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# CANKDESKA CIKANA COMMUNITY COLLEGE

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*Spirit Lake Dakota Nation*

214 First Avenue  
PO Box 269  
Fort Totten, North Dakota 58335  
Phone: 701-766-4415  
Web: [www.littlehoop.edu](http://www.littlehoop.edu)

Clery Compliance &  
Campus Security Report  
2023

Includes Drug & Alcohol  
Prevention Program



# Welcome

Cankdeska Cikana Community College is committed to providing you with a quality educational experience. The faculty, administration and staff are partners with students in this effort. There are many services, resources and information available to assist you. The following pages provide Cankdeska Cikana Community College's annual compliance and security reports. This information is distributed to all registered students and current employees annually in compliance with several federal and state laws including the Drug-Free Schools and Community Act, the Student Right to Know, the Campus Security Act, the Drug-Free Workplace Act and the Family Educational Rights and Privacy Act, and is available to prospective students and employees upon request. All students and staff are encouraged to familiarize themselves with these compliance reports. In addition, other important information on topics that contribute to a positive campus environment is presented. Additional important information appears in the Cankdeska Cikana Community College catalog.

We sincerely want you to have a positive learning experience at the College. If you have any questions about this document or other issues related to the College, please feel free to contact the Dean of Student Services at Office at A-124 or at 701-766-1137.

DeLana McLean, Dean of Student Services

Preparer of 2023 Campus Security Report

Cankdeska Cikana Community College prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our website at [Campus Crime](#) you will also be able to connect to our site via the CCCC Home page at [www.littlehoop.edu](http://www.littlehoop.edu). This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and various related departments on campus. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Campus crime, arrest and referral statistics include those reported to local law enforcement agencies, campus security authorities (including but not limited to administration, deans, and advisors to students/organization,) and campus security. These statistics may also include crimes that have occurred in private residences or businesses and is not required by law. The office of Student Services on campus informs students of the procedures to report crime to local law enforcement on a voluntary or confidential basis, should they feel it is in the best interest of the client.

Each year, notification is made to all enrolled students that provide the web site to access this report. Faculty and staff receive similar notification. The annual Clery Compliance & Campus Safety and Security Report, including the Drug & Alcohol Prevention Program is published for viewing and printing on the college web site at this location: [Campus Crime](#)

The annual Clery Compliance & Campus Safety Report are available at all times to all students and employees on the college website. Printed copies of the report are available on campus in the Valerie Merrick Memorial Library, President's Office, Academic Dean Office, Student Service Office, and Human Resources Office and at the Security Office.

All Clery Act geography is located on the campus of Cankdeska Cikana Community College as shown below.



# Campus Security Report

The Dean of Student Services located in the Student Services department at Cankdeska Cikana Community College prepares this report to comply with the Jeanne Celery Disclosure of Campus Security Policy and Crimes Statistics Act of 1998. This report is prepared in cooperation with local law enforcement agencies responsible for our campus locations. Internally, departments such as Campus Security, Student Services, Academic Affairs, Human Resources, and others provide information to comply with the Act. Campus crime, arrest and referral statistics include those reported to Cankdeska Cikana Community College's Dean of Student Services, designated campus officials, and local law enforcement agencies.

Pursuant to the Student Right to Know and Campus Security Act, Cankdeska Cikana Community College monitors criminal activity, publishes this report, and maintains a three-year statistical history on the main campus and at off campus property locations or facilities owned or used by Cankdeska Cikana Community College.

The annual report includes reported crimes alleged to have occurred on the campus, at facilities owned or used by Cankdeska Cikana Community College and/or recognized student organizations/clubs and the immediately adjacent surrounding public area. The Dean of Student Services serve as the primary liaison between the college and all law enforcement agencies. In order to accurately report crimes alleged to have occurred on public areas immediately adjacent to the campus, the Dean of Student Services annually requests crime statistics from local law enforcement agencies. A record of these inquiries is housed in the Dean of Student Service's Office.

The annual report includes the following reports of crime:

- Murder and non-negligent manslaughter
- Negligent Manslaughter Sex offenses
- Forcible
- Non-Forcible
- Robbery
- Aggravated Assault
- Burglary
- Arson
- Motor Vehicle Theft

The report also includes arrests or persons referred for campus disciplinary action for the following:

- Liquor law violations
- Drug abuse violations
- Weapons possession
- Hate crimes
- Prejudice National origin
- Gender identity
- Non-prejudice
- Domestic violence
- Dating violence
- Stalking

In addition to the crimes described above, other reported crimes involving bodily injury to any person, and reported crimes of larceny-theft, simple assault, intimidation, and destruction/ damage/vandalism of property in which the victim

is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim must be reported as hate crime statistics, and are recorded as such in this report whether it is an on or off campus crime.

Cankdeska Cikana Community College will notify employees, current students and prospective students of the availability of this report and will provide a copy of the report upon request.

Printed copies of the report are available on campus in the Valerie Merrick Memorial Library, President's Office, Academic Dean's Office, Student Services Office, and Human Resources Office and at the Security Office. It can be obtained online at: [Campus Crime](#).

