 4) **Collusion.** Action or inaction with another or others to violate the *Code of Student Conduct*;
- 5) **Trust.** Violations of positions of trust within the college community;
- 6) **Election Tampering.** Tampering with the election of any Northland College-recognized student organization (minor election code violations are addressed by the NCSA);
- 7) **Taking of Property.** Intentional and unauthorized taking of Northland College property or the personal property of another, including goods, services and other valuables;
- 8) **Stolen Property.** Knowingly taking or maintaining possession of stolen property;

Community: Northland College students build and enhance the college community. Behavior that violates this value includes, but is not limited to:

- 9) **Disruptive Behavior.** Substantial disruption of Northland College operations including obstruction of teaching, research, administration, other Northland College activities, and/or other authorized non-Northland College activities which occur on campus;

- 10) Rioting.** Causing, inciting or participating in any disturbance that presents a clear and present danger to self or others, causes physical harm to others, or damage and/or destruction of property;
- 11) Unauthorized Entry.** Misuse of access privileges to Northland College premises or unauthorized entry to or use of buildings, including trespassing, propping or unauthorized use of alarmed doors for entry into or exit from a Northland College building;
- 12) Trademark.** Unauthorized use (including misuse) of Northland College or organizational names and images;
- 13) Damage and Destruction.** Intentional, reckless and/or unauthorized damage to or destruction of Northland College property or the personal property of another;
- 14) IT and Acceptable Use.** Violating the Northland College Acceptable Use and Computing Policy;
- 15) Gambling.** Gambling as prohibited by the laws of the State of Wisconsin. (Gambling may include raffles, lotteries, sports pools and online betting activities.)
- 16) Weapons.** In the state of Wisconsin a "dangerous weapon" means any firearm, whether loaded or unloaded; any device designed as a weapon and capable of producing death or great bodily harm; any electric weapon, as defined in statute 941.295; or any other device or instrumentality which, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm.
- Possession, use, or distribution of explosives and/or dangerous weapons, are not permitted on the Northland College campus. Handguns are not permitted in any college building.

Hunting equipment and related tools must be stored in the Hunting Equipment Storage Room as directed by Campus Safety. Refer to the Hunting Equipment Storage Policy.

For the protection and safety of all hall residents and the college community, explosives, dangerous weapons and hunting equipment are not permitted in residence halls or any place on campus including storage in vehicles;

- 17) **Tobacco.** Smoking or tobacco use in any area of campus where smoking or tobacco use are prohibited;

- 18) **Fire Safety.** Violation of local, state, federal or campus fire policies including, but not limited to:
 - a) Intentionally or recklessly causing a fire which damages Northland College or personal property or which causes injury.
 - b) Failure to evacuate a Northland College-controlled building during a fire alarm;
 - c) Improper use of Northland College fire safety equipment; or
 - d) Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on Northland College property. Such action may result in a local fine in addition to Northland College sanctions;

- 19) **Animals.** Animals and pets as outlined in the Residence Life Handbook, are not permitted in campus housing except as permitted by law. Exceptions include accommodation animals. For the purpose of this policy, the term “accommodation animal” refers to “service animals,” “emotional support animal”, “assistive animals” and “necessary assistance animals” as defined by the Americans with Disabilities Act, Fair Housing Act, and other applicable laws.

Social Justice: Students recognize that respecting the dignity of every person is essential for creating and sustaining a flourishing college community. They understand

and appreciate how their decisions and actions impact others and are just and equitable in their treatment of all members of the college community. They act to discourage and challenge those whose actions may be harmful to and/or diminish the worth of others. Conduct that violates this value includes, but is not limited to:

- 20) Discrimination.** Any act or failure to act that is based upon an individual or group's actual or perceived status that is sufficiently severe that it limits or denies the ability to participate in or benefit from Northland College's educational program or activities.
- 21) Harassment.** Any unwelcome conduct based on actual or perceived status. Any unwelcome conduct should be reported to campus officials, who will act to remedy and resolve reported incidents on behalf of those who have been victimized and the college community.
- a) **Hostile Environment.** Sanctions can and will be imposed for the creation of a hostile environment when harassment is sufficiently serious that it unreasonably interferes with, limits or denies the ability to participate in or benefit from Northland College's educational or employment program or activities.
- 22) Retaliatory Discrimination or Harassment.** Any intentional, adverse action taken by a responding individual or allied third party, against a participant or supporter of a participant in a civil rights grievance proceeding or other protected activity under this Code.
- 23) Bystanding.**
- a) Complicity with or failure of any student to appropriately address known or obvious violations of the *Code of Student Conduct* or law;
- b) Complicity with or failure of any organized group to appropriately address known or obvious violations of the *Code of Student Conduct* or law by its members.

24) Abuse of Conduct Process. Abuse or interference with, or failure to comply in, Northland College processes including conduct and academic integrity inquiries including, but not limited to:

- a) Falsification, distortion, or misrepresentation of information;
- b) Failure to provide, destroying or concealing information during an investigation of an alleged policy violation;
- c) Attempting to discourage an individual's proper participation in, or use of, the campus conduct system;
- d) Harassment (verbal or physical) and/or intimidation of campus conduct officers prior to, during, and/or following a campus conduct proceeding;
- e) Failure to comply with the sanction(s) imposed by the campus conduct system;
- f) Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system.

Respect: Northland College students show positive regard for each other and for the college community. Behavior that violates this value includes, but is not limited to:

25) Harm to Persons. Intentionally or recklessly causing physical harm or endangering the health or safety of any person.

26) Threatening Behaviors:

- a) **Threat.** Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
- b) **Intimidation.** Intimidation defined as implied threats or acts that cause a reasonable fear of harm in another.

27) Bullying and Cyberbullying. Bullying and cyberbullying are repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally.

28) Hazing. Defined as an act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for

continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent or failing to discourage or failing to report those acts may also violate this policy;

29) Intimate Partner/Relationship Violence. Violence or abuse by a person in an intimate relationship with another;

30) Stalking. Stalking is behavior and/or action directed at a specific person that is unwelcome and would cause a reasonable person to feel fear or suffer substantial emotional distress;

31) Sexual Misconduct. Includes, but is not limited to, sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, and/or sexual exploitation (See *Gender-based Sexual Misconduct Policy* for further information);

32) Public Exposure. Includes deliberately and publicly exposing one's intimate body parts, public urination, defecation, and public sex acts.

Responsibility: Northland College students are given and accept a high level of responsibility to self, to others and to the college community. Behavior that violates this value includes, but is not limited to:

33) Alcohol. Use, possession, or distribution of alcoholic beverages or paraphernalia except as expressly permitted by law and Northland College's Alcohol Policy (See *Alcohol and Drug policy* for further information);

34) Drugs. Use, possession or distribution of illegal drugs and other controlled substances or drug paraphernalia except as expressly permitted by law and Northland College's Drug Policy (See *Alcohol and Drug policy* for further information);

- 35) Prescription Medications.** Abuse, misuse, sale, or distribution of prescription or over-the-counter medications;
- 36) Failure to Comply.** Failure to comply with the reasonable directives of Northland College officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so;
- 37) Financial Responsibilities.** Failure to promptly meet financial responsibilities to the institution, including, but not limited to; knowingly passing a worthless check or money order in payment to the institution or to an official of the institution acting in an official capacity.
- 38) Reporting an Arrest.** Failure of any student to accurately report an off-campus arrest by any law enforcement agency for any crime (including non-custodial or field arrests) to the Office of Residential Life within seventy-two (72) hours of release.
- 39) Other Policies.** Violating other published Northland College policies or rules, including all Residence Hall policies;
- 40) Health and Safety.** Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.)
- 41) Violations of Law.** Evidence of violation of local, state or federal laws, when substantiated through Northland College's conduct process.

Section 5: Overview of the Conduct Process

This overview gives a general idea of how Northland College's campus conduct proceedings work, but it should be noted that not all situations are of the same severity or complexity. Thus, these procedures are flexible, and are not exactly the same in every situation, though consistency in similar situations is a priority. The campus conduct

process and all applicable timelines commence with notice to an administrator of a potential violation of Northland College rules.

NOTICE. Once notice is received from any source (victim, RA, 3rd party, online, etc.), Northland College may proceed with a preliminary inquiry and/or may schedule an initial educational meeting/conference with the responding student to explain the conduct process to the responding student and gather information.

A. STEP 1: Preliminary Inquiry and/or Educational Conference

Northland College conducts a preliminary inquiry into the nature of the incident, complaint or notice, the evidence available, and the parties involved. The preliminary inquiry may lead to:

- 1) A determination that there is insufficient evidence to pursue the investigation, because the behavior alleged, even if proven, would not violate the *Code of Student Conduct*, (e.g.: for reasons such as mistaken identity or allegations of behavior that falls outside the code);
- 2) A more comprehensive investigation, when it is clear more information must be gathered (see detailed procedures below);
- 3) A formal complaint of a violation and/or an educational conference with the responding student.

When an initial educational meeting/conference is held, the possible outcomes include:

- A decision not to pursue the allegation based on a lack of or insufficient evidence. The matter should be closed and records should so indicate;
- A decision on the allegation, also known as an “informal” or “administrative” resolution to an uncontested allegation (see immediately below);
- A decision to proceed with additional investigation and/or referral for a “formal” resolution.

If a decision on the allegation is made and the finding is that the responding student is not responsible for violating the Code, the process will end. The party bringing the

complaint may request that the Director of Residential Life and the Title IX Administrator reopen the investigation. This decision shall be in the sole discretion of the Director of Residential Life and the Title IX Administrator and will only be granted for extraordinary cause. If Northland College’s finding is that the responding student is in violation, and the responding student accepts this finding within three days, Northland College considers this an “uncontested allegation.” The administrator conducting the initial educational conference will then determine the sanction(s) for the misconduct, which the responding student may accept or reject. If accepted, the process ends.

If student accepts the findings, but rejects the sanction, Northland College will conduct a sanction-only hearing, conducted by a hearing panel which recommends a sanction to the Director of Residential Life. The sanction is then reviewed and finalized by the Director of Residential Life and is subject to appeal by any party to the misconduct. Once the appeal is decided, the process ends.

If the administrator conducting the educational conference determines that it is more likely than not that the responding student is in violation, and the responding student rejects that finding in whole or in part, then it is considered a contested allegation and the process moves to Step 2.

B. STEP 2: Formal Hearing

In a contested allegation, additional investigation may then be commenced and/or a hearing may be held when there is reasonable cause to believe that a rule or rules have been violated. A formal notice of the complaint will be issued, and a hearing will be held before a panel. In most instances, the hearing will involve reviewing all relevant information about the incident and generally will not include directly interviewing involved parties. A finding will be determined and is final. In cases that involve Title IX or other discrimination allegations, the process will be addressed by the Title IX Administrator. If the finding is that the responding student is not responsible, the process ends. Applicable appeals options are described below.

C. STEP 3: Review and Finalize Sanction(s).

If the student is found in violation(s), sanctions will be recommended by the hearing panel to the Director of Residential Life who will review and finalize the sanctions.

Section 6: Student Conduct Authority

A. Authority

The Dean of Students is vested with the authority over student conduct by the Board of Trustees and College President. The Dean of Students appoints the Director of Residential Life to oversee and manage the student conduct process. The Dean of Students and Director of Residential Life may appoint investigators, administrative hearing and appeals officers as deemed necessary to efficiently and effectively supervise the student conduct process.

The Director of Residential Life (or designee) will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit.

B. Gatekeeping

No complaint will be forwarded for a hearing unless there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or a victim's statement. A complaint wholly unsupported by any credible information will not be forwarded for a hearing. Complaints that may result in suspension or expulsion from the College will automatically be forwarded to the hearing panel. The Director of Residential Life will serve as the primary gatekeeper.

C. Conflict Resolution Options

The Director of Residential Life has discretion to refer a complaint for mediation or other forms of appropriate conflict resolution. All parties must agree to conflict resolution and to be bound by the decision with no review/appeal. Any unsuccessful

conflict resolution can be forwarded for formal processing and hearing; however, at no time will complaints of physical sexual misconduct or violence be mediated as the sole institutional response. The Director of Residential Life may also suggest that complaints that do not involve a violation of the *Code of Student Conduct* be referred for mediation or other appropriate conflict resolution.

D. Composition of the Hearing Panel

The Director of Residential Life will be responsible for assembling the Hearing Panel according to the following guidelines:

- 1) The membership of the panel is selected from a pool of at least 9 students, and 6 staff/faculty members appointed and trained annually by the Director of Residential Life.
- 2) For each complaint, a panel will be chosen from the available pool, and is usually comprised of three students and two staff /faculty members. Availability may determine a different composition for the Panel, and in complaints involving sensitive issues, the Director of Residential Life will replace student members and use three staff/faculty members for the panel. Each Hearing Panel will select a facilitator who assures that Northland College procedures are followed throughout the hearing.

