



**Northwest  
Technical College**

*Bemidji, Minnesota*

**2016 Campus Crime Report**

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## INTRODUCTION

The Department of Public Safety publishes the Annual Security Report each year. The report is distributed to all potential learners, and employees. This report is posted on the college website [http://www.ntcmn.edu/about/pdf/campus\\_safety.pdf](http://www.ntcmn.edu/about/pdf/campus_safety.pdf), and it is available upon request in printed form at Office of Institutional Effectiveness, Northwest Technical College, 905 Grant Avenue SE, Bemidji, MN 56601, 800-942-8324, 218-333-6600. All employees and enrolled learners are notified of the posting of this report. The report contains information regarding campus safety and security as required by the **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**.

Pursuant to the Act, the Department of Public Safety monitors criminal activity and publishes this report containing a three-year statistical history of select crimes or incidents that occur. The statistics are gathered from three specific geographic areas; 1) campus, 2) public property that is adjacent to campus, 3) non-campus college property or college sanctioned buildings or property are submitted on an annual basis to the U.S. Secretary of Education.

## DEPARTMENT OF PUBLIC SAFETY AUTHORITY

The Department of Public Safety at Northwest Technical College is recognized as the primary campus department responsible for providing security services for learners, faculty, staff and campus visitors. The department is comprised of full-time professional and part-time paraprofessional officers. Public Safety officers are **NOT** licensed police officers and do not possess the power of arrest as defined by Minnesota State Statute, but have been granted the authority by the College President to enforce College policy, which is not inconsistent with federal, state or local law, and to make citizens arrests when necessary.

The Bemidji Police Department provides fully licensed police protection for Northwest Technical College. The Department of Public Safety has developed a working relationship with the Bemidji Police Department that allows for immediate response to all crimes, emergencies, or requests for service generated by the campus. On occasion, the Department of Public Safety works with other law enforcement agencies such as the Beltrami County Sheriff's Department, the Minnesota Bureau of Criminal Apprehension, the Paul Bunyan Drug Task Force, the Federal Bureau of Investigation, and the Minnesota State Patrol.

It is the policy of Northwest Technical College to report all criminal activity to the Bemidji Police Department by reporting incidents directly to their office or to the Department of Public Safety. All crimes, or potential crimes, that are reported to the Department of Public Safety will be forwarded to the Bemidji Police Department. It is also the college's position that all campus community members are responsible for reporting any criminal activity they become aware of to the Department of Public Safety, Walnut Hall at Bemidji State University, 218-755-3888, or the Beltrami County Law Enforcement Center, 218-333-9111 (emergency 911).

Northwest Technical College urges all campus entities that are excluded from mandatory reporting, such as professional mental health counselors and pastoral counselors, to advise clients who are victims of crime to report those incidents to campus or local law enforcement authorities, and to report confidential information used strictly for statistical purposes to the Department of Public Safety.

## CRIME PREVENTION PROGRAMS

The Department of Public Safety offers programs to the campus community through a Campus Crime Prevention Professional. The programs are designed to inform the campus community regarding security procedures and practices, and to encourage responsibility for personal safety. The programs present personal safety, and crime prevention techniques. The programs are presented by a certified Campus Crime Prevention Professional who is a full time staff member with the Department of Public Safety. The programs can be scheduled by request by contacting the Director of Public Safety, at 218-755-3888.

## FACILITIES SURVEYS

The Director of Public Safety, or a designee, along with the Facilities Services Supervisor do an annual security survey, where they examine physical security issues such as landscaping, locks, alarms, and lighting.

## CAMPUS SEX CRIME PREVENTION ACT

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, went into effect October 28, 2002. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

Information regarding individuals on the registered sex offenders' list can be obtained from the Bemidji Police Department, 613 Minnesota Avenue NE, 218-333-9111, and from the Minnesota Department of Corrections web site <http://www.corr.state.mn.us/> or you can follow the link to the DOC web site from the Department of Public Safety home page <https://www.bemidjistate.edu/services/public-safety/>

## PERSONAL SAFETY RESPONSIBILITY

Department of Public Safety staff members are available to assist you in protecting yourself by providing regular foot and/or vehicle patrols. However, only you can protect yourself by being aware of your surroundings and taking appropriate precautions to avoid being the victim of a crime.

## CRIMES AND SUSPICIOUS ACTIVITY

Learners, faculty, staff, and guests of the college are encouraged to immediately report emergencies and criminal activity to the Department of Public Safety or the Bemidji Police Department (911). You can reach the Department of Public Safety by calling 218-755-3888. This number is answered all day, every day.

The dispatcher will alert on-duty public safety officers and call Bemidji Police when necessary. The Public Safety officer will respond, assist any victim, and prepare reports and other documentation for follow-up. The Public Safety officer can also assist crime victims in reporting a crime to the Bemidji Police Department and the public safety officer will report the crime to the Bemidji Police Department if the victim is unable to make such a report.

## CRIME REPORTING PROCEDURES/POLICY

All learners, faculty, staff, and campus visitors are urged to report any crime they become aware of to the Department of Public Safety and/or the Bemidji Police Department, (non-emergency) 218-333-9111, (emergency) 911.

Individuals reporting to the Department of Public Safety who also elect to file a complaint with the Bemidji Police Department will be provided assistance in making that contact. If the victim is unable to make a police report, the Department of Public Safety will accurately and promptly report the incident to the Bemidji Police Department. In addition, if the Department of Public Safety becomes aware that a crime has been committed, college policy requires this information be forwarded to the Bemidji Police Department in a timely manner.

For on-campus emergencies, dial 911. Emergency services will immediately be dispatched from local agencies to your location, and that information will also be relayed to the Department of Public Safety who will also dispatch personnel to the incident location.

For off campus crimes please contact the Bemidji Police Department. The Department of Public Safety and Bemidji Police Department have a mutual working agreement and each department augments the other, within their jurisdiction, during mutual investigations. The Director of Public Safety has regular meetings with the Bemidji Police Chief to exchange ideas and discuss problems which are relevant to the college community as well as the community of Bemidji.