## To report a crime

Contact the Dean of Student Services, DeLana McLean 701.766.1137 or [delana.mclean@littlehoop.edu](mailto:delana.mclean@littlehoop.edu). You may also file a report electronically at the following link: [Campus Crime](#). This form can be found on the Cankdeska Cikana Community College website under the heading "Report a Crime".

Everyone on campus is encouraged to immediately report any criminal activity to the Dean of Student Services Department and/or the Fort Totten Police Department. Please notify Dean of Student Services anytime 911 services are requested (fire, police or ambulance) on campus.

In addition to the Dean of Student Services, you may also report crimes to the following individuals:

- Academic Dean: Jackie Lampert 701.766.1138 [jackie.lampert@littlehoop.edu](mailto:jackie.lampert@littlehoop.edu)
- Dean of Administration: Stuart Young 701.766.1321 [stuart.young@littlehoop.edu](mailto:stuart.young@littlehoop.edu)
- Campus Security: Michael Tollefson 701.766.1345 [michael.tollefson@littlehoop.edu](mailto:michael.tollefson@littlehoop.edu)
- Financial Aid Director: Lindsey OneBear 701.766.2370 [lindsey.onebear@littlehoop.edu](mailto:lindsey.onebear@littlehoop.edu)
- Math Coach: Marliss Platz 701.766.1317 [marliss.platz@littlehoop.edu](mailto:marliss.platz@littlehoop.edu)
- Land Grant Director: Jessica Fish 701.766.1325 [jessica.fish@littlehoop.edu](mailto:jessica.fish@littlehoop.edu)
- Student Senate Advisor: Darica Deckert 701.766.1376 [darica.deckert@littlehoop.edu](mailto:darica.deckert@littlehoop.edu)
- Admissions Coordinator/Student Senate Advisor: DeShawn Lawrence 701.766.1374 [deshawn.lawrence@littlehoop.edu](mailto:deshawn.lawrence@littlehoop.edu)

## Campus Security Report Compliance Officer

Michael Tollefson, Head Security Officer

Office F-114 (701) 766-1345

## Maintenance of Daily Crime Log

On campus security will keep and maintain an easily understood crime log, recording all crimes reported to the Cankdeska Cikana Community College security. The crime log will include information such as the nature, date, time, and general location of each crime on campus, and the disposition of the complaint if known.

All entries shall, except where disclosure of such information is prohibited by law or such disclosure would jeopardize the confidentiality of the victim, be open to public inspection during normal business hours. 8-4:30 P.M. Monday -Friday

The campus security crime report log is located in the security office located in Office F-114 and may be requested for review at any time during regular business office hours Monday through Friday 8 a.m. to 4:30 p.m.

# **Emergency Response and Timely Warnings**

In the event of an emergency incident affecting campus, Cankdeska Cikana Community College will, without delay and considering campus safety make the best effort possible to assist victims or contain/respond/mitigate the emergency. Campus Security and college leadership consisting of two or more of the emergency alert designees will quickly confer in person or via technology to assess the situation and determine a timely and appropriate action, including if an emergency alert will be distributed. The small group of designees will determine the method of communication depending on the immediacy/severity of the current situation. Delivery methods can be but not limited to a written notice, campus email messages, notice on college web site, telephone intercom, or initiating an emergency alert using the e2Campus Alert System.

Upon determining the need to issue an emergency alert, this group will identify the content of the notification (i.e. weather conditions cause campus closing; person with weapon on campus, etc.) and then will share that information with all of the emergency alert designees, who will then use the order of designee responsibility to initiate and distribute the emergency alert message in a timely manner.

## **Emergency Alert System**

The e2Campus Alert System is the emergency notification messaging system used by Cankdeska Cikana Community College. The system uses text, voice, and/or email messaging to notify students and employees of campus-related emergencies.

The e2Campus Alert System is an opt-in system and students and employees must register in order to receive emergency alerts. In the event of an emergency, a text and/or voice message will be sent to the phone number and/or an email will be sent to the email address provided.

Cankdeska Cikana Community College students are asked to sign-up for the e2Campus Alert System during new student orientation and employees are asked to register during new employee orientation and/or staff duty day meetings.

In the event of an actual emergency the campus community will be notified through phone, e-mail, and the Cankdeska Cikana Community College website. Students should take responsibility for regularly checking their e-mail. In order to receive campus wide email announcements, all students must have a college email account, which may be obtained from the Dean of Administration in the Fine Arts & Technology wing of the college. All students have an opportunity to sign up for e2Campus Alert System at orientation, the signup notification is run regularly on the electronic message boards, paper flyers are hung on campus bulletin boards, and emails such as the following are periodically sent out.



***Reminder:***

All students, faculty, and staff are encouraged to sign up for the emergency notification system to receive text, voice, and email alerts of campus-wide emergencies and school closings. The emergency notification system is an opt-in system and students must register to receive alerts. Students are encouraged to sign up for this service to keep informed of campus wide emergencies. If you have questions, don't hesitate to contact IT.

The emergency alert system will be used only when necessary in emergency situations affecting the campus, which may include:

- campus closure due to weather
- campus closure due to building infrastructure issue (no water, no electricity, etc.)
- tornado warning issued for Fort Totten area (automated alert via NOAA service)
- crisis situations on campus (person with weapon, violence/riot, chemical hazard, etc.)
- other emergency situations deemed appropriate by the college president and designees.