E. Panel Pool

To serve in the panel pool, students must:

- 1) Be in academic good standing and have completed 15 hours of academic credit with a cumulative GPA of at least 2.5. This requirements ensures that serving on the hearing panel will not adversely affect academic progress for student members of the panel.
- 2) Be in good standing with the conduct process. Good standing is defined as having no record of misconduct.

- 3) Submit a letter of recommendation from a faculty or staff member from within the Northland College community. This requirement ensures that students who are chosen are endorsed by members of the college community.

The Director of Residential Life will have final authority to approve all those serving on the panel. The Director of Residential Life (or designee) will oversee the panel with responsibility for training the panel, conducting preliminary investigations, and ensuring a fair process for the party bringing the complaint and responding student. In the event of a resignation from the panel, the Director of Residential Life (or designee) will solicit a replacement from the group from which the representative came. Decisions made, and sanctions imposed, by the panel will be final and implemented, pending the normal appeal process. At the discretion of the Director of Residential Life (or designee), implementation of sanctions may be stayed pending review.

F. Interpretation and Revision

The Director of Residential Life will develop procedural rules for the administration of hearings that are consistent with provisions of the *Code of Student Conduct*. Material deviation from these rules will, generally, only be made as necessary and will include reasonable advance notice to the parties involved, either by posting online and/or in the form of written communication. The Director of Residential Life may vary procedures with notice upon determining that changes to law or regulation require policy or procedural alterations not reflected in this *Code*. The Director of Residential Life may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party. Any question of interpretation of the *Code of Student Conduct* will be referred to the Dean of Students, whose interpretation is final. The *Code of Student Conduct* will be reviewed annually under the direction of the Director of Residential Life with a comprehensive revision process being conducted every 3-5 years.

Section 7: Formal Conduct Procedures

A. Northland College as Convener

Northland College is the convener of every action under this code. Within that action, there are several roles. The responding student is the person who is alleged to have violated the Code. The party bringing the complaint, who may be a student, employee, visitor, or guest, may choose to be present and participate in the process as fully as the responding student. There are witnesses, who may offer information regarding the allegation. There is an investigator(s) whose role is to present the allegations and share the evidence that Northland College has obtained regarding the allegations.

B. Group Violations

A student group or organization and its officers and membership may be held collectively and individually responsible when violations of this code by the organization or its member(s):

- Take place at organization-sponsored or co-sponsored events, whether sponsorship is formal or tacit;
- Have received the consent or encouragement of the organization or of the organization's leaders or officers; or
- Were known or should have been known to the membership or its officers.

Hearings for student groups or organizations follow the same general student conduct procedures. In any such action, individual determinations as to responsibility will be made and sanctions may be assigned collectively and individually and will be proportionate to the involvement of each individual and the organization.

C. Amnesty:

1) For Victims

Northland College provides amnesty to victims who may be hesitant to report to Northland College officials because they fear that they themselves may be accused of minor policy violations, such as underage drinking, at the time of the incident. Educational options will be explored, but no conduct proceedings or conduct record will result.

2) For Those Who Offer Assistance

To encourage students to offer help and assistance to others, Northland College pursues a policy of amnesty for minor violations when students offer help to others in need. At the discretion of the Director of Residential Life, amnesty may also be extended on a case-by-case basis to the person receiving assistance. Educational options will be explored, but no conduct proceedings or conduct record will result.

3) For Those Who Report Serious Violations

Students who are engaged in minor violations but who choose to bring related serious violations by others to the attention of Northland College are offered amnesty for their minor violations. Educational options will be explored, but no conduct proceedings or record will result.

Abuse of amnesty requests can result in a decision by the Director of Residential Life not to extend amnesty to the same person repeatedly.

4) Safe Harbor

Northland College has a Safe Harbor rule for students. Northland College believes that students who have a drug and/or addiction problem deserve help. If any Northland College student brings their own use, addiction, or dependency to the attention of Northland College officials outside the threat of drug tests or conduct sanctions and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection and campus conduct processes will be initiated.

D. Notice of Alleged Violation

Any member of the Northland College community, visitor or guest may allege a policy violation(s) by any student for misconduct under this *Code*.

Notice may also be given to the Director of Residential Life (or designee) and/or to the Title IX Administrator, when appropriate. Additionally, administrators may act on notice of a potential violation whether a formal allegation is made or not. All allegations can be submitted by a victim or a third party, and should be submitted as soon as possible after the offending event occurs. Northland College has the right to pursue an allegation or notice of misconduct on its own behalf and to serve as convener of the subsequent campus conduct process.

The Director of Residential Life (or designee) will assume responsibility for the investigation of the alleged violation as described in the sub-section below.

E. Investigation

Investigation is referenced in both steps 1 and 2 above, with detailed investigation procedures described in this sub-section. The Director of Residential Life will appoint an investigator(s) for allegations under this *Code*. For any complaint that falls under Title IX (e.g. sexual misconduct) or involves any other form of discrimination, the Director of Residential Life will work under the direction of the Title IX Administrator. The investigator(s) will take the following steps, if not already completed by the Title IX Administrator or designee:

- 1) Initiate any necessary remedial actions on behalf of the victim (if any);
- 2) Determine the identity and contact information of the party bringing the complaint, whether that person is the initiator of the complaint, the alleged victim, or a Northland College proxy or representative;
- 3) Assess the Duty to Warn;
- 4) Conduct an immediate preliminary investigation to identify an initial list of all policies that may have been violated, to review the history of the parties, the context of the incident(s), any potential patterns and the nature of the complaint;

- a) If the victim is reluctant to pursue the complaint, determine whether the complaint should still be pursued and whether sufficient independent evidence could support the complaint without the participation of the victim;
 - b) Notify the victim of whether Northland College intends to pursue the complaint regardless of their involvement, and inform the victim of their rights in the process and option to become involved if they so choose;
 - c) Preliminary investigation usually takes between 1-7 business days to complete;
- 5) If indicated by the preliminary investigation and authorized by the Title IX Administrator or Director of Residential Life, conduct a comprehensive investigation to determine if there is reasonable cause to believe that the responding student violated Northland College policy, and to determine what specific policy violations should serve as the basis for the complaint;
 - a) If there is insufficient evidence through the investigation to support reasonable cause, the allegations will be closed with no further action;
 - b) A comprehensive investigation usually takes between one day and three weeks;
 - 6) Meet with the party bringing the complaint to finalize their statement, which will be drawn up by the investigator or designee as a result of this meeting;
 - 7) Commence a thorough, reliable and impartial investigation by developing a strategic investigation plan. The responding student, will be given notice of the interview prior to the interview;
 - a) Prepare the notice of alleged policy violation(s) on the basis of the reasonable cause determination, which will be delivered to the responding student prior to their interview;
 - 8) Interview all relevant witnesses, summarize the information they are able to share;
 - 9) Obtain all documentary evidence and information that is available;
 - 10) Obtain all physical evidence that is available;
 - 11) Complete the investigation promptly by analyzing all available evidence without unreasonable deviation from the intended timeline;

- 12) The Hearing Panel reserves the right to directly question complainants, respondents, and any witnesses;
- 13) Make a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not);
- 14) Present the investigation report and findings to the responding student, who may:
 - a) accept the findings,
 - b) accept the findings in part and reject them in part,
 - c) or may reject all findings;
- 15) Share the findings and update the party bringing the complaint on the status of the investigation and the outcome.

F. Findings

The following options (1-3) describe how to proceed depending on whether the responding student is found responsible and whether the responding student accepts or rejects the findings and/or the sanctions either in whole or in part.

Responding students have 3 days to accept the findings resulting from an administrative conference.

1) The Responding Student is Found “Not Responsible”

Where the responding student is found not responsible for the alleged violation(s), the investigation will be closed. The party bringing the complaint, if any, may request that the Title IX Administrator and/or Director of Residential Life, as applicable, review the investigation file to possibly re-open the investigation or convene a hearing. The decision to re-open an investigation or convene a hearing rests solely in the discretion of the Title IX Administrator or the Director of Residential Life in these cases, and is granted only on the basis of extraordinary cause.

2) The Responding Student Accepts a Finding of “Responsible”...

a) The Responding Student Accepts a Finding of “Responsible” and Accepts the Recommended Sanctions.

Should the responding student accept the finding that they violated Northland College policy, the Investigator will recommend appropriate sanctions for the violation, having consulted with Director of Residential Life and/or Title IX Administrator as appropriate. In cases involving discrimination, recommended sanctions will act to end the discrimination, prevent its recurrence, and remedy its effects on the victim and the Northland College community. If the responding student accepts these recommended sanctions, the sanctions are implemented by the Director of Residential Life and the process ends. This outcome is not subject to appeal.

b) The Responding Student Accepts a Finding of “Responsible” and Rejects the Sanctions Recommended.

If the responding student accepts the “responsible” findings, but rejects the recommended sanctions, there will be an administrative conference on the sanction, only. Administrative conference procedures are detailed below.

3) Responding Student Rejects the Findings Completely or In-part

a) Responding Student Rejects the Findings Completely

Where the responding student rejects the finding that they violated Northland College policy, a formal hearing will be convened within ten business days, barring exigent circumstances.

At the hearing, the investigator(s) will present their report to the panel. The investigation report will be considered by the panel, which renders an independent and objective finding. The panel may choose

to interview the parties and any necessary witnesses if more information is needed. Full panel procedures are detailed below.

If the panel finds the responding student not responsible for all violations, the Director of Residential Life will timely inform the parties of this determination and the rationale for the decision in writing. This determination is subject to appeal by any party to the complaint. Appeal review procedures are outlined below.

If the panel finds a violation, it will recommend a sanction/responsive action to the Director of Residential Life, who will render a decision within 3 days of the hearing and timely notify the parties in writing. An appeal of sanction(s) may be filed by any party to the complaint as detailed below.

b) Responding Student Accepts the Findings in Part and Rejects in Part

Where the responding student rejects in part the finding that they violated Northland College policy, there will be a panel hearing solely on the disputed allegations within ten business days, barring exigent circumstances. For all findings holding a responding student responsible for a violation, Northland College will follow the sanctioning process detailed below. If the Panel finds the responding student “Not Responsible” on any of the contested allegations, the process will move to the Sanctioning Phase on only the uncontested allegations, as detailed below.

G. Special Hearing Provisions for Sexual Misconduct, Discrimination and Other Complaints of a Sensitive Nature

Sexual misconduct, discrimination and other complaints of a sensitive nature including but not limited to dating violence, domestic violence and stalking will be addressed by

The Director of Residential Life or the Title IX Administrator outside of the hearing panel process.

H. Notice of Hearing

Once a determination is made that reasonable cause exists for the Director of Residential Life (or designee) to refer a complaint for a hearing, notice will be given directly to the responding student. Notice will be in writing and may be delivered by one or more of the following methods: in person by the Director of Residential Life (or designee) emailed to the student's Northland College-issued email account; mailed to the student using the Northland College campus mail system; or mailed to the local or permanent address of the student as indicated in official Northland College records;. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered. The letter of notice will:

- 1) Include the alleged violation and notification of where to locate the *Code of Student Conduct* and Northland College procedures for resolution of the complaint; and
- 2) Direct the responding student to contact the Director of Residential Life (or designee) within a specified period of time to respond to the complaint. This time period will generally be no less than two business days from the date of delivery of the summons letter.

A meeting with the Director of Residential Life (or designee) may be arranged to explain the nature of the complaint and the conduct process. At this meeting, the responding student may indicate, either verbally or in writing, to the Director of Residential Life (or designee), whether they admit to or deny the allegations of the complaint.

I. Interim Action

Under the *Code of Student Conduct*, the Dean of Students or designee may impose restrictions and/or separate a student from the community pending the scheduling of a campus hearing on alleged violation(s) of the *Code of Student Conduct* when a student represents a threat of serious harm to others, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve Northland College property and/or to prevent disruption of, or interference with, the normal operations of Northland College. Interim actions can include separation from the institution or restrictions on participation in the community pending the scheduling of a campus hearing on alleged violation(s) of the *Code of Student Conduct*. A student who receives an interim suspension may request a meeting with the Dean of Students or designee to demonstrate why an interim suspension is not merited. Regardless of the outcome of this meeting, Northland College may still proceed with the scheduling of a campus hearing.