## ACCURATE AND PROMPT CRIME REPORTING

Northwest Technical College strongly encourages accurate and prompt reporting of all crimes, especially those on or near campus, to local law enforcement and the college. Accurate and prompt crime reports allow the Department of Public Safety, the Bemidji Police Department, and others to effectively track crime patterns and alert the community. Public Safety officers are NOT sworn police officers. Public Safety officers can assist crime victims in making a police report.

## CONFIDENTIAL REPORTING PROCEDURES

If you are the victim of a crime, and do not wish to pursue action within the college or criminal justice systems, you should still consider making a confidential report. With your permission, the Director of Public Safety, or their designee, may file a report that documents the details of your incident without revealing your identity. With this information, the college can keep accurate records of incidents and better identify crime trends. Reports filed in this matter are counted and disclosed in the annual crime statistics for the institution, but again are entirely confidential.

## CRIME ALERTS (AKA "SECURITY ALERTS")

If the Department of Public Safety receives information that a crime has been committed that may pose a continuing threat to the safety of any campus member, a "Security Alert" will be issued. Security Alerts are distributed by the Department of Public Safety for the purpose of informing the campus community of a potentially dangerous condition that may affect their personal safety. The alert contains information regarding an incident that will allow campus community members to take the proper personal safety measures necessary to insure their individual safety. The alert withholds the names of victims as confidential and may also contain a request for information regarding an incident.

Security Alerts will be posted on bulletin boards throughout campus, and may also be found on the web at: <https://www.bemidjistate.edu/services/public-safety/alerts/>. Security Alerts will remain posted as long as it is

determined a threat exists, or will be removed after thirty days if no similar incidents occur. Anyone with information warranting a timely warning should report the circumstances to the Department of Public Safety.

## EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Upon confirmation of a significant emergency, or dangerous situation, involving an immediate threat to the health or safety of learners or staff occurring on campus, it is the policy of the Department of Public Safety to make every effort available to contact every learner, staff, and faculty member, unless issuing a notification will compromise the efforts to contain the emergency.

Northwest Technical College has several methods of mass notification. The Department of Public Safety is a user of Blackboard Connect, a system that both calls primary contact phone numbers of learners, staff and faculty as well as sending an instant e-mail to all campus accounts. Blackboard Connect along with Northwest Technical College's evacuation procedures are tested independently several times a year. During Minnesota's Severe Weather Awareness Week a full scale test of all emergency notification systems on campus is conducted.

The information collected and inputted into the Blackboard Connect system is extracted from registration records that individuals provided upon NTC entry. The Blackboard Connect system is only used for purposes of emergency communication and will not be sold or used for marketing or any purpose other than emergency communications. "Emergency communications" is defined to be communication that is vital information to help minimize any significant risk to the health and safety of the community.

### Procedure

Blackboard Connect may be activated by: the Vice President for Finance & Administration, Vice President for Student Development & Enrollment, Vice President of Academic Affairs, Director of Public Safety or designees.

Blackboard Connect is tested once a semester to ensure the system is in good working order and to assist campus community members with emergency preparedness in the event of an actual emergency.

### Registration

1. Learners, faculty and staff are automatically enrolled in Blackboard Connect. Individuals are responsible for providing accurate data. The University assumes no liability or responsibility for improper or outdated data.
2. Learner data is collected from E-services. Every student must assure that their information in E-services is accurate and current for successful Blackboard Connect notification. Students who would like to edit their contact information should log into [MyBSU/MyNTC](#), click on E-services, click on Account Management and then click on Address Info.
3. Faculty and staff data is collected from the BSU/NTC Portal. Faculty and staff who would like to edit their contact information should log into [MyBSU/MyNTC](#), go to Settings in the upper right corner and click on Directory/Contact Info.

Emergency Procedures Guides are distributed to all campus offices, made available via website ([http://www.bemidjistate.edu/offices/environmental\\_health\\_safety/files/BSU-NTC\\_Emergency\\_Procedures\\_Guide\\_2016.pdf](http://www.bemidjistate.edu/offices/environmental_health_safety/files/BSU-NTC_Emergency_Procedures_Guide_2016.pdf)), and are also available upon request. These guides include information on the following: 911 addresses for campus, general emergency procedures, severe weather, medical

emergency, fire or smoke, mechanical/utility, crime reporting, terrorism, violent intruder, suspicious mail, hazardous materials and bomb threat. Also, all new employees are enrolled in a D2L introduction course to campus emergency procedures.

## PREPARING THE ANNUAL DISCLOSURE OF CRIME STATISTICS

It is the policy of Northwest Technical College that the Department of Public Safety is recognized as the office responsible for the collection and publication of crime statistics, as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Statistics in this report are gathered from the following sources: Public Safety Incident Reports, Beltrami County Law Enforcement Records, College Conduct Officials, Campus Security Authorities and Third Party Anonymous Reports.

Statistical information is gathered in two different categories; 1) On-campus 2) Public property that borders campus. In addition, for each of the categories listed, separate statistics are included for crimes classified as hate crimes by the Uniform Crime Reporting system. Hate crimes are reportable crimes where it has been determined that the crime was motivated by a victim's race, gender, religion, national origin, sexual orientation, gender identity, ethnicity or disability.

The statistical information that is required to be published includes:

- Homicide

  - °Murder and Non-Negligent Manslaughter

  - °Negligent manslaughter

- Sex Offenses

  - °Forcible

  - °Non-Forcible

- Robbery

- Aggravated Assault

- Burglary

- Motor Vehicle Theft

- Arson

In addition to the aforementioned crimes, statistics are collected and reported for the following crimes when it is determined that the victim was intentionally selected because of the actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity or disability and of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.

- Larceny-Theft

- Simple Assault
- Intimidation
- Destruction, Damage or Vandalism of Property
- Any Other Crime Involving Bodily Injury

The law further requires that statistical information for the following categories of arrests or referrals for campus disciplinary action if an arrest was not made:

- Liquor Law Violations
- Drug Law Violations
- Illegal Weapons Possession

\* Note: In order to be included as a statistic, a referral for one of the three categories listed above must also constitute a violation of law.