The emergency alert system will not be used for general announcements such as daily class cancellations or specific event cancellation, slippery roads/current weather conditions, campus news updates, or other information not vital to the immediate safety of students and employees.

## **Emergency Alert Designees**

The following employees are designated as administrators of the e2Campus Alert System and have access to sending emergency alerts. The Dean of Administration is the primary person who will send alerts as directed. The following order of responsibility lists that will send an emergency alert, based on availability/access to technology/situational presence factors:

1. Dean of Administration (Stuart Young)
2. Dean of Student Services (DeLana McLean)
3. Academic Dean (Jackie Lampert)

### ***Timely Warning***

The Dean of Student Services is responsible to issue a timely warning, or “Crime Alert” to members of the campus community in cases of reported immediate threat such as murder, non-negligent manslaughter, negligent manslaughter, sex offenses (forcible or non-forcible), robbery, aggravated assault, burglary, arson, motor vehicle theft and any bias-motivated crimes.

Timely Warnings or “Crime Alerts” are used to inform the community that an incident has been reported. Crime Alerts will contain general information about the incident and how incidents of a similar nature might be prevented. In such cases warranting a timely warning, the campus community will be made aware of the crime via “Crime Alerts” which will be sent out via campus email. The identity of the victim will be withheld to ensure confidentiality. In the instance of an immediate threat to campus, requiring an urgent timely warning, Crime Alerts will be distributed utilizing the emergency notification system, e2Campus Alert System. The e2Campus Alert System (e2Campus) can

send phone, email, and SMS Text messages for three different points of contact for every individual in the system. All campus community members can choose to be enrolled in the e2Campus Alert System.

Additionally, if deemed prudent and necessary, the college may utilize other methods of communication such as the campus website, campus social media pages, campus electronic message boards, and campus email system to expedite the communication process. Records of all timely warnings issued will be maintained by the Dean of Student Services (or designee). The e2Campus Alert System operation was verified with test messages being sent out. The system will be tested again in November 2017.

## **Emergency Response and Evacuation Procedures**

The campus is comprised of two main buildings, the academic building and maintenance shop. The childcare center is a separate area that is directly attached to the main academic building.

These procedures are intended for staff, student, and visitor use in all college-owned facilities and holdings. They do not apply to college vehicles during use or to employees on approved college business away from campus.

The Campus Safety Department is the main resource responsible for emergency response and evacuation procedures. The Campus Safety Department may be augmented by other areas or groups.

The Campus Safety Department is comprised of Facilities Manager, Head Security Officer and Security Officers. The Campus Safety Department was created to assist incident response and if appropriate, initiate the emergency notification system and begin the transition to emergency operations.

## **Procedures**

Contact the Campus Security Department (701) 766-1345 or Facilities Manager immediately at (701) 766-2384 whenever an emergency occurs on campus.

Upon arrival, security officers will confirm the reported incident, assess the situation and determine if additional resources are necessary to resolve the situation.

If the incident is determined to be a significant emergency that will impact the campus community, the Administrative Team will be activated to respond. The administrative team includes the following:

- DeLana McLean, Dean of Student Services 701.766.1137
- Jackie Lampert, Academic Dean 701.766.1138
- Stuart Young, Dean of Administration 701.766.1321

Without delay Cankdeska Cikana Community College will, at the determination of the President of CCCC (or the designee), notify the campus community when a significant emergency or dangerous situation occurs involving an immediate threat to the health and safety of the campus community.

If deemed prudent, the campus emergency notification system will be utilized to inform the greater campus community of a continued or on-going emergency.

Information regarding the emergency may also be posted on the Cankdeska Cikana Community College website, electronic message boards and/or through the office of President as appropriate to inform the larger community. The President of CCCC along with other lead administrators will determine which information must be included in the



notification to ensure that the campus community is adequately informed of the incident. If certain information will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to or otherwise mitigate the emergency, the notification may be delayed.

## **Emergency response exercises are conducted annually**

All faculty, staff and students should learn the evacuation routes for all campus locations they frequently occupy. Evacuation maps and information are posted throughout the campus. Emergency response and evacuation procedures will be disseminated as appropriate prior to or after any drill events. Drills may cover a range of scenarios including, fire, severe weather, active shooter, bomb threat, etc. If public safety, law enforcement or fire department personnel are on scene, follow their directions. Documentation of such drill activity will be maintained by the Campus Security Department.

In most emergencies the campus will use the e2campus emergency notification system to provide instructions to individuals on campus on proper emergency protocol.

Special instructions for evacuation of students with disabilities who are known to need assistance with evacuation (i.e. students registered with the Office for Students Services) are available as needed. The last drill in 2022 was conducted on July 1<sup>st</sup>.

## **Fire Evacuation Procedures**

- Flashing strobe lights and emergency sirens will sound in the event of a fire. Calmly exit the building via the nearest exit
- Do not use elevators
- Campus Security and assigned staff will provide direction and assistance
- Evacuate to a safe distance and remain outside until the all-clear message is given.
  
- Severe Weather Shelter Procedures
- Calmly proceed to the designated severe weather shelter area.
- Campus Security and assigned staff will provide direction and assistance Remain in the severe weather shelter area until the all-clear message is given.