During an interim suspension, a student may be denied access to Northland College housing and/or Northland College campus/facilities/events. As determined appropriate by the Director of Residential Life, this restriction may include classes and/or all other Northland College activities or privileges for which the student might otherwise be eligible. At the discretion of the Director of Residential Life and with the approval of, and in collaboration with, the appropriate Academic Dean, alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student.

J. Hearing Options & Preparation

The following sub-sections describe Northland College's conduct hearing processes. Except in a complaint involving failure to comply with the summons of the Director of Residential Life (or designee), no student may be found to have violated the *Code of Student Conduct* solely as a result of the student's failure to appear for a hearing. In all such instances, conduct hearings will proceed as scheduled and the information in

support of the complaint will be presented to, and considered by, the Director of Residential Life, or hearing panel presiding over the hearing.

Where the responding student admits to violating the *Code of Student Conduct*, the Director of Residential Life (or designee) may invoke administrative hearing procedures to determine and administer appropriate sanctions without a formal hearing. This process is also known as an *administrative conference*. In an administrative conference, complaints will be heard and determinations will be made by the Director of Residential Life or designee.

Where the responding student denies violating the *Code of Student Conduct*, a formal hearing will be conducted. This process is known as a panel hearing. At the discretion of the Director of Residential Life (or designee), a request by one or more of the parties to the complaint for an administrative conference may be considered. Students who deny a violation for which a panel hearing will be held will be given a minimum of three (3) days to prepare. Preparation for a formal hearing is summarized in the following guidelines:

- 1) Notice of the time, date and location of the hearing will be in writing and may be delivered by one or more of the following methods: in person by the Director of Residential Life (or designee); mailed to the local or permanent address of the student as indicated in official Northland College records; mailed to the student through the campus mail system; or emailed to the student's Northland College-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered.
- 2) If there is an alleged victim of the conduct in question, the alleged victim may serve as the party bringing the complaint or may elect to have the Northland College administration serve as the party bringing the complaint forward. Where there is no alleged victim, the Northland College administration will serve as the party bringing the complaint forward.

- 3) If a responding student fails to respond to notice from the Director of Residential Life (or designee), the Director of Residential Life (or designee) may initiate a complaint against the student for failure to comply with the directives of a Northland College official and give notice of this offense. Unless the student responds to this notice within two days by answering the original notice, an administrative conference may be scheduled and held on the student's behalf. As a result, the student may be administratively withdrawn from attending classes or a disciplinary hold may be placed on their Northland College account, deeming them ineligible to register for courses or Northland College housing until such time as the student responds to the initial complaint.

- 4) At least five (5) days before any scheduled formal hearing, the following will occur:
 - a) The responding student will deliver to the Director of Residential Life (or designee) a written response to the complaint;

 - b) The responding student will deliver to the Director of Residential Life (or designee) a written list of potential witnesses for Northland College to interview;

 - c) The responding student will deliver to the Director of Residential Life (or designee) all physical evidence the student needs to have present at the hearing and will indicate who has possession or custody of such evidence, if known, so that the Director of Residential Life can arrange for its presence;

 - d) The party bringing the complaint will deliver to the Director of Residential Life (or designee) a written list of potential witnesses for Northland College to interview;

 - e) The party bringing the complaint will deliver to the Director of Residential Life (or designee) all items of physical evidence needed at the

hearing and will indicate who has possession or custody of such evidence, if known, so that the Director of Residential Life can arrange for its presence;

- f) The party bringing the complaint and the responding student will notify the Director of Residential Life (or designee) of the names of an advisor/advocate who may be accompanying the parties at the hearing.

- 5) The Director of Residential Life (or designee) will ensure that the hearing information and any other available written documentation will be gathered at least two (2) days before any scheduled hearing. In addition, the hearing panelists will be given a list of the names of all the parties in advance. Hearing panelists will only be unseated if the Director of Residential Life concludes that a bias exists. Additionally, any panelist who feels they cannot make an objective determination must recuse themselves from the proceedings.

K. Panel Hearing Procedures

The Director of Residential Life will appoint a staff/faculty panelist as the Chair for the hearing. The parties have the right to be present only at their portion of the hearing as called for questioning by the hearing panel; however, they do not have the right to be present during deliberations. If a student cannot attend the hearing, it is that student's responsibility to notify the Director of Residential Life no less than three (3) days prior to the scheduled hearing to arrange for another date, time and location. Except in cases of grave or unforeseen circumstances, if the responding student fails to give the requisite minimum three (3) day notice, or if the responding student fails to appear, the hearing will proceed as scheduled. If the party bringing the complaint fails to appear, the complaint may be dropped unless Northland College chooses to pursue the allegation on its own behalf, as determined by the Director of Residential Life.

The Director of Residential Life (or designee), the Chair and the Panel will conduct panel hearings according to the following guidelines:

- 1) Hearings will be closed to the public.
- 2) Admission to the hearing of persons other than the parties involved will be at the discretion of the panel chair and the Director of Residential Life.
- 3) In hearings involving more than one responding student, the standard procedure will be to hear the complaints jointly; however, the Director of Residential Life may permit the hearing pertinent to each responding student to be conducted separately. In joint hearings, separate determinations of responsibility will be made for each responding student.
- 4) The parties have the right to an advisor/advocate of their own choosing. An advisor/advocate may be chosen *only* from within the current Northland College community. The advisor may not make a presentation or represent the party bringing the complaint or responding student during the hearing. Their role is to support the party but not to participate in the hearing. Students who have legal representation may consult with their lawyer prior to the panel hearing.
- 5) The panel and the Director of Residential Life (or designee) will have the opportunity to question all present witnesses and question all present complainant(s) and respondent(s) (at the discretion of the Chair). Unduly repetitive witnesses can be limited at the discretion of the Director of Residential Life, or designee.
- 6) Pertinent records, exhibits, and written statements may be accepted as information for consideration by the panel and the Director of Residential Life.
- 7) All procedural questions are subject to the final decision of the Director of Residential Life.
- 8) After a panel hearing, the panel will deliberate and determine, whether it is more likely than not that the responding student has violated the *Code of Student Conduct*. Best efforts will be made to reach consensus during the deliberations,

however if consensus cannot be reached, the panel will make determinations by majority vote. The Director of Residential Life (or designee) may be present and available as a resource during all deliberations. Once a finding is determined, if the finding is that of a policy violation, the panel will determine an appropriate sanction(s). The investigators are responsible for informing the panel of any previous conduct violations or other relevant pattern information about the responding student. The panel Chair will prepare a written deliberation report and deliver it to the Director of Residential Life, detailing the recommended finding, how each member voted, the information cited by the panel in support of its recommendation, and any information the panel excluded from its consideration and why. This report should conclude with any recommended sanctions. This report should not exceed two pages in length and must be submitted to the Director of Residential Life within two (2) days of the end of deliberations.

- 9) The Director of Residential Life will consider the sanction recommendations of the panel, may make appropriate modifications to the panel's report and will then render a decision regarding appropriate sanctions and inform the responding student and party bringing the complaint of the final determination within four (4) days of the hearing. Notification will be made in writing and may be delivered by one or more of the following methods: in person by the Director of Residential Life (or designee); mailed to the local or permanent address of the student as indicated in official Northland College records; mailed to the student using the campus mail system; or emailed to the student's Northland College-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered. In cases of sexual misconduct and other crimes of violence, notice of the outcome will be delivered to all parties simultaneously, meaning without substantial delay between the notifications to each.

- 10) There will be a single record for all panel hearings. The record will be the property of Northland College and maintained according to Northland College's record retention policy.

L. Conduct Sanctions

One or more of following sanctions may be imposed upon any student for any single violation of the *Code of Student Conduct*:

- 1) *Warning*: An official written notice that the student has violated Northland College policies and/or rules and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at Northland College.
- 2) *Restitution*: Compensation for damage caused to Northland College or any person's property. This could also include situations such as failure to return a reserved space to proper condition – labor costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.
- 3) *Fines*: Reasonable fines may be imposed. Fines will range from \$25.00 to \$300.00.
- 4) *Community/Northland College Service Requirements*: For a student or organization to complete a specific supervised community service project.
- 5) *Loss of Privileges*: The student will be denied specified privileges for a designated period of time.
- 6) *Confiscation of Prohibited Property*: Items whose presence is in violation of Northland College policy will be confiscated and will become the property of Northland College. Prohibited items may be returned to the owner at the discretion of the Director of Residential Life and/or Campus Safety.
- 7) *Behavioral Requirement*: This includes required activities including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.

- 8) *Educational Program*: Requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.
- 9) *Restriction of Visitation Privileges*: May be imposed on a resident or non-resident student. The parameters of the restriction will be specified.
- 10) *Northland College Housing Probation*: Official notice that, should further violations of Residence Life or Northland College policies occur during a specified probationary period, the student may immediately be removed from Northland College housing.
- 11) *Northland College Housing Reassignment*: Reassignment to another Northland College housing facility. Residential Life personnel will decide on the reassignment details.
- 12) *Northland College Housing Suspension*: Removal from Northland College housing for a specified period of time after which the student is eligible to return. Conditions for re-admission to Northland College housing may be specified. Under this sanction, a student is required to vacate Northland College housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Residential Life. This sanction may be enforced with a trespass action if deemed necessary. Prior to reapplication for Northland College housing, the student must gain permission from the Director of Residential Life (or designee). This sanction may include restrictions on visitation to specified buildings or all Northland College housing during the suspension.
- 13) *Northland College Housing Expulsion*: The student's privilege to live in, or visit, any Northland College housing building is revoked indefinitely. This sanction

may be enforced with a trespass action if deemed necessary.

- 14) *Northland College Probation*: The student is put on official notice that, should further violations of Northland College policies occur during a specified probationary period, the student may face suspension or expulsion.
- 15) *Eligibility Restriction*: The student is deemed “not in good standing” with Northland College for a specified period of time. Specific limitations or exceptions may be granted by the Director of Residential Life and terms of this conduct sanction may include, but are not limited to, the following:
- a) Ineligibility to hold any office in any student organization recognized by Northland College or hold an elected or appointed office at Northland College; or
 - b) Ineligibility to represent Northland College to anyone outside the Northland College community in any way including: participating in the study abroad program, attending conferences, or representing Northland College at an official function, event or intercollegiate competition as a player, manager or student coach, etc.
- 16) *Northland College Suspension*: Separation from Northland College for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Residential Life. During the suspension period, the student is banned from college property, functions, events and activities without prior written approval from the Director of Residential Life. This sanction may be enforced with a trespass action as necessary. This sanction will be noted as a Conduct Suspension on the student’s official academic transcript.

17) *Northland College Expulsion*: Permanent separation from Northland College. The student is banned from college property and the student's presence at any Northland College-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary. This sanction will be noted as a Conduct Expulsion on the student's official academic transcript.

18) *Other Sanctions*: Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Director of Residential Life or designee.

The following sanctions may be imposed upon groups or organizations found to have violated the *Code of Student Conduct*:

- 1) One or more of the sanctions listed above, and/or
- 2) Deactivation, de-recognition, loss of all privileges (including status as a Northland College registered group/organization), for a specified period of time in consultation with the Northland College Student Association (NCSA).

M. Parental Notification

Per the federal financial aid guidelines, Northland College reserves the right to notify the parents/guardians of dependent students regarding any conduct situation, particularly alcohol and other drug violations. Northland College may also notify parents/guardians of non-dependent students who are under the age of 21 of alcohol and/or other drug violations. Parental notification may also be utilized discretionarily by administrators when permitted by FERPA or consent of the student. Parental notification would occur in consultation with the student.

N. Notification of Outcomes

The outcome of a campus hearing is part of the education record of the responding student and is protected from release under the Federal Education Rights and Privacy

Act (FERPA), except under certain conditions. As allowed by FERPA, when a student is accused of a policy violation that would constitute a “crime of violence” or forcible or non-forcible sex offense, Northland College will inform the alleged victim/party bringing the complaint in writing of the final results of a hearing regardless of whether Northland College concludes that a violation was committed. Such release of information may only include the alleged student’s/responding student’s name, the violation committed, and the sanctions assigned (if applicable). In cases of sexual misconduct and other offenses covered by Title IX, only, the rationale for the outcome will also be shared with all parties to the complaint in addition to the finding and sanction(s).