Additionally, statistics for sexual violence are collected and reported.

- Domestic Violence
- Dating Violence
- Stalking

Each year, an e-mail notification is made to all enrolled students, faculty, and staff members that provide the website to access this report. Copies of the Annual Security Report may also be requested by contacting the Department of Public Safety in Walnut Hall, Bemidji State University or by calling (218) 755-3888.

## CAMPUS SECURITY AUTHORITIES

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires the declaration of “Campus Security Authorities.” Campus Security Authorities are defined as, “An official of an institution who has significant responsibility for student and campus activities.” Campus Security Authorities are individuals that reports should be made to, for the purpose of making “Security Alerts” and the annual statistical disclosure. Northwest Technical College has determined that the following positions fit the criteria:

President and Vice Presidents, Faculty Advisors to student groups and organizations, Department of Public Safety employees, Deans, Student Development Officials, and other campus officials who have significant responsibilities for student and campus activities.

## OFF-CAMPUS CRIME

All Northwest Technical College organizations that are off-campus are monitored by the Bemidji Police Department, which shares information with the Department of Public Safety.

The Department of Public Safety includes the off-campus student organizations' crime statistics in its annual report under the classification of "Non-Campus Building or Property". Currently there are no off-campus student organizations recognized by the college.

## CAMPUS PASTORAL AND PROFESSIONAL COUNSELORS

Campus pastoral and professional counselors, when acting as such, are not required to report crimes for inclusion in the Annual Crime Report. As a matter of policy, they are encouraged; if and when they deem it appropriate, to inform individuals being counseled of the procedures to report crimes on a voluntary basis. This would then be included in the statistics of the Annual Crime Report.

A "pastoral counselor" is an employee of the institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

A "professional counselor" is an employee of the institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification

## PUBLIC CRIME LOG

The Bemidji State University Department of Public Safety creates, keeps and maintains a Northwest Technical College public crime log recording all crimes reported to the Department of Public Safety. This log is located at the Northwest Technical College Administrative Office, Room 107.

The Northwest Technical College public crime log contains information regarding the nature, date, time and general location of each crime and disposition of the crime if known for crimes that occur on campus and on public property that borders NTC. Each crime is open to public inspection within two business days of the initial report being made to the Department of Public Safety.

Exceptions to published crimes in the public crime log include where disclosure of such information is prohibited by law or such disclosure would jeopardize the confidentiality of the victim, jeopardize an ongoing investigation or the safety of the individual, cause a suspect to flee or evade detection, result in the destruction of evidence in which such information may be withheld until that damage is no longer likely to occur from the release of such information.

## CRIME REPORT STATISTICS: JANUARY 2013 TO DECEMBER 2015

The following table is the statistical report of crimes that occurred on the Northwest Technical College campus (as reported to the Department of Public Safety and/or the Bemidji Police Department). The table reflects crimes reported for the three calendar years of 2013, 2014 and 2015. The categories of crime are those required by the Clery Act.

NOTE: Northwest Technical College does not have any off-campus student organizations, which would be listed under the category of "Non-Campus Property." Included in "Non-Campus Property" is the Office of Institutional Effectiveness.

**NORTHWEST TECHNICAL COLLEGE CRIME STATISTICS**

	On-Campus			Non-Campus			Public		
	'13	'14	'15	'13	'14	'15	'13	'14	'15
<b>Murder / Non-Negligent Manslaughter</b>	0	0	0	0	0	0	0	0	0
<b>Negligent Manslaughter</b>	0	0	0	0	0	0	0	0	0
<b>Sex Offenses : Forcible</b>	0	0	0	0	0	0	0	0	0
- Rape	0	0	0	0	0	0	0	0	0
- Fondling	0	0	0	0	0	0	0	0	0
<b>Sex Offenses : Non-Forcible</b>	0	0	0	0	0	0	0	0	0
- Incest	0	0	0	0	0	0	0	0	0
- Statutory	0	0	0	0	0	0	0	0	0
<b>Aggravated Assault</b>	0	0	0	0	0	0	0	0	0
<b>Robbery</b>	0	0	0	0	0	0	0	0	0
<b>Burglary</b>	0	0	0	0	0	0	0	0	0
<b>Motor Vehicle Theft</b>	0	0	0	0	0	0	0	0	0
<b>Arson</b>	0	0	0	0	0	0	0	0	0
	On-Campus			Non-Campus			Public		
	'13	'14	'15	'13	'14	'15	'13	'14	'15
<b>Liquor Law Violations : Arrests</b>	0	0	0	0	0	0	0	0	0
<b>Liquor Law Violations : Referrals</b>	0	0	0	0	0	0	0	0	0
	On-Campus			Non-Campus			Public		
	'13	'14	'15	'13	'14	'15	'13	'14	'15
<b>Drug law Violations : Arrests</b>	0	0	0	0	0	0	0	0	1
<b>Drug Law Violations : Referrals</b>	0	0	1	0	0	0	0	0	1
	On-Campus			Non-Campus			Public		
	'13	'14	'15	'13	'14	'15	'13	'14	'15
<b>Weapon Law Violations : Arrests</b>	0	0	0	0	0	0	0	0	0
<b>Weapon Law Violations : Referrals</b>	0	0	0	0	0	0	0	0	0

<sup>1</sup> Petty Misdemeanors including Possession of Small Amount of Marijuana and Possession of Drug Paraphernalia are no longer being reported as criminal arrest statistics, but where applicable are being reported as disciplinary referrals.

<sup>2</sup> The statistics described in this chart are compliant in accordance with the definitions used in the uniform crime reporting system of the Department of Justice and Federal Bureau of Investigation.

<sup>3</sup> Such statistics shall not identify victims of crimes or persons accused of crimes.