## **Campus Lockdown Procedure**

In the event of an emergency or incident which has the potential for direct or immediate harm to the campus community the Campus Security may lockdown the campus and the Police Department will be notified.

Administration will issue alerts via the e2Campus emergency notification system to advise the campus of the lockdown.

- Proceed to the nearest classroom or enclosed area and secure yourself inside
- Shut off all sources of light (i.e. lights, computer monitors, television screens, etc.) Stay away from windows and doors
- Remain calm and quiet
- Wait for instructions from security or law enforcement

If you require additional information about the plan or an explanation of duties, please contact Michael Tollefson, Head Security Officer, at 701-766-1345.

## Emergency response and evacuation plan review

Emergency response and evacuation plans are maintained as long as Cankdeska Cikana Community College conducts business that may be adversely affected by emergency conditions or situations. This plan should be considered dynamic and under continual review. Review of the written procedures will be completed annually. Superseded copies of this plan will be retained for five years as required by the records retention schedule. Copies of this plan will be maintained in the Campus Security Office. The Campus Security Office is responsible for this plan. As a result of this review and evaluation, Cankdeska Cikana Community College will amend this plan periodically to include updated controls and technology. The plan will also be revised after significant incidents by incorporating:

(1) the details of the event, (2) an evaluation of the cause of the event, and (3) corrective actions implemented necessary to prevent a recurring event. A material change in the structure of the plan will require full review by the President or Designee.

## Emergency response notification

Emergency contact phone numbers are posted in multiple locations on campus.

**In case of an emergency**, dangerous situation, fire or to report suspicious activity, do not hesitate to **call 911 first** and then notify a campus official.

Non-Emergency	Campus Security 701-766-1345 Cell 701-230-8933
Main Switchboard	701-766-4415
Dean of Student Services	701-766-1137
Academic Dean	701-766-1338
Dean of Administration	701-766-1321
Facilities Department	701-766-2384
Facilities Manager	701-351-5848
Poison Control Center	1-800-222-1222
AMBULANCE	701-766-4223
Benson County Sherriff	701-473-5357
BIA	701-766-4231
Clinic (Fort Totten)	701-766-1600
FIRE	911
Fort Totten Emergency Management	701-766-1214
Fort Totten Mental Health	701-766-1613
Lake Region Human Services	701-665-2200
CHI St. Alexius Hospital	701-662-2131

## **Content of Emergency notification**

It is always the college's intent to be forthright and timely in its communications with the college community, the media, and the public at large. Decisions regarding this communication will be guided by due concern for the right to privacy, personal security, legal liability, and the public's legitimate right to be informed. All media inquiries will be referred without comment to the college President or Designee. The official spokesperson for the college is the college President. Only the official spokesperson (President) and the designated alternate (as named/ identified by the President) will articulate the college's position upon authorization of and as directed by the President through news outlets in the local area.

## **Student Evacuation**

Through the e2Campus Alert System, students will receive an emergency text, email and/or phone call notifying them of the time and location of an evacuation meeting. At the meeting, the logistics of the evacuation will be covered.

## **Aftermath Plans**

Once the emergency has passed, the President will determine when it is safe to return to campus. Post-emergency response teams will inspect all buildings, grounds, and utilities for damages.

## **Notification to the Spirit Lake Tribe and Cankdeska Cikana**

### **Community College Community at large of a Threat**

The Campus Security Office and Administration receive information from various offices/ departments on campus, such as safety, Maintenance, etc. If CCCC confirms there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the community, the President or designee will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the community or the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. The President or designee will, without delay and considering the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including but not limited to: Fort Totten Police, Spirit Lake Fire Department and Spirit Lake Emergency Medical Services) compromise the efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

In the event of a serious incident that poses an immediate threat to members of the CCCC community, the college has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the CCCC campus community. These methods of communications include e2Campus Alert System, phone intercom, email, emergency texts messages and emergency messages on monitors located in campus common areas. The college will post updates during a critical incident on the CCCC website homepage or Facebook if possible. Individuals can call the college for updates at 701- 766-4415.

# Responsibilities

The employee is responsible for:

- Reporting any emergency situation to an administrator immediately
- Being aware of their primary and secondary emergency exits
- Reading and understanding these procedures
- Asking questions when any information is unclear or not understood
- Understanding the proper operation of emergency evacuation equipment
- Informing supervisor of special emergency evacuation needs.

## **The supervisor/administration is responsible for:**

- Providing staff, students, and visitors emergency response information and training
- Identifying mobility impaired employees who might need assistance during evacuation
- Providing opportunity for employees to ask questions
- Assembling with evacuated personnel at a predetermined location (at least 300 feet away from the building) to identify missing staff, students, or visitors
- Reporting missing staff, students, or visitors to Campus Security or Facilities Manager

## **Fire**

Employees should become familiar with the location of fire alarm pull stations near their work area and the proper operation of that pull station. Supervisors are responsible for knowing pull station locations in their work area and advising personnel of their locations.

### ***If you discover a fire***

- React to the situation, call 911, stay calm and answer all of the dispatcher's questions.
- Activate nearest fire alarm pull station.
- Close office or classroom doors when exiting.
- Exit building using nearest, safe exit.
- Do not use elevators.
- Assemble at least 300 feet from the building in one of the parking lots. This distance is necessary for personal safety and emergency vehicle arrival and operation.
- Wait for the all clear signal to reenter the building.