In cases where Northland College determines through the student conduct process that a student violated a policy that would constitute a “crime of violence” or non-forcible sex offense, Northland College may also release the above information publicly and/or to any third party. FERPA defines “crimes of violence” to include:

- 1) Arson
- 2) Assault offenses (includes stalking)
- 3) Burglary
- 4) Criminal Homicide—manslaughter by negligence
- 5) Criminal Homicide—murder and non-negligent manslaughter
- 6) Destruction/damage/vandalism of property
- 7) Kidnapping/abduction
- 8) Robbery
- 9) Forcible sex offenses
- 10) Non-forcible sex offenses

O. Failure to Complete Conduct Sanctions

All students, as members of the Northland College community, are expected to comply with conduct sanctions within the timeframe specified by the Director of Residential Life. Failure to follow through on conduct sanctions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions and/or suspension from Northland College. In such situations, resident students will be

required to vacate Northland College housing within 24 hours of notification by the Director of Residential Life, though this deadline may be extended upon application to, and at the discretion of, the Director of Residential Life. A suspension will only be lifted when compliance with conduct sanctions is satisfactorily achieved and the student has successfully petitioned to return to the College. This determination will be made by the Director of Residential Life in consultation with the Dean of Students.

P. Appeal Review Procedures

Any party may request an appeal of the decision of the Hearing Panel by filing a written request to the Director of Residential Life, subject to the procedures outlined below. All sanctions imposed by the original hearing body remain in effect, and all parties should be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision.

GROUNDINGS FOR APPEAL REQUESTS

Appeals requests are limited to the following grounds:

- 1) To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included;
- 2) The sanctions imposed are substantially outside the parameters or guidelines set by Northland College for this type of offense or the cumulative conduct record of the responding student.

Appeals must be filed in writing with the Director of Residential Life within five (5) business days of the notice of the outcome to the hearing, barring exigent circumstances. Any exceptions are made at the discretion of the Director of Residential Life and, when appropriate, the Title IX Administrator.

The Director of Residential Life will share the appeal by one party with the other party (parties) when appropriate under procedure (e.g., if the responding student

appeals, the appeal is shared with the complainant, who may also wish to file a response, request an appeal on the same grounds or different grounds). The Dean of Students will refer the request(s) to Northland College's designated Appeal Review Officer, appointed by the Dean of Students. The Dean of Students will draft a response memorandum to the appeal request(s), based on the Appeal Review Officer's determination that the request(s) will be granted or denied, and why.

The Appeal Review Officer will conduct an initial review to determine if the appeal request meets the limited grounds and is timely. S/he may consult with the Director of Residential Life, Dean of Students, and/or Title IX Administrator on any procedural or substantive questions that arise.

If the appeal is not timely or substantively eligible, the original finding and sanction will stand and the decision is final. If the appeal has standing, the Appeal Review Officer will remand it to the original decision-maker(s), typically within 3-5 business days, with clear instructions for reconsideration only in light of the granted appeal grounds. Where the original decision-maker may be unduly biased by a procedural or substantive error, a new panel will be constituted to reconsider the matter. In review, the original finding and sanction are presumed to have been decided reasonably and appropriately, thus the burden is on the appealing party(ies) to show clear error.

On reconsideration, the original decision-maker may affirm or change the findings and/or sanctions according to the permissible grounds. Procedural errors should be corrected, new evidence should be considered, and sanctions should be proportionate to the severity of the violation and the student's cumulative conduct record.

All decisions regarding the appeal are to be made within five (5) days of submission and are final.

The presumptive stance of Northland College is that all decisions made and sanctions imposed by the original decision-maker are to be implemented during the appellate

process. At the discretion of the Director of Residential Life, and in consultation with the Title IX Administrator when necessary, implementation of sanctions may be stayed pending review only in extremely exigent circumstances. This does not include proximity to graduation, end of term, or exams. Instead, it refers to an overwhelming likelihood, as determined by the Appeals Review Officer and Director of Residential Life, in consultation, that the appeal would result in a reversal of the finding and/or substantial modification of the sanctions.

OTHER GUIDELINES FOR APPEALS

- All parties will be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision;
- Appeals are not intended to be full re-hearings of the complaint (de novo). In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal;

Q. Disciplinary Records

All conduct records are maintained by Northland College for seven (7) years from the time of their creation except those that result in separation (suspension or expulsion, including from housing) and those that fall under Title IX, which are maintained indefinitely.

R. Approval and Implementation

This *Code of Student Conduct* was approved by the Northland College Student Association on May 30, 2014, and by the Northland College Board of Trustees on July 11, 2014.

Glossary of Terms:

Only for the purposes of the *Code of Student Conduct*, the following terms and definitions will apply. The Dean of Students (or designee) reserves the right to interpret and enforce the *Code of Student Conduct*.

- “Collusion” is secret or illegal cooperation or conspiracy, especially in order to cheat or deceive others.
- “Complaints of a sensitive nature” - Sexual misconduct, discrimination and other complaints of a sensitive nature including but not limited to dating violence, domestic violence and stalking.
- “Disruptive” behavior is behavior that disturbs the peace or the public order
- “More likely than not” means 50.01%
- “Northland College” refers to the institution
- “Northland College community” refers to the entire community of students, staff, and faculty.
- “Responding student” is the person who is alleged to have violated the Code
- “Trademark images” are legally protected identifying symbols or words that belongs to a particular brand, company or person and that is associated with that brand.
- “Trust” is a firm belief in the reliability, truth, ability, or strength of someone or something.

Serious violation include, but are not limited to the following:

a. Crimes of Violence

- i. Arson
- ii. Assault offenses (includes stalking)
- iii. Burglary
- iv. Criminal Homicide—manslaughter by negligence
- v. Criminal Homicide—murder and non-negligent manslaughter
- vi. Destruction/damage/vandalism of property
- vii. Kidnapping/abduction
- viii. Robbery
- ix. Forcible sex offenses
- x. Non-forcible sex offenses

- b. Sexual Misconduct
- c. Theft
- d. Weapon possession
- e. Drug and/or Alcohol distribution, manufacture, or facilitating distribution
- f. Commission of a felony
- g. Chronic Behavior (repeat violations)

Missing Persons Policy

Northland College takes student safety very seriously. The Higher Education Act requires that all institutions that provide on-campus student housing must establish a missing student notification policy and procedure. This policy establishes the procedures for the College's response to reports of missing students. This policy applies to students who reside in campus housing including College-owned houses and theme communities. For purposes of this policy, a student may be considered to be a "*missing person*" if the person's absence is contrary to his/her usual pattern of behavior without informing roommates, friends, or housing staff of the change.

At the beginning of each academic year, students will be asked to voluntarily provide emergency contact information in the event s/he is reported missing while enrolled at Northland. Students age 18 and above and emancipated minors will have the opportunity to designate an individual or individuals to be contacted by the College. Students under the age of 18 will have their parent or custodial guardian notified as required by the law. The emergency contact information will be kept in the Office of Student Life and will be updated annually.

General Procedure for a Missing Person

Any individual who has information that a residential student may be a missing person must notify the Office of Campus Safety (715) 682-1399 as soon as possible.

1. The Office of Campus Safety will collect and document the following information at the time of the report from the reporting person and from the student's acquaintances:
 - The name and relationship of the person making the report.
 - The date, time, and location the missing student was last seen.
 - A physical description of the student including clothes last worn.
 - The general routine or habits of the suspected missing student including any recent changes in behavior or demeanor.
 - The missing student's cell phone number.

2. If a residential student has not been seen on campus for more than 24 hours, the Office of Campus Safety will contact the Dean of Students and the Director of Residential Life in order to update them on the situation and receive any additional guidance. The Dean will ascertain when/if members of President's Cabinet need to be contacted or if the Crisis Team needs to convene.

3. Upon notification that a student may be missing, Northland may use any or all of the following resources to assist in locating the student:
 - Call the student's room and/or cell phone number.
 - Go to the student's room and perform a health/safety check.
 - Secure a current student ID picture.
 - Talk to the student's roommate, friends, hall mates, RA and RHD to see if anyone can confirm the missing student's whereabouts and/or confirm the date, time, and location the student was last seen.
 - Contact the student's instructors and work-study supervisor to confirm the last time the student was seen.
 - Send the student an email and/or text message.
 - Check all possible on-campus locations mentioned by the parties above including the library, gym, common spaces, lounges, etc...
 - Ascertain the student's car make, model, and license plate number. Check all on-campus parking lots for the presence of the student's vehicle.
 - Contact or call any other on- or off-campus friends or social contacts. This includes checking social networking sites.

- Work with IT to obtain email logs and room telephone logs in order to determine last use of the Northland network.
4. Every report made to Campus Safety will be followed up with an immediate investigation once a student has been reported missing.
 5. If the above actions are unsuccessful in locating the student or it is apparent immediately that the student is a missing person (e.g., witnessed abduction), Campus Safety, after consulting with the Dean of Students, will contact the appropriate local law enforcement agency to report the student as a missing person and the local law enforcement agency will take charge of the investigation.
 6. No later than 24 hours after determining that a residential student is missing, the Dean of Students will notify the emergency contact (for students 18 and over) or the parent/guardian (for students under the age of 18) that the student is believed to be missing.
 7. Public communications about missing students. After consulting with the President of the College, the Office of Marketing and Communications is responsible for defining and disseminating College messages during a crisis. Public or media inquiries concerning missing persons, or any active law enforcement investigation, shall be referred to Northland College Marketing and Communications for referral to law enforcement authorities as appropriate.

Firearms, Weapons and Explosives Policy

For the protection and safety of all hall residents and the campus community, rifles, shotguns, air-guns, paint-ball guns, black powder guns, bows, arrows, wrist rockets, slingshots, blowguns, etc. are not allowed in residence halls or any place on campus but the designated Hunting Equipment Storage Room.

Handguns are not allowed in any campus building.

All weapons must be registered with Campus Safety and must be stored in the Hunting Equipment Storage Room as directed by Campus Safety. Fireworks of any kind are not allowed anywhere on campus. Violations of any of these policies will result in disciplinary action. Please follow the guidelines for storing weapons under Fire Arm/Weapon Storage Procedure.

Firearm/Weapon Storage Procedure

Any weapon brought onto the Northland College campus grounds must be stored in the Hunting Equipment Storage Room. Guns are defined as rifles, shotguns, air guns, air soft guns, pellet guns, paintball guns, black powder guns, and BB guns. Gun regulations also apply to all strung bows, crossbows, compound bows, wrist rockets, slingshots, and blowguns. **Handguns are not allowed in any campus building.** A student found guilty of possessing a gun on the campus in violation of College policy may be suspended from the College.

The following describes the procedure to follow if you bring a gun to campus.

1. All guns must be registered and stored in the College Hunting Equipment Storage Room upon being brought to campus.
2. Guns may not be kept or stored in any other College rooms or houses. Guns/weapons are not permitted to be stored in vehicles.
3. Northland College assumes responsibility for guns while in storage in the Hunting Equipment Storage Room.
4. Contact Campus Safety (715-682-1399) to set up an appointment to store a weapon/fire arm. You will need a photo ID to store a weapon.

Hunting Equipment check out hours: 3 pm – 7 am daily

Hunting Equipment check in hours: 3 pm – 7 am daily

5. You must bring your unloaded gun and ammo, bow and arrows, in a sealed case to have the items stored. All items must remain in a sealed case when stored.
6. A “Gun Registration Card” will be issued for each gun placed in storage.

7. Guns may be checked out of storage only by showing the Gun Registration card and a Northland College Photo ID Card/Driver's License.
8. The Gun Registration Card will be retained by Campus Safety when you check a gun out of storage.
9. No person will be allowed to check out a gun belonging to another person.
10. The Gun Registration Card will be returned to the gun's owner when the gun is returned to storage.
11. Campus Safety will log the time a gun is removed from storage and the time it is returned.
12. When a gun is removed from storage permanently, the Gun Registration Card will be retained by Campus Safety.
13. Guns on the campus or in Ashland city limits must never be loaded and must be cased when being transported.
14. You should clean your guns/weapons off-campus prior to returning. The college does not have a cleaning room only a storage room with limited space to clean. If you need to clean your weapon on-campus, you may only clean your fire arm in the supervised Gun Room. You may not clean weapons anywhere else on-campus.
15. Ammunition and arrows must be stored in the Gun Room. Residents may not store ammunition and arrows in your residential hall room/unit.
16. You may only store small quantities (1-2 boxes and less than 10 arrows) in the Gun Room. All ammunition and arrows must be properly stored in boxes or cases. You may not store bulk cases/crates/boxes of ammunition in any residential unit. You may not store bulk cases/crates/boxes of ammunition in the Hunting Equipment Storage Room.
17. The Residential Life staff and Campus Safety officers reserves the right to ask you to store any item they feel could be potentially detrimental to the residence hall community.
18. The use of guns on campus is subject to civil law. Northland College is within the Ashland City limits. Among other pertinent laws, local ordinances require that guns must be unloaded and cased within city limits and while in a moving vehicle. Further, it is prohibited to fire a firearm within city limits.