## Hate Crime Statistics for 2013, 2014, and 2015

The statistics below have been classified as “Hate Crimes” and are compliant in accordance with the definitions used in the Hate Crime Statistics Act. Hate crimes are defined as crimes in which the victim is intentionally selected because of their actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability of the victim. Such statistics shall not identify victims of crimes or persons accused of crimes.

2015: No (0) Hate Crimes Reported

2014: No (0) Hate Crimes Reported

2013: No (0) Hate Crimes Reported

## Sexual Violence Statistics for 2013, 2014 and 2015

The statistics below have been classified as “Sexual Violence” and are compliant in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)). Sexual violence includes a continuum of conduct that includes sexual assault, non-forcible sex acts, dating and relationship violence, stalking, as well as aiding acts of sexual violence. The statistics below exclude non-forcible and forcible sex offenses as they are listed in the “Northwest Technical College Crime Statistics” chart on the previous page. Such statistics shall not identify victims of crimes or persons accused of crimes.

2015: No (0) Dating Violence, Domestic Violence or Stalking incidents were reported.

2014: No (0) Dating Violence, Domestic Violence or Stalking incidents were reported.

2013: No (0) Dating Violence, Domestic Violence or Stalking incidents were reported.

## LOCATION DEFINITIONS

The following definitions are taken from the Higher Education Act of 1965, 485(f) (20 U.S.C. 1092(f)), the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act”, and are used to classify the locations listed in the “Northwest Technical College Crime Statistics” chart on page 11.

**Campus:** The term “campus” means 1) any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and 2) property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).

**Non-Campus Building or Property:** The term “non-campus building or property” means 1) any building or property owned or controlled by a student organization recognized by the institution; and 2) any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in

relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

**Public Property:** The term "public property" means all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

## CRIME DEFINITIONS

The definitions below are taken from the Federal Bureau of Investigation Uniform Crime Reporting (UCR) Handbook and used to classify the criminal offenses listed in the "Northwest Technical College Crime Statistics" chart on pages 10 and 11.

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

**Manslaughter by Negligence:** 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.

**Forcible Rape:** 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.

**Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly 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:** 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.

**Forcible Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/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.

**Sexual Offenses, Non-forcible:** Unlawful, non-forcible sexual intercourse.

**Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.

**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 health

or great bodily harm. (It is not necessary that injury from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

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

**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.

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

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

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

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

## SEXUAL VIOLENCE DEFINITIONS

The following definitions are used to classify offenses listed in the “Sexual Violence Statistics for 2013” section.

**Sexual Violence:** Sexual violence includes a continuum of conduct that includes sexual assault, non-forcible sex acts, dating and relationship violence, stalking, as well as aiding acts of sexual violence.

**Sexual Assault:** “Sexual assault” means an actual, attempted, or threatened sexual act with another person without that person’s consent. Sexual assault is often a criminal act that can be prosecuted under Minnesota law, as well as form the basis for discipline under Northwest Technical College student conduct codes and employee disciplinary standards. Sexual assault includes but is not limited to: 1) Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as “date rape” or “acquaintance rape.” This definition also includes the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another. 2) Involvement in any sexual act when the victim is unable to give consent. 3) Intentional and unwelcome touching, or coercing, forcing, or attempting to coerce or force another to touch a person’s intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast. 4) Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.

**Dating and Relationship Violence:** Dating and relationship violence includes physical harm or abuse, and threats of physical harm or abuse, arising out of a personal intimate relationship. This violence also may be called domestic abuse or spousal/partner abuse and may be subject to criminal prosecution under Minnesota state law.

**Consent:** Consent is informed, freely given and mutually understood. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious. Silence does not necessarily constitute as consent, and past consent of sexual activities does not imply ongoing future consent. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.

**Non-forcible Sex Acts:** Non-forcible acts include unlawful sexual acts where consent is not relevant, such as sexual contact with an individual under the statutory age of consent, as defined by Minnesota law, or between persons who are related to each other within degrees wherein marriage is prohibited by law.

The following terms “dating violence”, “domestic violence”, and “stalking” were taken from section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).

**Dating Violence:** The term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of the relationship and the frequency of interaction between the persons involved in the relationship.

**Domestic Violence:** The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, 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.

**Stalking:** The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress. For further details on classification of Stalking crimes, please see Minnesota Statutes 609.749.

## ACCESS TO CAMPUS FACILITIES

Access to all Northwest Technical College buildings and facilities are restricted to normal business hours, which is generally from 6:45 a.m. to 10:00 p.m. Monday through Friday during the academic year. Access during summer months and break periods may vary. Use of Northwest Technical College facilities is intended for students, faculty, staff, and authorized visitors. Persons not associated with the college may be asked to leave campus and are subject to legal process if non-compliant.

Access to the building at other hours is limited to those holding college-issued keys or through pre-arrangement with the Director of Facilities for activities approved by the President or Dean or designee. Keys are issued from the Office of the Dean.

Although the Department of Public Safety routinely patrols all campus facilities, it is impossible to maintain a continuous presence in all facilities at all times. Learners, faculty, staff and visitors are urged to take appropriate steps

to insure their own personal safety. Please report suspicious individuals and activities or hazardous conditions immediately to the Department of Public Safety, 755-3888.

## CAMPUS ALCOHOL POLICY AND ENFORCEMENT

Northwest Technical College forbids the use (consumption), possession, manufacture, sale, transportation or furnishing of alcoholic beverages on campus. Northwest Technical College also forbids the maintenance of unlawful drinking places on campus. The prohibition of possession or consumption of alcoholic beverages on campus applies regardless of age. The only exception is authorized use for special (non-student) functions. Only the President may authorize such use.

Any alcohol related violation of law that the Department of Public Safety becomes aware of, will be referred to the Bemidji Police Department. Violations of law regarding underage consumption or possession may, and frequently do result in prosecution. Violators are also subject to fine and imprisonment. In addition to any action taken by local law enforcement authorities, persons found in violation of the campus alcohol policy will be referred to the College Conduct Officer.

## CAMPUS ILLEGAL DRUG USE AND ENFORCEMENT

Northwest Technical College forbids the illegal use, possession, sale, manufacture, or distribution of drugs or actions involving drugs that may involve medical or psychological hazards to individuals, or actions involving drugs that may lead to interference with the rights and privileges of others.