### ***If you hear an alarm***

- Exit building using nearest, safe exit.
- Do not use elevators.
- Assemble at least 300 feet from the building at your predetermined meeting place.
- Wait for the all clear signal to reenter the building.

The Campus Security will ensure all employees and students are safely evacuated from the building in emergencies requiring evacuation. Employees who have been evacuated because of fire, tornado, or other emergency will return to the appropriate work areas only upon issuance of an all clear signal issued by Campus Security.

### ***Special considerations***

- If you are outside when the alarm sounds, stay outside and assemble with your work group.
- If your clothing is on fire, drop to the ground and roll to extinguish the flame.
- If you are injured by smoke or fire, inform a coworker or your supervisor, and seek medical attention immediately.
- Do not attempt to extinguish a fire unless it is blocking your egress path or you are properly trained and equipped. Use common sense.

### ***Mobility-impaired employees, students, or guests***

If an employee, student, or guest needs assistance in evacuating the building, notify Campus Security immediately upon your exit from the building. Follow the established procedures outlined elsewhere in this document.

### ***Missing employee(s)***

- Check the evacuation assembly area to ensure the employee(s) are not with another group.
- Notify the nearest firefighter and inform them so a check can be made.
- Provide a description of the missing employee(s) and where they were last seen.

## **Severe weather (tornado, thunderstorm, lightning)**

Severe weather watch means atmospheric conditions favor development of severe weather. Severe weather warning means severe weather has been sighted or reported in the local area.

- Inform Campus Security or supervisor of the emergency.
- Take shelter in the designated storm evacuation area, stay away from windows.
- Wait for the all clear signal before returning to work area.
- If you are on the top floor of a building, use interior stairwell to move down to the designated storm evacuation area.
- If you are outside, take shelter indoors immediately.

## **Medical emergency**

- Call 911 for assistance.
- If necessary, administer first aid/CPR if properly trained and qualified.
- Avoid moving injured persons unless it is absolutely necessary for safety reasons.
- Try to find out what happened and check for medical identification tags.
- Follow universal precautions: treat all blood and body fluids as if they are infectious.
- Use a first aid kit, if available.
- AED stations are located in three areas: gym, security, admissions.

## **Suspicious Person**

If an individual's appearance or actions arouse your suspicion:

- If warranted, immediately call 911 and state your emergency.
- If the person is requesting to see a particular employee, be polite.
- Ask the person to be seated.
- If possible, call a co-worker and report as much as allowed.

# Training

New Employee and new faculty orientation emergency response procedure and notification training is conducted for all employees during employee orientation or new faculty orientation in accordance with CCCC system policy.

Records of this training are maintained by the Human Resources Department.

General compliance training, periodic or refresher training on emergency response procedures, is conducted during all staff in-services. This training is conducted for all employees every two years.

The Campus Security Department receives specialized training necessary to assist in the event of an orderly evacuation. Records of this training are maintained by the Facilities Department.

**Fire Drills:** All occupants must vacate the premises during a Fire Drill and report immediately to the area of refuge. Failure to report to the area of refuge will impede accountability of personnel. Do not leave the area of refuge until given the “all clear” signal.

CCCC will have scheduled and unscheduled fire drills. There are no acceptable excuses for not leaving.

If there is a fire alarm, every CCCC student and employee or guests should evacuate the building quickly and calmly.

## Sprinkler Policy:

**Do not** hang anything from the sprinkler pipes and do not stack any material near sprinkler heads, as such actions may impact the function of the sprinkler system. CCCC is not liable for any damages to property caused by water.

## Campus Security Policies

Cankdeska Cikana Community College has a variety of policies and procedures relating to campus security, and it expressly reserves the right to modify or adopt additional policies or procedures at any time without notice. Such changes may appear in successive issues of this report.

Cankdeska Cikana Community College encourages all students and college community members to be fully aware of the safety issues on the campus and to take action to prevent and to report illegal and inappropriate activities.

Personal awareness and applying personal safety practices are the foundation of a safe community. **To report a crime**

Contact the Dean of Student Services, DeLana McLean located at Office A-124. You may also file a report electronically at the following link: [Report Crime/Incident](#) This form can be found on the Cankdeska Cikana Community College website under the heading “Report a Crime”.

1. Suspicious activity:
  - a) If you see any suspicious activity on or near campus, call Campus Security immediately. Do not assume that what you observe is an innocent event or that it has already been reported.
  - b) Do not assume the person is a visitor or college employee that you have not seen before.
2. Suspicious people may be:
  - a) Loitering about at unusual hours and locations; running, especially if something of value is being carried, going from room to room trying door handles.



- b) Exhibiting unusual mental or physical symptoms. Person(s) could be under the influence of drugs or otherwise needing medical or psychiatric assistance
- c) Selling of goods for personal profit is not permitted at Cankdeska Cikana Community College. Violations of this rule should be reported to the Campus Security immediately.

Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around buildings should be reported. In addition, you may report a crime to the following:

- Dean of Student Services: DeLana McLean 701.766.1137 [delana.mclean@littlehoop.edu](mailto:delana.mclean@littlehoop.edu)
- Academic Dean: Jackie Lampert 701.766.1138 [jackie.lampert@littlehoop.edu](mailto:jackie.lampert@littlehoop.edu)
- Campus Security: Michael Tollefson 701.766.1345 [michael.tollefson@littlehoop.edu](mailto:michael.tollefson@littlehoop.edu)
- Financial Aid Director: Lindsey OneBear 701.766.2370 [lindsey.onebear@littlehoop.edu](mailto:lindsey.onebear@littlehoop.edu)
- Math Coach: Marliss Platz 701.766.1317 [marliss.platz@littlehoop.edu](mailto:marliss.platz@littlehoop.edu)
- Land Grant Director: Jessica Fish 701.766.1325 [jessica.fish@littlehoop.edu](mailto:jessica.fish@littlehoop.edu)
- Student Senate Advisor: Darica Deckert 701.766.1376 [darica.deckert@littlehoop.edu](mailto:darica.deckert@littlehoop.edu)
- Admissions Coordinator/Student Senate Advisor: DeShawn Lawrence 701.766.1374 [deshawn.lawrence@littlehoop.edu](mailto:deshawn.lawrence@littlehoop.edu)

## Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the Cankdeska Cikana Community College campus or law enforcement, you may still want to consider making a confidential report. With your permission, the above listed employees or local law enforcement can file a report on the details of the incident without revealing your identity. The purpose of this report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, CCCC can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution. To confidentially report a crime go to the college website: [Report Crime/Incident](#) or report immediately to Campus Security Office, in person at Office F-114, by telephone at (701) 766-1345, via email at [michael.tollefson@littlehoop.edu](mailto:michael.tollefson@littlehoop.edu) or to the appropriate law enforcement agency. The Campus Security Office can assist the complainant in completing reports. These reports may be forwarded to the appropriate police department. Reports will also be shared with other departments on campus as appropriate. The Campus Security Office will assist police department(s) with investigations as required. Depending on many factors of crime reporting the College may be required by law to release information based on the events or nature of the crime.

## Campus Security and Access

During business hours, Cankdeska Cikana Community College will be open to students, parents, employees, contractors, guests, and invitees. Access to campus buildings is limited to normal business hours. Normal campus hours are 8:00 a.m. to 4:30 p.m. Monday through Friday. During non-business hours access to all college facilities is by badge, if issued, or by admittance via the Maintenance Office or Security. In the case of periods of extended closing, the

college will admit only those with prior approval to all facilities. Emergencies may necessitate changes or alterations to any posted schedules.

Facilities and grounds are routinely inspected to ensure all security related equipment is in good working order. Annual inspections and testing are performed on all systems required for code compliance. Security needs are addressed in all phases of construction planning and development. Public access to buildings is only available during normal hours of operation. Badge access is available to administration, staff, and faculty with prior authorization.

The campus provides video surveillance and is maintained by the Campus Security Department. The Campus Security Department meets as required to plan, address and review safety/security.

The Cankdeska Cikana Community College campus is for the use of the students, faculty, staff, visitors and those on official business with Cankdeska Cikana Community College. All others are subject to being charged with trespassing.

Department labs, facilities, classrooms or suites will not be opened for unknown individuals without prior written approval from the department supervisor.

Keys are issued to authorized faculty and staff. Exterior building doors must not be blocked open when the doors are locked.

Individual classrooms are available during normal business hours for scheduled classes and scheduled special events.

Room reservations can be made by contacting the Event Coordinator.

No students are allowed in any building after business hours. Personnel, other than Facilities, must vacate the campus no later than the designated closing times noted, as a standard safety measure, except for previously authorized events scheduled through the Event Coordinator.

Faculty or staff members who believe they are the last persons in a building should ask unauthorized people to leave the premises. If a problem arises regarding people in the buildings after hours dial 911 to report.

Employees must secure all required areas upon departure.

## **Law Enforcement Authority**

Employees of Cankdeska Cikana Community College are not certified or sworn peace officers. The security department does not have arrest powers on campus. CCCC does not have a memorandum of understanding with local law enforcement agencies.

The security department works closely with the Fort Totten Police Department, Benson County Sheriff's Department, and State and Federal law enforcement agencies to track and respond to on-campus or near-campus criminal activity. The Fort Totten Police Department regularly communicates crimes occurring around campus through telephone communication.

Cankdeska Cikana Community College recognizes that laws and rules are necessary for society to function and supports the enforcement of law by governmental agencies and rules by officials of the College. All persons on campus are subject to these laws and rules at all times. While the college is private property, and constitutional protections apply, law enforcement officers may enter the campus to conduct business as needed. Additionally, the officers are invited to

patrol the campus to assist in deterring crime. All law enforcement agencies are expected to contact the campus safety department.

Cankdeska Cikana Community College enjoys an especially good relationship with the Fort Totten Police Department. All Fort Totten Police have law enforcement and arrest authority on campus.

As noted in the introduction and the emergency policies, the Fort Totten Police Department is notified of all serious crime on campus, and is immediately notified of major crimes via the telephone. All victims are offered an opportunity to report crimes to the Fort Totten Police Department.