Alcohol and Drug Policy

Northland College is committed to maintaining an academic and social environment conducive to the intellectual and personal development of each student. To foster that development, the College strives to provide for the safety and welfare of all members of the College community. It is in this context that the College seeks to promote responsible, informed choices involving the consumption of alcoholic beverages in accordance with state laws. The consumption of alcoholic beverages in moderation is a privilege for campus residents of legal age. Furthermore, the College discourages alcohol abuse that may lead to academic failure, socially disruptive behavior, or chemical dependency.

STANDARD OF CONDUCT regarding alcohol and other drugs:

1. Students at Northland College are subject to all federal, state, county, and local laws/ordinances regulating the sale, possession, and use of alcoholic beverages, as well as the rules and regulations stipulated by Northland College.
2. In the State of Wisconsin it is unlawful for persons under 21 years of age to possess, purchase, and attempt to purchase, or consume any alcoholic beverage. Possession of an alcoholic beverage is evidence of intent to consume.
3. It is also unlawful for any person to sell or give alcoholic beverages or to induce an underage person to purchase or attempt to purchase such a beverage. The law also forbids the misrepresenting of one's age for the purpose of consuming alcoholic beverages. Northland College abides by Wisconsin law.
4. It is unlawful to manufacture, distribute, dispense, possess, or use controlled substances. Any student or employee who illegally possesses, uses, distributes, and/or sells narcotics, stimulants, hallucinogens, or other controlled substances will be subject to disciplinary action.

Consequences of Non-Compliance

Employees or students who engage in any of the prohibited conduct above are subject to disciplinary action which depending on the type and seriousness of the violation,

may include: verbal or written warnings, probation, revocation of privileges, community service time, financial restitution, suspension, termination, or referral to legal authorities for prosecution.

Northland College reserves the right to contact parents or guardians of students who violate the Policy on Alcohol and Drug Use, in accordance with the Family Educational Rights and Privacy Act (FERPA).

HEALTH RISKS associated with the abuse of alcohol and the abuse of illicit drugs.

1. Drugs cause physical and emotional dependence. Users may develop a craving for specific drugs, and their bodies may respond to the presence of drugs in ways that lead to increased drug use.
2. Regular users of drugs develop tolerance, a need to take larger doses to get the same initial effect. They may respond by combining drugs, frequently with devastating results. Many teenage drug users calling a national cocaine hotline report that they take other drugs to counteract the unpleasant effects of cocaine.
3. Certain drugs, such as opiates, barbiturates, alcohol, and nicotine, create physical dependence. With prolonged use, these drugs become part of the body chemistry. When a regular user stops taking the drug, the body experiences the physiological trauma known as withdrawal.
4. Psychological dependence occurs when taking drugs becomes the center of the user's life. Psychological dependence erodes academic work performance and can destroy ties to family and friends, as well as cause the person to abandon outside interests, values, and goals. The user goes from taking drugs to feel good, to taking them to keep from feeling bad. Over time, drug use itself heightens the bad feelings and can leave the user suicidal. More than half of all suicides are drug-related.
5. Drugs can remain in the body long after use has stopped. The extent to which a drug is retained in the body depends on the drug's chemical composition, which is whether it is fat-soluble. Fat-soluble drugs such as marijuana and phencyclidine (PCP) seek out and settle in the fatty tissues. As a result, they build up in the fatty parts of the body. Such accumulation of drugs and their slow release over time may have effects on the mind and body weeks or even

months after drug use has stopped.

College Stance Regarding Drug and Alcohol Abuse

Northland College will make a good faith effort to ensure a drug free workplace and college community. Northland College abides by federal laws, Wisconsin laws, their adaptation by the City of Ashland, and all local ordinances.

Violations of the laws related to alcohol and other drug use and abuse will be subject to sanctions as defined in the student and employee handbooks. These include: confiscation of illegal substances, reports to officers of the law, referrals to substance abuse education programs, assessments and follow-up counseling, fines, disciplinary probation, suspension, and dismissal from the College. Specific situations are addressed below.

Goals of the Alcohol Policy

1. To achieve support for all federal, state, and local laws governing alcohol.
2. To foster healthy attitudes towards alcohol, balancing personal use with community responsibility.
3. To promote awareness of the dangers of abuse, including the physiology and compulsion of addiction.
4. To help secure comfortable living and learning conditions for the whole community.
5. To promote awareness of available community resources and support systems.

Policy Statements

1. The consumption or possession of alcoholic beverages by anyone under age is prohibited. (Possession includes on the person, in their room or vehicle, or in a room where alcohol is being consumed.)
2. Consumption of alcoholic beverages by people of legal age is allowed only in rooms of individuals who are of legal age. The door to the room must remain closed while alcohol is being consumed. All persons present must be of legal

drinking age.

3. Serving alcoholic beverages anywhere on campus other than in private rooms requires the permission of the Dean of Students.
4. On-campus advertisement of on-campus or off-campus events at which alcoholic beverages are to be served should not promote excessive drinking. Signs that do so shall be removed.
5. Absolutely no alcoholic beverages are allowed in College motor pool vehicles.
6. A person who is unconscious due to over-consumption of alcohol will be treated as a medical emergency. Expenses incurred are the responsibility of this person.
7. Giving and/or selling alcohol to underage persons and selling without a license to anyone is a violation of state laws and College policy. Selling is defined by the state as: "Sell," "sold," "sale," or "selling" means any transfer of alcohol beverages with consideration or any transfer without consideration if knowingly made for purposes of evading the law relating to the sale of alcohol beverages or any shift, device, scheme or transaction for obtaining alcohol beverages, including the solicitation of orders for, or the sale of future delivery of, alcohol beverages.

Responsibilities Regarding Alcohol

The federal government and the State of Wisconsin have determined that persons must be at least 21 years of age to consume alcoholic beverages. Northland College complies with the local, state, and federal laws.

If you are 21 years of age, realize that you are responsible for your behavior while using alcohol. It is important to remember that you are in a very compromising situation if it is discovered that you are buying/supplying alcohol to underage individuals. This can have serious and far-reaching effects on you should the underage person injure themselves or others.

Underage persons need to realize that consumption of alcohol is simply against the law. This is an area which is not up to Northland College to interpret. All alcohol that is in the possession of a person who stands in violation of the Alcohol Beverage Policy shall have the alcohol confiscated and disposed of. Remember, should you find yourself in

this situation, you made the decision, and you must be ready to accept the consequences of your actions. All confiscated beverages will be poured out.

No large amounts of alcohol (such as kegs) are allowed on campus without written permission of the Dean of Students.

Alcohol in the Residence Halls

Alcoholic beverages can only be consumed by persons of legal age in their individual rooms. All persons present must be of legal drinking age. The use of alcohol should not interfere with the normal operation of the residence hall. No open alcohol containers are allowed in common areas (such as lounges, bathrooms, hallways, etc.). An open alcohol container is defined as a bottle or can of intoxicating substance which has the seal broken or other container holding alcoholic beverage. Open containers will be confiscated on the spot and disposed of, and the incident will be documented. You will face disciplinary actions for violating the alcohol policy.

Off-campus persons are not exempt from the alcohol policy in the residence hall. Should you be found in violation in the residence hall, you will be asked to leave the residence hall immediately. Failure to do so will result in contacting local authorities.

No open alcohol containers or consumption of alcohol by those 21 or older are allowed outside residential units on campus property including lawns, porches and parking lots. Any individual/organization wishing to sponsor an event where alcoholic beverages will be present will need to adhere to guidelines for such events. This information may be obtained from the Residential Life Office and must be approved by the Dean of Students.

“Home brewing” is permitted in campus residential facilities as long as the product contains **no alcohol**. Persons found in violation of this policy will be subject to disciplinary action.

Controlled Substance Policy

The illegal use or possession of controlled substances is prohibited. Those who are alleged to have sold controlled substances will be referred to civil authorities. If a person is convicted of delivering controlled substances they will be suspended from the College for not less than one year. Persons found in violation of this policy may be suspended immediately if they are deemed a danger to others. The possession of controlled substances is prohibited.

Sanctions for Marijuana

For those individuals who are found possessing small quantities of controlled substances of marijuana or possessing paraphernalia which has been used for smoking marijuana will face sanctions. A small quantity is defined as less than one-half ounce. Small quantities with packaging and weighing materials is considered possession with intent to deliver, and is a felony under Wisconsin Law.

1. The possession of paraphernalia that has been used to deliver or to consume controlled substances is prohibited. Items suspected of being used to deliver or consume controlled substances will be confiscated and tested by campus safety or local police, with those items that test positive being forfeited for disposal.
2. Individuals found in the possession of a controlled substance in quantities one-half ounce or greater or with smaller quantities with packaging and weighing materials is considered possession with attempt to deliver (a felony under Wisconsin Law) and will be referred to the local authorities.
3. The manufacture or distribution of any controlled substance is prohibited.
4. Odor or smoke is considered actionable under this policy.

Consequences of Non-Compliance

Employees or students who engage in any of the prohibited conduct above are subject to disciplinary action which, depending on the type and seriousness of the violation, may include: verbal or written warnings, revocation of privileges, community service time, financial restitution, removal from the halls, suspension, termination, referral for assessment, treatment, or referral to legal authorities for prosecution and imprisonment. Please refer to the *Code of Student Conduct* for a complete listings of possible sanctions.

Northland College reserves the right to contact parents or guardians of students who violate the Policies on Alcohol and Controlled Substance Use, in accordance with the Family Educational Rights and Privacy Act (FERPA).

Seeking Assistance

At the discretion of appropriate campus authorities, assistance for problems with drugs or alcohol may be offered in lieu of, or concurrently with, disciplinary action. An assessment and/or evidence of satisfactory progress toward elimination of the problems may be required as part of any such agreement.

A conscientious effort to seek help will not, by itself, jeopardize an employee's job or a student's enrollment. Those in need of help for an alcohol or drug problem are encouraged to utilize the services of the Employee Assistance Program or Northland College Counseling services (ext. 1369). Outside help agencies which may be contacted include, but are not limited to, the following:

Northland Counseling Services	(715) 682-2125
Alcoholics Anonymous	(715) 682-4460
Ashland Alcoholism & Drug Treatment	(715) 682-5207
Memorial Medical Center	(715) 685-5400

Gender-based Misconduct and Prevention

Sexual misconduct is a serious issue and as such, warrants our attention and our concern. Our attention is necessary because anyone can be subject to potential misconduct, regardless of gender. This issue warrants our concern because just one incident on campus will affect not only those individuals directly involved, but the entire campus community. Every act of disrespect that occurs on campus diminishes each of us.

Consistent with law, Northland College intends to provide a safe and welcoming campus environment. In order to attain this, the College seeks to provide safety, privacy where possible, and support to victims of sexual misconduct. Northland College offers educational programming to promote the awareness of sexual misconduct. Educational programs are aimed at prevention of sexual violence and development of sexual respect. Programming includes awareness month/days, BEST Party presentations, Bystander training, Consent workshops, Student leader training, RA training, Orientation Leader training, Gender equity sessions for student-athletes and coaches, passive programming, video and panel discussions, online training for student/faculty/staff, residential hall information sessions, safety presentations by Campus Safety, training for work-study employees, self-defense workshops, and safe walk escort services.

Sexual misconduct is not only illegal but will not be tolerated at Northland College. The College encourages students who have been victimized to report the incident to the Title IX Administrator (Hal Haynes, Dean of Students, 715-682-1230) and the proper legal authorities. It should always be reported because of the possibilities of physical and psychological injuries resulting in hospitalization, pregnancy, or a sexually transmitted infections. Reporting sexual misconduct helps the College prevent future misconduct and continued criminal behavior by the assailant.

Local Resources:

- The closest hospital is Memorial Medical Center, located at 1615 Maple Lane in Ashland (715-685-5500). You should go to the emergency room and request a medical examination by the SANE (Sexual Assault Nurse Examiner) Nurse using the kit required for evidence in cases of sexual violence. You will also be examined for injury and tested for sexually transmitted diseases. You should get to the hospital as soon as possible. The Police Department will be able to arrange emergency transportation to the hospital.
- Advocacy Assistance. Both the County of Ashland and the Center Against Sexual and Domestic Abuse (CASDA) have advocates available. The CASDA Advocate is available to accompany you to the hospital, to the police department, to be

with you when you talk to the police officers, or to provide you with guidance and support if you are the victim of sexual violence. CASDA can be reached at 1-800-649-2921. The Victim Witness Advocate for Ashland County can be contacted in the Assistant District Attorney's Office during business hours (9 am-5 pm) at 715-682-7019. The advocate can provide you with referral information and can also be a link between you and the legal system.