Any use of drugs on campus that is a violation of law that the Department of Public Safety becomes aware of, will be referred to the Bemidji Police Department. Violations of law regarding illegal drugs may, and frequently do result in prosecution. Violators are also subject to fine and imprisonment. In addition to any action taken by local law enforcement authorities, persons found in violation of the campus illegal drug policy will be referred to the College Conduct Officer.

## EDUCATION AND PREVENTION SERVICES AND PROGRAMS: ALCOHOL AND OTHER DRUGS

Primary prevention efforts will be to provide learners with appropriate information and developmental experience necessary to make responsible decisions regarding alcohol and illicit drug use and non-use. Prevention efforts shall address legal, social, and health consequences and that use of illicit drugs and unlawful possession and use of alcohol is wrong and harmful. See the campus counselor for information and assistance. Prevention efforts will include:

- Early identification and intervention efforts providing assistance to learner demonstrating behaviors of concern.
- Crisis intervention procedures for learners experiencing medical emergencies.
- Re-entry to the college support services for learners after completing therapy for drug or alcohol problems.

### Minnesota State Alcohol Violations

Minnesota has many statutes which regulate and control alcohol use and misuse. Fines and penalties are given on the basis of minimum requirements and prior violations. Some crimes and violations are as follows:

**Driving under the influence** (blood alcohol content .08) *First offense*: \$700 fine, max. 90 days in jail, revocation of driver license min. 30 days. *Second offense* (within five years): \$3000 fine, max. One year in jail, revocation of license

min. 90 days. Driving with an alcohol concentration of .04 or more is relevant evidence of whether or not the person is under the influence of alcohol and therefore subject to arrest.

**Implied Consent** By driving a motor vehicle in this state, a person agrees to submit to testing for intoxication.

**Persons under the age of 21** "Not A Drop" Law, If you drink any amount of alcohol and drive, you lose your license in for 30 day on a first offense, 6 months for a second violation in Minnesota. *Misdemeanors*: Consumption and possession unless in parent or guardian's home, purchase or attempts to purchase alcohol, entering licensed premises, misrepresenting age.

**Aiding Minors** Gross *Misdemeanor*: to sell, furnish or give a minor alcohol, to induce a minor to purchase alcohol, to lend or permit use of license to a minor.

**Consent for Sexual Activity** A person under the influence of any amount of an intoxicating substance including alcohol, marijuana, narcotics, or other substances, whether ingestion of the substance is known or unknown, cannot give legal consent for sexual activity. Sexual activity is defined as oral, anal, or vaginal penetration or contact on or near contact of breasts or genitals.

**Misrepresentation of Age** It is unlawful for any person under the age of 21 years to claim to be 21 years old or older for the purpose of purchasing alcoholic beverages.

**Furnishing Alcohol to Persons Under 21** It is unlawful to sell, barter, furnish or give alcoholic beverages to persons under 21. People who are injured by an underage drinker may sue adults who supplied alcohol to the underage drinker.

*A violation of any law regarding alcohol is also a violation of NTC's Code of Conduct and will be treated as a separate disciplinary matter by the college.*

## PROPERTY PROTECTION

- Participate in Operation Identification. Contact the Department of Public Safety, 218-755-3888 for further information.
- Personal property (purses, brief cases, calculators, etc.) should not be left unattended. Take such items with you if you are leaving the office, classroom or residence hall room.
- Lock your door whenever you leave your room or office. Always lock your car doors.
- Protect all valuables in your room or office. Do not leave valuables in plain view.
- Take valuables home with you during vacations.
- You are encouraged to open a savings or checking account rather than allow large sums of money to accumulate in your residence. If you open a checking account, remember the number of the last check written. The theft of a single check can go undetected until a bank statement discloses a forgery.
- Utilize bike racks and always lock your bike. There are several good anti-theft devices available and casehardened heavy locks and chains afford the best protection.

## VEHICLE PROTECTION

- Always lock your car doors and never leave your keys in the vehicle.
- Try to park your car in well-lit areas.
- Avoid leaving property where it's visible; utilize your trunk if necessary.

## PERSONAL SAFETY

- Avoid walking alone at night.
- Refrain from taking short cuts, walk where there is plenty of light and traffic.
- Avoid walking and jogging alone after dark
- Be alert to your surroundings. If you suspect you are being followed, run in a different direction, go to the other side of the street and yell for help, or head quickly for a lighted area or a group of people.
- Watch for suspicious persons in and around college buildings or parking lots. Do not pursue them. Immediately contact the Department of Public Safety (755-3888).
- If you see any suspicious activity or people on or near campus, call the Department of Public Safety (755-3888). Do not assume the person is a visitor or staff member that you have not seen before.

## CAMPUS POLICY ON SEXUAL ASSAULT PROGRAMS AND HARASSMENT

Northwest Technical College follows the Minnesota State Colleges and Universities System's Board Policy 1B.3 Sexual Violence and System 1B.3.1 Sexual Violence Procedure. Complete MnSCU 1B.3.1 procedure can be accessed at: [www.mnscu.edu/board/procedure/1b03p1.html](http://www.mnscu.edu/board/procedure/1b03p1.html).

In support of the system policy, Northwest Technical College reaffirms the policy that sexual violence, sexual harassment, domestic and dating violence, and stalking will not be tolerated and are prohibited at Northwest Technical College. Northwest Technical College is committed to eliminating sexual violence in all forms and every effort will be made to assure that all members of the college community are provided an atmosphere free from sexual assault and harassment. This policy applies to Northwest Technical College students and employees and to others, as appropriate, where incidents of sexual violence on Northwest Technical College property have been reported.

Reports of sexual violence committed by a student at a location other than on Northwest Technical College property are also covered by this policy. Reports of sexual violence committed by a Northwest Technical College employee at a location other than Northwest Technical College property are covered by this policy.