Annually, the Fort Totten Police Department provides CCCC with a summary for the year of all crime occurring on campus. Meeting or telephone conversations between the Fort Totten Police Department and the campus security department allow for exchanges of routine information on a timely basis. Additionally, special needs are communicated between the parties as they occur. Instances where state police resources are needed are determined jointly between the Chief of Police and Administration. Crimes committed at off campus facilities under the control of CCCC will be disclosed in these statistics.

## **Prompt and Accurate Crime Reporting**

Community members, students, faculty, staff and guests are encouraged to report all crimes and public safety related incidents to the campus security department and/or local law enforcement in a timely manner. To report a crime or an emergency on campus, call the Fort Totten Police Department 9-1-1. To report a non-emergency security or public safety matters call the campus security department at 701.766.1345. Contact local law enforcement to report a crime or an emergency concerning an off-campus activity/event. Cankdeska Cikana Community College Administration looks to local law enforcement to report to the college all off campus crime, emergency or safety issues concerning CCCC students.

## **Monitoring and Recording Activity at Off-Campus Locations**

All Cankdeska Cikana Community College-recognized organizations that are off campus will still be monitored by the appropriate local police department. Local police departments will share crime information with Cankdeska Cikana Community College. Cankdeska Cikana Community College includes off- campus student organizations' events/activities reported crime statistics in its annual security report. Students are subject to the Student Code of Conduct while participating in school sponsored activities at off campus locations — any violations of the Student Code of Conduct while participating in any such activities will be investigated by the Dean of Student Services.

The Student Services Department maintains contact with recognized student clubs and organization.

## **Criminal law enforcement.**

Cankdeska Cikana Community College enjoys a close working relationship with Fort Totten Police Department when violations of federal, state, or local laws surface. This cooperative approach addresses situations as they arise as well as future concerns.

## **If you are a victim of a crime or witness a crime:**

Call the campus security department [(701) 766-1345] or 9-1-1 for any emergency assistance, fires, suspicious people or activities, crime reports, traffic accidents, or other illegal activities. You can report a crime at the following link: [Report Crime/Incident](#)

When reporting a crime or other incident in progress be sure to provide the dispatcher with the following information: the nature of the criminal activity or incident, the location of the criminal activity or incident and how many people are involved, a description of the offender(s), including sex, approximate age, race, height/ weight, hair color/style, facial hair, attire color/style/logos, other distinguishing features such as scars/tattoos, vehicle description year/make/model/license plate number/state/note the direction taken by offender. Preserve the crime scene: Do not touch any items involved in the incident. Close off the area of the incident and do not allow anyone in the crime area until the campus security department, or facilities manager and/or police arrive.

## **Mandatory Reporting**

All employees who become aware of an allegation or violation of college policy, student code of conduct, civil or criminal law should report the allegation to their supervisor and to campus security department. These individuals should not attempt to investigate, but should instead report the allegations to the campus security department and allow campus security department to investigate. Campus security department can receive incident reports of crimes on and off campus and is defined as:

Contracted campus security services or any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department. Dean of Student Services notifies campus security authorities on an annual basis of their reporting requirements and documents such notification in the Student Services Department. Individuals considered being Campus Security authorities include:

- Dean of Student Services: DeLana McLean 701.766.1137 [delana.mclean@littlehoop.edu](mailto:delana.mclean@littlehoop.edu)
- Dean of Administration: Stuart Young 701.766.1321 [stuart.young@littlehoop.edu](mailto:stuart.young@littlehoop.edu)
- Academic Dean: Jackie Lampert 701.766.1138 [jackie.lampert@littlehoop.edu](mailto:jackie.lampert@littlehoop.edu)
- Campus Security: Michael Tollefson 701.766.1345 [michael.tollefson@littlehoop.edu](mailto:michael.tollefson@littlehoop.edu)
- Financial Aid Director: Lindsey OneBear 701.766.2370 [lindsey.onebear@littlehoop.edu](mailto:lindsey.onebear@littlehoop.edu)
- Math Coach: Marliss Platz 701.766.1317 [marliss.platz@littlehoop.edu](mailto:marliss.platz@littlehoop.edu)
- Land Grant Director: Jessica Fish 701.766.1325 [jessica.fish@littlehoop.edu](mailto:jessica.fish@littlehoop.edu)
- Student Senate Advisor: Darica Deckert 701.766.1376 [darica.deckert@littlehoop.edu](mailto:darica.deckert@littlehoop.edu)
- Admissions Coordinator/Student Senate Advisor: DeShawn Lawrence 701.766.1374 [deshawn.lawrence@littlehoop.edu](mailto:deshawn.lawrence@littlehoop.edu)

An official of the college who has significant responsibility for student and campus activities, including, but not limited to, student discipline, and campus judicial proceedings.

If such an official is a spiritual advisor or professional counselor, the official is not considered a campus security authority when acting as a spiritual advisor or professional counselor. As a result of the negotiated rule making process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to

those considered to be campus security authorities. Campus “Spiritual Advisor” (pastoral counselors), when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged; if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. Counselors are asked to provide information relating to crimes on campus but may continue to honor the confidentiality of victim

## Personal Safety and Security

Cankdeska Cikana Community College encourages students and employees to be responsible for their own security and the security of others.