GENDER-BASED MISCONDUCT POLICY

INTRODUCTION

Members of the Northland College community, guests and visitors have the right to be free from all forms of gender and sex-based discrimination, examples of which can include acts of sexual violence, sexual harassment, domestic violence, dating violence, and stalking. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. Northland College believes in a zero tolerance policy for gender-based misconduct. When an allegation of misconduct is brought to an appropriate administrator's attention, and a respondent is found to have violated this policy, serious sanctions will be used to reasonably ensure that such actions are never repeated. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy is intended to define community expectations and to establish a mechanism for determining when those expectations have been violated.

In campus hearings, legal terms like "guilt, "innocence" and "burdens of proof" are not applicable, but Northland never assumes a student is in violation of college policy. Campus investigations are conducted to take into account the totality of all evidence available, from all relevant sources.

Northland reserves the right to take whatever measures it deems necessary in response to an allegation of sexual misconduct in order to protect students' rights and personal safety. Such measures include, but are not limited to, modification of living arrangements, interim suspension from campus pending a hearing, and reporting the

matter to the local police. Not all forms of sexual misconduct will be deemed to be equally serious offenses, and Northland reserves the right to impose different sanctions, ranging from verbal warning to expulsion, depending on the severity of the offense. Northland will consider the concerns and rights of both the complainant and the person accused of sexual misconduct.

POLICY OVERVIEW: PHYSICAL SEXUAL MISCONDUCT

The expectations of our community regarding sexual misconduct can be summarized as follows: In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing and voluntary consent prior to and during sexual activity. Consent is sexual permission. Consent can be given by word or action, but non-verbal consent is not as clear as talking about what you want sexually and what you don't. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence--without actions demonstrating permission--cannot be assumed to show consent.

Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

Because alcohol or other drug use can place the capacity to consent in question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if they cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing. Under this policy, "No" always means "No," and "Yes" may not always mean "Yes." Anything but a clear, knowing and voluntary consent to any sexual activity is equivalent to a "no."

POLICY OVERVIEW: CONSENSUAL RELATIONSHIPS

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as teacher and student, supervisor and employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of applicable sections of the faculty/staff handbooks. Northland does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of the college. For the personal protection of members of this community, relationships in which power differentials are inherent (faculty-student, staff-student, administrator-student) are generally discouraged. Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisor, and will likely result in the necessity to remove the employee from the supervisory or evaluative responsibilities, or shift the student out of being supervised or evaluated by someone with whom they have established a consensual relationship. This includes RAs and students over whom they have direct responsibility. While no relationships are prohibited by this policy, failure to self-report such relationships to a supervisor as required can result in disciplinary action for an employee.

SEXUAL MISCONDUCT OFFENSES

Sexual misconduct offenses include, but are not limited to:

1. SEXUAL HARASSMENT

Sexual Harassment is

- A. unwelcome, gender-based verbal or physical conduct that is,
- B. sufficiently severe, persistent, or pervasive that it,

- C. unreasonably interferes with, limits or deprives someone of the ability to participate in or benefit from the Northland’s educational program and/or activities, and is
- D. based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation.

- 1) The determination of whether an **environment is “hostile”** must be based on all of the relevant circumstances. These circumstances could include:
 - a. The frequency of the conduct;
 - b. The nature and severity of the conduct;
 - c. Whether the conduct was physically threatening;
 - d. Whether the conduct was humiliating;
 - e. The effect of the conduct on the alleged victim’s mental or emotional state;
 - f. Whether the conduct was directed at more than one person;
 - g. Whether the conduct arose in the context of other discriminatory conduct;
 - h. Whether the conduct unreasonably interfered with the alleged victim’s educational or work performance;
 - i. Whether the statement is a mere utterance of an epithet which engenders offense in an employee or student, or offends by mere discourtesy or rudeness;
 - j. Whether the speech or conduct deserves the protections of academic freedom or the 1st Amendment.

- 2) **Quid pro quo** sexual harassment exists when there are:
 - a. Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature; and
 - b. Submission to or rejection of such conduct results in adverse educational or employment action.

- 3) **Retaliatory** harassment is any adverse employment or educational action taken against a person because of the person’s participation in a complaint or investigation of discrimination or sexual misconduct.

Examples of harassment include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious, unwelcome sexual attention; to punish a refusal to comply with a sexual based request; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence, stalking; gender-based bullying.

2. NON-CONSENSUAL SEXUAL CONTACT *(or attempts to commit same)*

Non-Consensual Sexual Contact is

- any intentional sexual touching,
- however slight,
- with any object,
- by a man or a woman upon a man or a woman,
- that is without consent and/or by force.

Sexual Contact includes: Intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

3. NON-CONSENSUAL SEXUAL INTERCOURSE *(or attempts to commit same):*

Non-Consensual Sexual Intercourse is

- any sexual intercourse
- however slight,
- with any object,
- by a man or woman upon a man or a woman,
- that is without consent and/or by force.

Intercourse includes: vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to

genital contact or genital to mouth contact), no matter how slight the penetration or contact.

4. SEXUAL EXPLOITATION

Occurs when a student/employee takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Prostituting another student;
- Non-consensual video or audio-taping of sexual activity;
- Going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- Engaging in voyeurism;
- Knowingly transmitting an STI or HIV to another student;
- Exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals;
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation

OTHER MISCONDUCT OFFENSES (WILL FALL UNDER TITLE IX WHEN SEX OR GENDER-BASED)

1. Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;
2. Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of gender;
3. Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;

4. Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the Northland community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Code of Student Conduct);
5. Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally (that is not speech or conduct otherwise protected by the 1st Amendment).
6. Violence between those in an intimate relationship to each other;
7. Stalking, defined as repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the community; or the safety of any of the immediate family of members of the community.
8. Domestic Violence
9. Dating Violence

CRITICAL DEFINITIONS

Consent is clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.

Previous relationships or prior consent cannot imply consent to future sexual acts.

In order to give effective consent, one must be of legal age.

Consent as defined by Wisconsin state law:

“words or overt actions by a person who is competent to give informed consent indicating a freely given agreement to have sexual intercourse or sexual contact.”

Minors, persons suffering from mental illness or defect, and sleeping or unconscious

persons are presumed unable to give consent. Failure to resist does not indicate consent. – WI Statute Section 940.225 (4).

Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction).

Sexual activity with someone who one should know to be -- or based on the circumstances should reasonably have known to be -- mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), **constitutes a violation of this policy.**

This policy also covers a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of rape drugs. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another student **is a violation of this policy.** More information on these drugs can be found at <http://www.womenshealth.gov/publications/our-publications/fact-sheet/date-rape-drugs.html>.

Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent (“Have sex with me or I’ll hit you. Okay, don’t hit me; I’ll do what you want.”).

Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

NOTE: There is no requirement that a party resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not

demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.

Use of alcohol or other drugs will never function as a defense for any behavior that violates this policy.

The sexual orientation and/or gender identity of individuals engaging in sexual activity is not relevant to allegations under this policy.

For reference to the pertinent state statutes on sex offenses, please see <http://legis.wisconsin.gov/lrb/pubs/ib/01ib1.pdf>.

SANCTION STATEMENT

1. Any student found responsible for violating the policy on Non-Consensual or Forced Sexual Contact (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations.*
2. Any student found responsible for violating the policy on Non-Consensual or Forced Sexual Intercourse will likely face a recommended sanction of suspension or expulsion.*
3. Any student found responsible for violating the policy on sexual exploitation or sexual harassment will likely receive a recommended sanction ranging from warning to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations.*

*The Title IX team reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive

behavior. Neither the initial hearing officers nor any appeals body or officer will deviate from the range of recommended sanctions unless compelling justification exists to do so.

CONFIDENTIALITY, PRIVACY AND REPORTING POLICY

Northland College encourages individuals to report incidents of sexual misconduct, domestic violence, dating violence, stalking and related retaliation so that they can get the support they need, and so that Northland can respond appropriately. Certain Northland employees may maintain confidentiality, but most cannot. Although strict confidentiality may therefore not be guaranteed, in all cases Northland will handle information in a sensitive manner and will endeavor to protect the privacy of individuals to the extent it can do so consistent with its obligations to respond to reports of sexual misconduct, domestic violence, dating violence, stalking and/or related retaliation.

This section is intended to inform students, faculty, staff and covered third parties of the various reporting and confidential disclosure options available to them, so that they can make informed choices about where to go for help.

To Report Confidentially

A confidential resource is an individual who is legally and ethically bound to keep confidential all information shared with them in the course of providing counsel and support, except under the circumstances noted below. Northland respects that the decision to come forward may be difficult and that individuals may wish to seek assistance from someone who can provide confidential information and support, and who can provide assurances that what is disclosed will not be acted on. These professionals may have to breach a confidence, however, when they perceive a serious risk of danger or threat to any person or property. In addition, medical and mental health professionals may be required by law to report certain crimes (e.g., any allegation of sexual and/or physical abuse of a person under 18). These exceptions to confidentiality are governed by the law of the state in which the confidential resource is located.

If one desires that details of the incident be kept confidential, they should speak with on-campus mental health counselors, campus health service providers or off-campus rape crisis resources who can maintain confidentiality. Campus counselors are available to help you free of charge, and can be seen on an emergency basis. In addition, you may speak on and off-campus with members of the clergy and chaplains, who will also keep reports made to them confidential.

An individual who speaks to a confidential resource must understand that, if they want to maintain confidentiality, Northland will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator. However, confidential resources may assist the individual in receiving other forms of protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working, transportation or academic arrangements. An individual who initially requests confidentiality may later decide to file a complaint with Northland or report the incident to local law enforcement, and thus have the incident fully investigated. These confidential resources will help to direct the individual to the appropriate resources in the event that the individual wishes to file a complaint.

Non-confidential Reporting Options

Non-confidential resources are all faculty or staff members including residential life staff who are not medical or counseling professionals or clergy and are therefore not permitted to honor requests for confidentiality. Non-confidential faculty or staff who learn of an incident of sexual misconduct, domestic violence, dating violence, stalking or related retaliation involving a student are required to report that information to the Title IX Administrator or Deputy Coordinators, and are “responsible employees”. The Title IX Administrator or Deputy Coordinators are “responsible employees” for the purposes of redressing reports of sexual misconduct, domestic violence, dating violence, stalking and related retaliation in accordance with this policy. Notice to them

is official notice to the institution. You have the right and can expect to have incidents of sexual misconduct to be taken seriously by the institution when formally reported, and to have those incidents investigated and properly resolved through administrative procedures. Formal reporting means that only people who need to know will be told and information will be shared only as necessary with investigators, witnesses, and the accused individual.

Evaluating Requests for Confidentiality in Sexual Misconduct Cases

If an individual discloses an incident of sexual misconduct but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, Northland will make every effort to respect this request and will evaluate the request against its responsibility to provide a safe, non-discriminatory environment for all students, faculty and staff, including the individual who reported sexual misconduct. Although rare, there are times when Northland may not be able to honor the individual's request. Further, if Northland honors the request for confidentiality, Northland's ability to appropriately investigate the incident and pursue disciplinary action against the alleged perpetrator(s), if warranted, may be limited.

Northland has designated the Title IX Administrator and Deputy Coordinators to evaluate requests for confidentiality, as appropriate to the circumstances. In considering an individual's request for confidentiality, the Title IX Administrator and Deputy Coordinators may consult with other Northland personnel, as appropriate.

Factors to be considered in determining whether confidentiality should be maintained may include but are not limited to:

1. The increased risk that the alleged perpetrator will commit additional acts of sexual misconduct or other violence, such as:
 - A. whether there have been other sexual misconduct complaints about the same alleged perpetrator;

- B. whether the alleged perpetrator has a history of arrests or records from a prior institution indicating a history of violence;
 - C. whether the alleged perpetrator has threatened further sexual misconduct or other violence against the individual or others;
 - D. whether the alleged sexual misconduct was committed by multiple perpetrators;
 - E. circumstances that suggest there is an increased risk of future acts of sexual misconduct or other violence under similar circumstances (e.g., whether the report reveals a pattern of perpetration);
2. whether the alleged sexual misconduct was perpetrated with a weapon;
 3. whether the alleged victim is a minor;
 4. whether Northland possesses other means to obtain relevant evidence (e.g., security cameras, information known to Northland personnel, or physical evidence);
 5. whether the report reveals a pattern of perpetration at a given location or by a particular group;
 6. the extent of any ongoing threat to the Northland community or any of its members.

The presence of one or more of these factors may prompt an investigation and adjudication under Northland’s policies and, if appropriate, result in disciplinary action. If none of these factors is present, Northland will likely honor the individual’s request for confidentiality.