Reports of sexual violence committed on Northwest Technical College property by individuals who are not students or employees are subject to appropriate actions by Northwest Technical College, including, but not limited to, pursuing criminal or civil action against them.

Allegations of discrimination or harassment are governed by Minnesota State Colleges and Universities Board Policy 1B.1.

Northwest Technical College will take appropriate remedial action against any individual found responsible for acts in violation of this policy. Acts of sexual violence may also constitute violations of criminal or civil law, or other Northwest Technical College policies that may require separate proceedings. To further its commitment against sexual violence, Northwest Technical College provides reporting options, an investigative and disciplinary process, and prevention training as appropriate.

## SEXUAL ASSAULT PROGRAMS AND PROCEDURES DEFINITIONS

**Northwest Technical College Property:** "Northwest Technical College property" means the facilities and land owned, leased, or under the primary control of Northwest Technical College.

**Employee:** "Employee" means any individual employed by Northwest Technical College including student workers.

**Student:** The term “student” includes all persons who: 1) Are enrolled in one or more courses, either credit or non-credit through a college or university. 2) Withdraw, transfer or graduate, after an alleged violation of the student conduct code or; 3) Are not officially enrolled for a particular term but who have a continuing relationship with Northwest Technical College or; 4) Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid or; 5) Are not Northwest Technical College employees and are not enrolled in the institution but live in a Bemidji State University residence hall..

## SEXUAL VIOLENCE PREVENTION PROGRAMS AND EDUCATION

To prevent sexual violence, educational efforts have been undertaken to inform employees and students of their responsibilities regarding such behavior, how to identify and eliminate potential sexual assault and harassment and what steps can be taken if instances of sexual assault and harassment are experienced.

Northwest Technical College conducts a number of programs aimed at preventing sexual offenses to prevent domestic violence, dating violence, sexual assault, and stalking as well as making the community aware of the potential of such crimes. These programs include nightly security patrols of the campus, campus escorts, Security Alerts, and campus inspections designed to identify and correct facility and grounds deficiencies. All new students are required to attend “Responsible Men Responsible Women”, which provides information about many different aspects sexual violence. In addition the Department of Public Safety, Health Services and the Counseling Center, provides educational staff training and student programs pertaining to sexual assault awareness. Literature on sexual assault reporting, risk reduction and college response is available at the Department of Public Safety.

A guiding principle in the reporting of sexual assault is to avoid re-victimizing the sexual assault survivor by forcing the person into any plan of action. Sexual assault survivors may contact any of the several Northwest Technical College departments or community services listed further in this report for assistance. These resources provide immediate aid or on-going consultation for survivors of sexual assault.

## PROCEDURE FOR REPORTING SEXUAL ASSAULT

If you are a victim of a sexual assault your first priority should be to get to a safe place. If you are on campus, contact the Department of Public Safety (218-755-3888) or the Bemidji Police Department (218-333-9111) as soon as possible after the offense. Timely and prompt reporting of a sexual assault within 72 hours is critical in collecting and preserving evidence important in proving a criminal case against the assailant. Do not bathe, douche, use the toilet, or change clothing. Note everything about the location. If you have been the victim of a sexual assault, you should seek medical attention from the Sanford Bemidji Hospital (218-751-5430) immediately regardless of whether you report the matter to the police.

You may file a police report with the appropriate law enforcement agency. For on campus incidents, contact the Bemidji Police Department (218-333-9111). If you would like assistance in filing a police report, the Department of Public Safety or other campus office(s) can assist you. Filing a report with the Department of Public Safety will not obligate you to pursue prosecution, nor will it subject the victim to scrutiny or judgment. Filing a report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim.
- Provide the opportunity for collection of evidence that is helpful for prosecution, and cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change prior to a medical exam).

- Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual crisis intervention.

Every attempt is made to maintain the anonymity of the sexual assault survivor. Every attempt will be made not to release names to the media, unless requested by the sexual assault survivor. Names and addresses of survivors are shared with the Bemidji Police Department. The Department of Public Safety will attempt to provide support and advice for sexual assault survivors. Each report of sexual assault will be investigated in order to provide better protection for the survivor of a sexual assault and all members of the campus community. Sexual assault survivors should be aware of the college’s responsibility to release information regarding the fact that an assault occurred for the protection and safety of others.

The Department of Public Safety is the office of official record for reports of sexual assault, as it is in all reported law violations. Learners, faculty and staff are encouraged to contact the Department of Public Safety to report any information regarding assaults.

Sexual assault survivors have the right to make anonymous (third-party) reports to the Department of Public Safety. Third party reports may prevent the college and the Bemidji Police Department from actively investigating the criminal activity.

Counseling and medical services are available off campus. The Department of Public Safety has information on additional resources including the Support Within Reach Sexual Violence Resource Center available to victims of sexual violence both on campus and in the community.

If you are the victim of a sexual assault, Northwest Technical College encourages you to contact one or more of the following:

#### RESOURCES ON CAMPUS

Public Safety	218-755-3888
Affirmative Action	218-755-4121

#### RESOURCES OFF CAMPUS

Bemidji Police Emergency	911
Bemidji Police Non-Emergency	218-333-9111
Sexual Assault Program	218-444-9524 or 1-800-708-2727
Sanford Hospital	218-751-5403

If the Director of Public Safety (or a designee) determines that a threat continues to exist for the campus community, information about the reported sexual assault will be reported to the community whether reported by a sexual assault survivor or through a third-party report. Taking care to protect the identity of the survivor, as much detail as possible regarding the incident will be released, such as location, date, time, and information that might help identify the assailant. The Department of Public Safety will inform the campus community of the reported sexual assault by posting “Security Alerts.”

Each report will be taken as presented by the complainant and will withhold the name of the victim as confidential. Appropriate criminal classifications will be determined after a review of all the facts presented.

In order to reduce contact between the victim and the alleged assailant, Northwest Technical College will, at the request of the survivor, attempt to provide a change in classes, academic schedules, dormitory rooms, transportation or working arrangements as applicable and take other appropriate remedial measures. Northwest Technical College will provide written notice to victims of these options. The options are available to victims regardless of whether the victim chooses to report the crime to law enforcement or campus authorities.