Federal Statistical Reporting Obligations

Certain campus officials have a duty to report sexual misconduct for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the annual Campus Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety.

Mandated federal reporters include: student/conduct affairs, campus law enforcement, local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the victim and may be done anonymously.

Federal Timely Warning Reporting Obligations

Victims of sexual misconduct should also be aware that Northland administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. Northland will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger. The reporting for timely warning purposes are exactly the same as detailed at the end of the above paragraph.

QUESTIONS AND ANSWERS

Here are some of the most commonly asked questions regarding Northland's Gender-based Misconduct policy and procedures.

Does information about a complaint remain private?

The privacy of all parties to a complaint of sexual misconduct must be respected, except insofar as it interferes with Northland's obligation to fully investigate allegations of sexual misconduct. Where privacy is not strictly kept, it will still be tightly controlled on a need-to-know basis. Dissemination of information and/or written materials to persons not involved in the complaint procedure is not permitted. Violations of the privacy of the complainant or the accused individual may lead to conduct action by Northland.

In all complaints of sexual misconduct, all parties will be informed of the outcome. In some instances, the administration also may choose to make a brief public announcement of the nature of the violation and the action taken, without using the name or identifiable information of the alleged victim. Certain Northland administrators are informed of the outcome within the bounds of student privacy (e.g., the President of the college, Dean of Students, Director of Security). If there is a report of an act of alleged sexual misconduct to a conduct officer of the college and there is evidence that a felony has occurred, local police will be notified. This does not mean charges will be automatically filed or that a victim must speak with the police, but the institution is legally required to notify law enforcement authorities. The institution also must statistically report the occurrence on campus of major violent crimes, including certain sex offenses, in an annual report of campus crime statistics. This statistical report does not include personally identifiable information.

Will my parents be told?

No, not unless you tell them. Whether you are the complainant or the accused individual, Northland's primary relationship is to the student and not to the parent. However, in the event of major medical, disciplinary, or academic jeopardy, students are strongly encouraged to inform their parents. Northland officials will directly inform parents when requested to do so by a student, in a life-threatening situation, or if an accused individual has signed the permission form at registration which allows such communication.

Will the accused individual know my identity?

Yes, if you file a formal complaint. Sexual misconduct is a serious offense and the accused individual has the right to know the identity of the complainant/alleged victim.

Do I have to name the perpetrator?

Yes, if you want formal disciplinary action to be taken against the alleged perpetrator. No, if you choose to respond informally and do not file a formal complaint (but you should consult the complete confidentiality policy above to better understand Northland's legal obligations depending on what information you share with different college officials). Victims should be aware that not identifying the perpetrator may limit the institution's ability to respond comprehensively.

What do I do if I am accused of sexual misconduct?

DO NOT contact the alleged victim. You may immediately want to contact someone who can act as your advisor; anyone may serve as your advisor. You may also contact the Office of Student Affairs, which can explain Northland's procedures for addressing sexual misconduct complaints. You may also want to talk to a confidential counselor at the counseling center or seek other community assistance. See below regarding legal representation.

Will I (as a victim) have to pay for counseling/or medical care?

Not typically, if the institution provides these services already. If a victim is accessing community and non-institutional services, payment for these will be subject to state/local laws, insurance requirements, etc.

What about legal advice?

Victims of criminal sexual assault need not retain a private attorney to pursue prosecution because representation will be handled by the District Attorney's office. You may want to retain an attorney if you are the accused individual or are considering filing a civil action. The accused individual may retain counsel at their own expense if they determine that they need legal advice about criminal prosecution and/or the campus conduct proceeding. Both the accused and the

victim may also use an attorney as their advisor during the campus' grievance processes.

What about changing residence hall rooms?

If you want to move, you may request a room change. Room changes under these circumstances are considered emergencies. It is typically institutional policy that in emergency room changes, the student is moved to the first available suitable room. If you want the accused individual to move, and believe that you have been the victim of sexual misconduct, you must be willing to pursue a formal or informal college complaint. No contact orders can be imposed and room changes for the accused individual can usually be arranged. Other accommodations available to you might include:

- Assistance from Northland support staff in completing the relocation;
- Arranging to dissolve a housing contract and pro-rating a refund;
- Assistance with or rescheduling an academic assignment (paper, exams, etc.);
- Taking an incomplete in a class;
- Assistance with transferring class sections;
- Temporary withdrawal;
- Assistance with alternative course completion options;
- Other accommodations for safety as necessary.

What should I do about preserving evidence of a sexual assault?

Police are in the best position to secure evidence of a crime. Physical evidence of a criminal sexual assault must be collected from the alleged victim's person within 120 hours, though evidence can often be obtained from towels, sheets, clothes, etc. for much longer periods of time. If you believe you have been a victim of a criminal sexual assault, you should go to the Hospital Emergency Room (Memorial Medical Center in Ashland, WI), before washing yourself or your clothing. The Sexual Assault Nurse Examiner (a specially trained nurse) at the hospital is usually on call 24 hours a day, 7 days a week (call the Emergency

Room if you first want to speak to the nurse; ER will refer you). A member of the Northland community can also accompany you to Hospital and law enforcement or Campus Safety can provide transportation. If a victim goes to the hospital, local police will be called, but s/he is not obligated to talk to the police or to pursue prosecution. Having the evidence collected in this manner will help to keep all options available to a victim, but will not obligation him or her to any course of action. Collecting evidence can assist the authorities in pursuing criminal charges, should the victim decide later to exercise it.

For the Victim: the hospital staff will collect evidence, check for injuries, address pregnancy concerns and address the possibility of exposure to sexually transmitted infections. If you have changed clothing since the assault, bring the clothing you had on at the time of the assault with you to the hospital in a clean, sanitary container such as a clean paper grocery bag or wrapped in a clean sheet (plastic containers do not breathe, and may render evidence useless). If you have not changed clothes, bring a change of clothes with you to the hospital, if possible, as they will likely keep the clothes you are wearing as evidence. You can take a support person with you to the hospital, and they can accompany you through the exam, if you want. Do not disturb the crime scene—leave all sheets, towels, etc. that may bear evidence for the police to collect.

Will a victim be sanctioned when reporting a sexual misconduct policy violation if he/she has illegally used drugs or alcohol?

No. The severity of the infraction will determine the nature of Northland’s response, but whenever possible Northland will respond educationally rather than punitively to the illegal use of drugs and/or alcohol. The seriousness of sexual misconduct is a major concern and Northland does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of sexual misconduct.

Will the use of drugs or alcohol affect the outcome of a sexual misconduct conduct complaint?

The use of alcohol and/or drugs by either party will not diminish the accused individual's responsibility. On the other hand, alcohol and/or drug use is likely to affect the complainant's memory and, therefore, may affect the outcome of the complaint. Use of alcohol and/or other drugs will never excuse a violation by an accused individual.

Will either party's prior use of drugs and/or alcohol be a factor when reporting sexual misconduct?

Not unless there is a compelling reason to believe that prior use or abuse is relevant to the present complaint.

What should I do if I am uncertain about what happened?

If you believe that you have experienced sexual misconduct, but are unsure of whether it was a violation of the institution's sexual misconduct policy, you should contact the institution's student conduct office (Residential Life). The institution provides non-legal advisors who can help you to define and clarify the event(s), and advise you of your options.

SEXUAL VIOLENCE -- RISK REDUCTION TIPS

Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame, and with recognition that only those who commit sexual violence are responsible for those actions, these suggestions may nevertheless help you to reduce your risk experiencing a non-consensual sexual act. Suggestions offered:

- If you have limits, make them known as early as possible.
- Tell a sexual aggressor "NO" clearly and firmly.
- Try to remove yourself from the physical presence of a sexual aggressor.
- Find someone nearby and ask for help.

- Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
- Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
- **DON'T MAKE ASSUMPTIONS** about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go or about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity then you **DO NOT** have consent.
- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.
- Don't take advantage of someone's drunkenness or drugged state, even if they did it to themselves.
- Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don't abuse that power.
- Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.

- Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

This policy is based on a model policy as produced by the NCHERM Group. The NCHERM Group is a law and consulting practice which serves the education field.

Annual Fire Safety Report 2015

The Higher Education Opportunity Act (HEOA) has two safety-related requirements for institutions that participate in federal student financial aid programs.

1. Fire Log: Northland College Campus Safety is required to keep a fire log that states the nature of the fire, date, time, and general location of each fire in on-campus student housing facilities. Northland College complies with the rule by including all fire-related incidents, in the Daily Log.

2. Annual Fire Safety Report: At Northland College, all residential halls are equipped with automatic sprinkler systems and fire alarm systems that are monitored 24 hours a day, seven days a week. The college also owns several houses equipped with smoke detectors that are used to house residential students or college personnel. Any college or university with on-campus student housing facilities must publish annually a fire safety report that provides information on campus fire safety practices and standards. Northland College complies with this regulation by including all fire-related incidents at on-campus student housing facilities as part of the Annual Safety Report. Information contained in this annual fire safety report include: number and cause of fires at all on-campus student housing facilities; number of fire-related deaths; related injuries; value of fire related property damage; information on evacuation procedures; fire safety education and training programs; fire safety systems in each student housing facility; number of mandatory supervised fire drills and policies on portable electrical appliances, smoking and open flames. The Annual Safety Report must include three years of data.

Total Number of Fires Reported in Residential Facilities

Year 2012
Total # of housing fires 0
Cause none
of injuries 0
Property damage \$ 0

Year 2013
Total # of housing fires 0
Cause none
of injuries 0
Property damage \$ 0

Year 2014
Total # of housing fires 0
Cause none
of injuries 0
Property damage \$ 0

Year 2015
Total # of housing fires 0
Cause none
of injuries 0
Property damage \$ 0

Fire Reporting

If the fire occurs in any building, community members should immediately notify the Ashland Fire Department by dialing 9-1-1. Once that call has been made, the caller should contact Campus Safety at ext. 1399 for on campus phones or 715/682-1399 for off campus phones.

The campus fire alarm systems alert community members of potential hazards. Community members are required to heed an activated alarm system, and evacuate a building immediately. Use the nearest available exit to evacuate the building. Gather outside at the designated area notated in the emergency posting for all facilities. Community members should familiarize themselves with the exits in each building.

When a fire alarm is activated the elevators in our buildings will be recalled to a “safe floor” and will not activate after the alarm is sounded. Occupants should use the stairs to evacuate the building.

Fire Protection Equipment/Systems

All residential halls are equipped with automatic fire detection and alarm systems. All alarm systems are monitored by the College. The townhouses and college-owned homes have fire detection systems only. The alarm system for the McLean Environmental Living and Learning Center (MELLC) sends directly to the Ashland Fire Department. All other residential hall fire alarms send directly to the College. Northland works with a contracted vendor for fire extinguisher devices. The vendor completes the regular checks, refills, and maintenance.

Evacuation Procedures

If a fire is detected or the fire alarm sounds, evacuate the area. Every room on campus is provided with a map highlighting evacuation routes for your location. Please review and proceed. Isolate the fire by closing doors as you leave. Do not attempt to extinguish fires yourself.

Health and Safety Inspections

The Office of Residential Life and Campus Safety conduct safety inspections of every residence hall room each semester. In addition, Campus Safety and the Facilities/Maintenance Office conduct safety inspections of all facilities along with a member of the Ashland Fire Department. The inspections include a visual examination of electrical cords, sprinkler heads, and smoke detectors. In addition, each room is

inspected for the presence of prohibited items such as candles, halogen lamps, open coiled appliances, pets, etc. Rooms are also inspected for prohibited activities such as smoking in the rooms, removal of door closers, unauthorized door locks, removal of exterior window screens, and tampering with emergency equipment. The inspections also include a general assessment of cleanliness of the room, including food and waste storage. Residents are notified prior to inspection when the date and time of inspection will occur. Notice of health and safety walk-throughs are posted in the common areas and/or via email to your Northland account 48 hours before they are to be initiated in a building. Also, rooms are typically checked during interim periods when the residence halls are closed. Residents will be held accountable if other policy violations are noticed during these health and safety inspections. All areas of your room will be checked. Conditions warranting follow up are turned over to the Office of Residential Life.

Emergency Evacuation Drills

The supervised scheduled drills at campus residence halls are facilitated by the Office of Residential Life in cooperation with assigned college personnel and Campus Safety. Various drills are conducted throughout the year to familiarize students, faculty and staff with the Emergency Procedures and individual roles. Each residence hall, the townhouses, and the college-owned student housing has two fire evacuation drills each year.

Fire and Safety Education

All first year students receive fire safety training when they arrive at Northland College at the beginning of the academic school year through the Residence Life staff. Campus Safety serves as an additional resource for the educating the entire campus community.

Fire Safety Regulations

Candles, Oil Lamps & Incense

All candles, oil lamps, incense or other items that produce an open flame (whether lit or unlit) are not permitted in any residential housing building including townhouses, apartments and theme communities. Candle warming devices are allowed if they come

equipped with an automatic on/off switch. If a student wishes, incense will be provided for meditation/religious use in the Spirit Life Center located on the second floor of the Ponzio Campus Center.

Electrical Appliance Information

Cooking in residence hall rooms is discouraged, as the residence hall rooms are not designed for this purpose. Popcorn poppers, hot pots and similar devices (i.e., with no open burner/coil and limited wattage) are acceptable. Devices such as hot plates, Fry Daddy's, electric frying pans, fondue pots, or other similar appliances which require grease and/or open flame for cooking are not permitted. Microwave ovens are provided in each residence hall kitchen, and those that require 800 watts or less are allowed in the residence hall rooms. Any appliance used in the residence halls must be UL listed and be in good condition with no broken parts or damaged cords. If you are unsure about an appliance that you have, contact the Office of Residential Life for clarification. Only compact refrigerators are permitted in the residence hall rooms.

Electrical clocks, radios, stereos, televisions, blankets, razors, microwaves, George Foreman grills, personal computers, and small refrigerators may be used in resident rooms. The only cooking appliances permitted are coffee makers, microwaves, and appliances with self-contained heating units. Each hall provides kitchens for extensive cooking. Possessing or using hazardous electrical appliances such as those with exposed heating elements is not permitted in residence hall rooms.

We recommend the use of surge protectors for all electrical equipment. Residents may not alter the electrical systems or equipment in their rooms/apartments/townhouse. Residents of the MELLC apartments, townhouses and college-owned homes should speak with the Office of Residential Life to request to use any special appliances in their unit.

Fire Alarms

When an alarm is sounded, it should be treated as an emergency.

It is in violation of campus policy for any person to not respond to a fire alarm.

During an alarm:

1. *Put on shoes/coat*
2. *Close window and open curtains*
3. *Touch door to see if it is hot, if so, stay in room and try to attract attention through window*
4. *If door is not hot, turn off lights and other electrical appliances*
5. *Close your door, but leave it unlocked*
6. *Exit building*
7. *Remain outside until Area Coordinator, HRA, RA, Campus Safety or fire department give the all clear*

Fire Drills

Each term, the Residential Life staff will conduct fire drills to help you prepare yourself for a potential fire alarm/fire. Residents are expected to abide by the directions of the staff during fire drills and fire alarms.

Fire Equipment

It is illegal to tamper, in any way, with firefighting equipment (extinguishers and hoses), emergency lights, exit signs, or smoke detectors. To do so unnecessarily endangers others in the event of a crisis. All violators of this policy will be prosecuted in accordance with the law. Students who reside in an area in which a smoke detector is disconnected, turned off or tampered with, causing the device to malfunction, will be referred for disciplinary action and charged for repair/replacement of the device. Each smoke detector is equipped with a battery backup. In the event that a battery charge is low, a beep will be heard. Please notify an RA or HRA immediately to facilitate the changing of the battery.

Fire Hazards

The following are considered fire hazards and may not be stored or used in residence halls or housing units:

1. Any type of fuel (camp stove, gas, kerosene)
2. Any machine/equipment which requires the above to operate.

3. Homemade lofts or decks.
4. Anything blocking windows or doorways (i.e. tapestry hung in doorway, bicycle hung in front of window, etc.).
5. Bicycles, etc., in hallways and lounges.
6. Halogen / torch style lamps. Due to the high level of danger associated with this style of light as well as the extreme energy inefficiency of halogen lamps, Northland College does not allow this type of fixture in residence hall rooms. Any student found in possession of this style of lamp will be required to remove the lamp.
7. Cut trees or bushes (i.e. Christmas trees).
8. Hallways and stairwells must remain clear of resident items to allow for a safe fire exit. Items stored inappropriately will be removed without owner's consent.
9. Incense, candles, oil lamps, and other open-flame objects are not permitted in residence hall rooms, housing units or living areas.
10. Anything that can be reasonably determined to be a hazard by the Director of Residential Life.

Flammable Liquids, Chemicals, Open Flame, Fire Hazards

The possession and use of any harmful chemicals, flammable liquids/lighter fluid, firecrackers, and/or other explosives in the residence halls or immediate vicinity is prohibited.

Crime Statistics

Annual Crime Statistics (calendar years 2012, 2013, 2014, and 2015)

The Northland College Division of Student Life and Institutional Sustainability, in collaboration with Campus Safety, is responsible for collecting statistics, identifying reportable crimes, and preparing and publishing an annual report to comply with the Jeanne Clery Disclosures of Campus Security Policy and Crime Statistics Act. Under law, these statistics must be reported in the categories specified by the Department of Education. Campus crime, arrest, and referral statistics are provided by a wide variety of campus reporters (Campus Safety, deans, directors, coaches, housing staff, and advisors), fire department, and local law enforcement agencies.

The 2016 Report has been compiled for the 2012, 2013, 2014, and 2015 calendar year from crime reports received from the Ashland Police Department, Campus Safety, the community complaint process, and other campus authorities.

UNIFORM CRIME REPORTING DEFINITIONS

For the purposes of this report and as stipulated by the Clery Act, Northland College uses the following definitions:

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

Negligent Manslaughter - the killing of another person through gross negligence.

Sex Offenses, Forcible - any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. There are four types of forcible sex offenses:

- **Forcible Rape** is the carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape of both males and females.

- **Forcible Sodomy** is oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Sexual Assault With an Object** is the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity. An object or instrument is anything used by the offender other than the offender's genitalia. Examples are a finger, bottle, handgun, stick, etc.
- **Forcible Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity. Forcible fondling includes "indecent liberties" and "child molesting."

Sex Offenses, Non-forcible - incidents of unlawful, non-forcible sexual intercourse.

Two types of offenses are included in this definition:

- **Incest** is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** is non-forcible sexual intercourse with a person who is under the statutory age of consent. If force was used or threatened, or the victim was incapable of giving consent because of his/her youth, or temporary or permanent mental impairment, the offense should be classified as forcible rape, not statutory rape.

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.

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.

Burglary - the unlawful entry of a structure to commit a felony or a theft. The UCR classifies offenses locally known as Burglary (any degree); unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts at these offenses as Burglary.

Motor Vehicle Theft - the theft or attempted theft of a motor vehicle.

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

Hate Crimes - any of the aforementioned offenses, vandalism, larceny and any other crime involving bodily injury reported to local police agencies or to a campus security authority, that manifests evidence that the victim was intentionally selected because of the perpetrator's bias.

Categories of bias are:

- **Race.** A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).
- **Gender.** A preformed negative opinion or attitude toward a group of persons because those persons are male or female. Gender bias is also a Clery Act-specific term, not found in the FBI's Hate Crime Data Collection Guidelines.

- **Gender-identity.** A pre-formed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.
- **Religion.** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).
- **Sexual orientation.** A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).
- **Ethnicity.** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term race in that “race” refers to grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.
- **National Origin.** A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and/or traditions.
- **Disability.** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Domestic violence – A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or a partner, by a person similarly situated to a spouse of the victim under the domestic violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who

is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating violence - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For purposes of this definition, 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. For the purposes of complying with the requirements of this section, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Stalking - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition course of conduct means two or more acts, including, but not limited to, acts in 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. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Liquor Law Violations - the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Drug Law Violations - the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use; the unlawful cultivation, manufacture, distribution, sale,

purchase, use, possession, transportation or importation of any controlled drug or narcotic substance.

Weapons Law Violations - the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.

Unfounded Crimes: An institution may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situations where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report for purposes of reporting under this section. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.

Crimes Reported 2012	All On Campus Buildings or Property	Non- Campus Buildings or Property	Public Property	Grand Total	Campus Residential Facilities Only
Murder	—	—	—	0	—
Manslaughter	—	—	—	0	—
Sex Offense - Force	—	—	—	0	—
Sex Offense – No Force	—	—	—	0	—
Robbery	—	—	—	0	—
Aggravated Assault	—	—	—	0	—
Burglary	1	—	—	1	1
Motor Vehicle Theft	—	—	—	0	—
Arson	—	—	—	0	—
Liquor Law Arrests	1	—	—	1	1

Liquor Law Discipline	53	—	—	53	53
Drug Law Arrests	2	—	—	2	2
Drug Law Discipline	41	—	—	41	41
Weapons Arrests	—	—	—	0	—
Weapons Discipline	—	—	—	0	—

Crimes Reported 2013	All On Campus Buildings or Property	Non- Campus Buildings or Property	Public Property	Grand Total	Campus Residential Facilities Only
Murder	—	—	—	0	—
Manslaughter	—	—	—	0	—
Sex Offense - Force	2	—	—	2	2
Sex Offense – No Force	—	—	—	0	—
Robbery	—	—	—	0	—
Aggravated Assault	—	—	—	0	—
Burglary	3	—	—	3	3
Motor Vehicle Theft	—	—	—	0	—
Arson	—	—	—	0	—
Liquor Law Arrests	—	—	—	0	—
Liquor Law Discipline	32	—	—	32	32
Drug Law Arrests	3	—	—	3	3
Drug Law Discipline	35	—	—	35	35
Weapons Arrests	—	—	—	0	—
Weapons Discipline	—	—	—	0	—
Domestic Violence	—	—	—	0	—
Dating Violence	1	—	—	1	1
Stalking	—	—	1	1	—

*special notation – the last three reporting categories (domestic violence, dating violence, stalking) were added by federal law changes in March 2014. Prior to that date, we did not track

crimes reported in these categories. As a result, the data listed here is our best faith effort to reflect accurate information.

Crimes Reported 2014	All On Campus Buildings or Property	Non-Campus Buildings or Property	Public Property	Grand Total	Campus Residential Facilities Only
Murder	—	—	—	0	—
Manslaughter	—	—	—	0	—
Sex Offense - Force	1	—	—	1	1
Sex Offense – No Force	—	—	—	0	—
Robbery	—	—	—	0	—
Aggravated Assault	2	—	—	2	2
Burglary	8	—	—	8	8
Motor Vehicle Theft	—	—	—	0	—
Arson	—	—	—	0	—
Liquor Law Arrests	1	—	—	1	1
Liquor Law Discipline	28	—	—	28	28
Drug Law Arrests	2	—	—	2	2
Drug Law Discipline	20	—	—	20	20
Weapons Arrests	—	—	—	0	—
Weapons Discipline	—	—	—	0	—
Domestic Violence	—	—	—	0	—
Dating Violence	1	—	—	1	1
Stalking	1	—	-	1	1

Crimes Reported 2015	All On Campus Buildings or Property	Non-Campus Buildings or Property	Public Property	Grand Total	Campus Residential Facilities Only
Murder	—	—	—	0	—
Manslaughter	—	—	—	0	—
Sex Offense - Force	---	—	—	0	---
Sex Offense – No Force	—	—	—	0	—
Robbery	—	—	—	0	—
Aggravated Assault	---	—	—	0	---
Burglary	---	—	—	0	---
Motor Vehicle Theft	—	—	—	0	—
Arson	—	—	—	0	—
Liquor Law Arrests	---	—	—	0	---
Liquor Law Discipline	33	—	—	33	33
Drug Law Arrests	---	—	—	0	---
Drug Law Discipline	22	—	—	22	22
Weapons Arrests	—	—	—	0	—
Weapons Discipline	—	—	—	0	—
Domestic Violence	—	—	—	0	—
Dating Violence	---	—	—	0	---
Stalking	---	—	-	0	---

Hate Crimes Reporting requires separate disclosure

Hate Crimes 2012	Race	Gender	Religion	Sexual Orientation	Ethnicity	Disability
Murder	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0
Sex Offense - Force	0	0	0	0	0	0
Sex Offense – No Force	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0

Hate Crimes 2013	Race	Gender	Religion	Sexual Orientation	Ethnicity	Disability
Murder	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0
Sex Offense - Force	0	0	0	0	0	0
Sex Offense – No Force	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0

Simple Assault	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0

Hate Crimes 2014	Race	Gender	Gender Identity	Religion	Sexual Orien- tation	Ethnicity	National Origin	Disability
Murder	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0
Sex Offense - Force	0	0	0	0	0	0	0	0
Sex Offense – No Force	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	1	0	0	0

Hate Crimes 2015	Race	Gender	Gender Identity	Religion	Sexual Orien- tation	Ethnicity	National Origin	Disability
Murder	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0

Sex Offense - Force	0	0	0	0	0	0	0	0
Sex Offense – No Force	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	1	0	0	0