You have the right to petition for an Order for Protection (OFP) or a Harassment Restraining Order (HRO), the Department of Public Safety has information available on where to file for and request an OFP or HRO. Northwest Technical College may take actions it deems necessary or appropriate in response to all protection, restraining or no contact orders.

You may contact the Minnesota Crime Victims Reparations Board at 651-201-7300. The Crime Victims Reparations Board provides financial help to victims and their families for losses incurred as a result of a violence crime. You may also visit <https://dps.mn.gov> for additional information.

Northwest Technical College will provide written notification to the victim of physical health, mental health, victim advocacy and other support services available in the community as noted above as well as written explanation of his or her rights and options under Northwest Technical College Sexual Violence policy.

Northwest Technical College will take appropriate action to safeguard the survivor and, at the same time, protect the rights of the alleged perpetrator.

Northwest Technical College will normally not take any disciplinary action against a member of the campus community without a written complaint and the assistance of the complainant in the disciplinary process, unless the college determines there is a clear danger to the victim or the college community.

## **CAMPUS DISCIPLINARY ACTION, SEXUAL ASSAULT**

Victims of sexual assault or those witnessing any type of sexual violence or relationship violence are strongly encouraged to report the incident to the Department of Public Safety (218-755-3888), the Bemidji Police Department (218-333-9111), a Campus Security Authority, or the Affirmative Action Officer/Title IX Coordinator (218-755-4121). The Department of Public Safety is the office of official record for reports of sexual assault, as it is in all reported law violations. A report with the Department of Public Safety can ensure that proper steps are taken to ensure the safety of the survivor as well as the safety of the campus community as a whole. Filing a report with the Department of Public Safety can also initiate the Northwest Technical College disciplinary process, and is an option for any person wishing to report a case of misconduct.

The college will take appropriate action to safeguard the survivor and, at the same time, protect the rights of the alleged perpetrator.

The college will normally not take any disciplinary action against a member of the campus community without a written complaint and the assistance of the complainant in the disciplinary process, unless the college determines there is a clear danger to the victim or the college community.

Because of laws concerning government data contained in the Minnesota Government Data Practices Act, Northwest Technical College cannot guarantee confidentiality to those who report incidents of sexual violence except where those reports are privileged or confidential communications with licensed health care professionals or similar professionals.

In order for Northwest Technical College to proceed with an investigation, a complaint whether by victim or third party must be filed with the College Conduct Officer. Reports made through the Department of Public Safety will be forwarded to the Bemidji Police Department. After receiving a report/complaint, the Affirmative Action Officer/Title IX Coordinator, who must receive annual investigatory training, shall take the steps listed below to insure a prompt, fair, and impartial process following Minnesota State Colleges and Universities Board Policy 1B.3 Sexual Violence and System Procedure 1B.3.1 Sexual Violence Procedure:

1. Conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings. Both the complainant and respondent are allowed to have an advisor accompany them through the process. The advisor, however, will not normally be allowed to participate in questioning involving a student;
2. Investigate the complaint without identifying the complainant if, in the judgment of the designated officer, this would increase the likelihood of satisfactory resolution of the complaint;
3. The past sexual history of the complainant and respondent shall be deemed irrelevant except as that history may directly relate to the incident being considered;
4. Inform the complainant, respondent, witnesses and other involved individuals of the prohibition against retaliation and reprisal;
5. Create, gather and maintain investigative documentation as appropriate;
6. Disclose appropriate information to others only on a need to know basis consistent with state and federal law; and provide a data privacy notice (Tennessee warning) in accordance with state law;
7. Inform the complainant and respondent of the status of the investigation at reasonable times until final disposition of the complaint;
8. Conduct further investigation as deemed appropriate by the designated officer;  
prepare an investigation report for review by the decision-maker;
9. Take additional investigative measures as requested by the decision-maker;
10. Provide sufficient information to the respondent consistent with federal and state data privacy laws to allow the respondent to respond to the substance of the complaint;
11. Notify both the victim and the accused party in writing of the outcome of the investigation;
12. Provide the investigation report to the complainant or respondent upon request unless the information is protected under state or federal law.

Northwest Technical College will complete an investigation and issue a written response within

60 days after a complaint is made, unless reasonable cause for delay exists. Northwest Technical College will notify the complainant and respondent if the written response is not expected to be issued within the 60 day period.

The complainant and the respondent may appeal the decision of the decision-maker. An appeal must be filed in writing with the president or designee within ten (10) business days after notification of the decision. During the pendency of the appeal disciplinary or corrective action taken as a result of the decision shall be enforced. In addition,

in cases involving sanctions of suspension for ten (10) days or longer, students shall be informed of their right to a contested case hearing under Minnesota Statutes, Chapter § 14.

Northwest Technical College uses a preponderance of the evidence standard of evidence in determining violations of its Sexual Violence policy.

Students who are found to have violated the Sexual Violence policy could face sanctions up to and including suspension or expulsion from Northwest Technical College. Employees found to violate the policy may be disciplined up to and including termination.

During and upon completion of the complaint process, the complaint file shall be positing in a secure location at the Affirmative Action Officer/Title IX Coordinator's office . Access to the data shall be in accordance with the respective collective bargaining agreement or personnel plan, the Minnesota Government Data Practices Act, the Family Educational Rights and Privacy Act or other applicable law.

## CAMPUS DISCIPLINARY ACTION

The Northwest Technical College disciplinary process is an option for any person wishing to report a case of student misconduct or violation of the campus Code of Conduct. In order for the College to proceed with the conduct process, a written complaint (whether by the victim or a third party) must be filed with the College Conduct Officer. If the complaint is criminal in nature, it will be forwarded to the Department of Public Safety. The Department of Public Safety will inform local law enforcement officials of the complaint. Northwest Technical College will, upon written request, disclose to the alleged victim of a crime of violence, or non-forcible sex offense, the results of any disciplinary hearing conducted by the College against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Northwest Technical College will provide the results of the disciplinary hearing to the victim's next of kin if so requested.

## CAMPUS CODE OF CONDUCT

The following information was taken directly from the Northwest Technical College Code of Conduct, which is available in its entirety from the Student Development & Enrollment, Deputy Hall, 755-2075

### A. Jurisdiction of the College Learner Code

The college Learner Code shall apply to conduct that occurs on college premises, at college sponsored activities, and to off-campus conduct in the following circumstances:

1. Hazing is involved;
2. The violation is committed while participating in a college sanctioned or sponsored activity;
3. The victim of the violation is a member the college community;
4. The violation constitutes a felony under state or federal law; or
5. The violation adversely affects the educational, research, or service functions of the college.

The administrator shall decide whether the Learner Code shall be applied to conduct occurring off-campus, on a case by case basis, in his/her sole discretion.

Allegations of discrimination, harassment, and sexual violence shall be resolved pursuant to Board Policy 1B.1, Nondiscrimination in Employment and Education Opportunity (see [NTC Policy 1030-1-01](#)), System Procedure 1B.1.1, Report/Complaint of Discrimination/Harassment Investigation and Resolution, Board Policy 1B.3, Sexual Violence Policy (see

NTC Policy 1032-1-01), System Procedure 1B.3.1, Sexual Violence Procedure. Allegations of fraud or dishonest acts shall be resolved pursuant to Board Policy 1C.2, Fraudulent or Other Dishonest Acts (see [NTC Policy 1036-1-01](#)).

## **B. Conduct - Rules and Regulations**

Any learner found to have committed or to have attempted to commit the following misconduct *in circumstances falling under the jurisdiction of this code* may be subject to the disciplinary sanctions outlined in Article III:

1. Acts of dishonesty, including but not limited to the following:
  - a. Cheating, plagiarism, or other forms of academic dishonesty;
  - b. Furnishing false information to any college official, faculty member, or office;
  - c. Forgery, alteration, or misuse of any college document, record, or instrument of identification.
2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other college activities, including its public service functions on or off campus, or of other authorized non-college activities when the conduct occurs on college premises.
3. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct which threatens or endangers the health or safety of any person.
  1. Attempted or actual theft of and/or damage to property of the college or property of a member of the college community or other personal or public property, on or off campus.
  2. Hazing.
  3. Failure to comply with directions of college officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
  4. Unauthorized possession, duplication or use of keys to any college premises or unauthorized entry to or use of college premises.
  5. Violation of any college or board policy, rule, or regulation published in hard copy or available electronically on the college or MnSCU Web site.
  6. Violation of any federal, state or local law.
  7. Use, possession, manufacturing, or distribution of marijuana, heroin, narcotics, or other controlled substances except as expressly permitted by law.
  8. Use, possession, manufacturing, or distribution of alcoholic beverages (except as expressly permitted by college or MnSCU regulations), public intoxication, or violation of Board Policy 5.18 and System Procedure 5.18.1 on Alcoholic Beverages and Controlled Substances on Campus. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age.
  9. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on college premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others.
  10. Participating in an on-campus or off-campus demonstration, riot or activity that disrupts the normal operations of the college and/or infringes on the rights of other members of the college community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.
  11. Obstruction of the free flow of pedestrian or vehicular traffic on college premises or at college sponsored or supervised functions.

12. Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on college premises or at functions sponsored by, or participated in by, the college or members of the academic community. Disorderly conduct includes but is not limited to: any unauthorized use of electronic or other devices to make an audio or video record of any person while on college premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom.
13. Any violation of the College Computer Use Policy or Board Policy 5.22 and System Procedure 5.22.1 on Acceptable Use of Computers and Information Technology Resources (see [NTC Policy 5200-1-01](#)).
17. Abuse of the learner conduct system, including but not limited to:
  - a. Failure to obey the notice from a learner conduct panel or college official to appear for a meeting or hearing as part of the learner conduct system;
  - b. Falsification, distortion, or misrepresentation of information before a learner conduct panel;
  - c. Disruption or interference with the orderly conduct of a learner conduct panel proceeding;
  - d. Institution of a learner conduct code proceeding in bad faith;
  - e. Attempting to discourage an individual's proper participation in, or use of, the learner conduct system;
  - f. Attempting to influence the impartiality of a member of a learner conduct panel prior to, and/or during the course of the learner conduct panel proceeding;
  - g. Harassment (verbal or physical) and/or intimidation of a member of a learner conduct panel prior to, during, and/or after a learner conduct code proceeding;
  - h. Failure to comply with the sanction(s) imposed under the Learner Code;
  - i. Influencing or attempting to influence another person to commit an abuse of the learner conduct code system.

### **C. Violation of Law and College Discipline**

College disciplinary proceedings may be instituted against a learner charged with conduct that potentially violates both the criminal law and this Learner Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Learner Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the administrator. Determinations made or sanctions imposed under this Learner Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of college rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

### **CAMPUS SEX CRIMES PREVENTION ACT**

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, went into effect October 28, 2002. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, volunteers services or is a student.

The Minnesota Bureau of Criminal Apprehension administers a predatory offender registration and tracking program. Any questions regarding the program may be directed to the Criminal Assessment Program at 888-234-1248 or 651-603-6748. Information regarding this program can be found at the following website:

<http://www.dps.state.mn.us/bca/invest/documents/page-07.html>

In addition, information regarding registered sex offenders may be obtained through the Minnesota Department of Corrections at 651-642-0200. An offender locator, for offenders that have the highest risk for re-offense, can be accessed from the Minnesota Department of Corrections website:

<http://www.doc.state.mn.us/level3/search.asp>

# Visit the Department of Public Safety

website at:

<https://www.bemidjistate.edu/services/public-safety/>



\*Note: Northwest Technical College is committed to a policy of nondiscrimination in employment and education opportunity. No person shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in, programs, services, and activity in a local commission as defined by law. Inquiries regarding compliance, rights and other information may be addressed to the Affirmative Action Officer/Americans with Disabilities Coordinator at 218-755-4121.