### ***Personal Security Recommendations:***

1. Campus staff is available to assist you in protecting yourself by providing regular foot and/or vehicle patrols, safety and security programs, as well as various safety and security posters and brochures. However, only you can protect yourself by being aware of your surroundings and taking appropriate steps in preventing crime from happening.
2. Call for an escort! Call the Campus Security Department 701-766-1345 or the Dean of Student Services at 701-766-1137 between 8:00 a.m. and 4:30 p.m. weekdays.
3. Protect yourself! Never walk alone at night; always walk in well-lit areas; always have keys in hand when approaching your car; always have gas in your car. Refrain from taking shortcuts, walk where there is plenty of light and traffic.
4. Protect your automobile: Always lock your car doors and never leave your keys in the vehicle. Try to park your car in a well-lit area. Avoid leaving property where it is visible in your car.
5. Help us protect you:
  - Watch for suspicious people in and around campus buildings and in parking lots. Do not pursue them.
  - If you see any suspicious activity or persons on or near campus, immediately call 911. If the Dean of Student Services is not available, go to the college’s Student Services Office and request to see an administrator. After 4:30 p.m. call 911 (emergency only) or Fort Totten Police Department 701-766-4231 (non-emergency).
  - Do not assume that what you observe is an innocent activity or that it has already been reported.
  - Do not assume that the person is a visitor or CCCC staff member that you have not seen before. Suspicious persons may be: Loitering about at unusual hours and locations; running, especially if something of value is being carried. Exhibiting unusual mental or physical symptoms. The person could be under the influence of drugs or otherwise needing medical or psychiatric assistance. Carrying property that might be suspicious, depending on the circumstances, going from room to room trying door handles.
  - Door-to-door soliciting is not permitted on campus. Violations of this rule should be reported to Campus Security Department immediately.
  - Report all thefts and property loss immediately to the Campus Security Department.
  - Be security conscious at all times.
6. Security considerations of campus facilities:
  - Building access and maintenance: The CCCC campus is for the use of the students, faculty, staff, and their escorted guests and those on official business with CCCC. All others are subject to being charged with trespassing. Access to campus buildings is limited to normal business hours. Students, faculty, staff, and

visitors are encouraged to report needed repairs to the maintenance department for all academic areas.

- Policies & procedures for safe access to buildings: Badges are issued to authorized faculty, staff, and students only. Exterior building doors should not be blocked open when the doors are locked. Building evacuation is mandatory for all fire alarms. The academic building is normally open from 7:00 a.m. until evening classes end (8:00 p.m.) and for scheduled weekend classes and special events. Employees and students in buildings after normal working hours should have a campus ID in their possession and present the ID when requested. Faculty or staffs who appear to be the last person(s) in a building should ask unauthorized persons to leave the premises or contact maintenance. The building should be secured when the last employee departs. In buildings that have outside windows, employees should close and lock the windows before leaving the building. On-campus telephones are located in most building hallways or classrooms for emergency calls. These phones may also be used to contact 911. Problems related to people in buildings after hours should be reported. Call the Fort Totten Police Department 701-766-4231.

## Security Awareness Programs for Students and Employees

At the beginning of each new semester, students complete orientation and are informed of services offered by Cankdeska Cikana Community College and area resources. Within the first six weeks of every semester, students are required to complete training via Vector's Safe Colleges. Similarly, all new employees are also required to complete the mandatory trainings within their first 90 days of employment as required by the Human Resources Director.

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 to the presentation, information is disseminated to students and employees through packets, posters, displays, videos, articles, and television monitors throughout the campus. When time is of the essence, information is released to the college community through alerts posted prominently throughout campus, voluntary text alerts, and campus computer email system.

## Crime Prevention Programming

Crime Prevention Programs on personal safety and theft prevention are presented by various campus organizations and departments throughout the year. Staff and faculty facilitate programs for student, parent, faculty and new employee orientations, student organizations and clubs to provide a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes.

### ***Protect your property:***

- Personal property (purses, backpacks, calculators, cell phones, etc.) should never be left unattended. Take such items with you if you are leaving the office, classroom or vehicle.
- Park your bike where you can keep an eye on it if possible. Always lock your bike.

### ***Protect your automobile:***

- Always lock your car doors and never leave your keys or valuable items such as cameras, wallets, etc. in plain sight or on the seats in the vehicle.
- Try to park your car in a well-lit area.



### ***Help us protect you:***

- Watch for suspicious persons in and around college buildings and in parking lots. Do not pursue them. Call 911 first and then report
  1. Suspicious activity:
    - a) If you see any suspicious activity or people on or near campus, call law enforcement. Do not assume that what you observe is an innocent activity or that it has already been reported.
    - b) Do not assume the person is a visitor or college staff member that you have not seen before.
  2. Suspicious people may be:
    - a) Loitering about at unusual hours and locations; running, especially if something of value is being carried.
    - b) Exhibiting unusual mental or physical symptoms. Person(s) could be under the influence of drugs or otherwise needing medical or psychiatric assistance.
    - c) Carrying property that might be suspicious, depending on the circumstances, going from room to room trying door handles.
- Report all thefts and property loss immediately to the Campus Security Department.
- Be security conscious at all times.

## **Personal Security Recommendations:**

1. Student Services staff helps to ensure the safety and security of the campus community by conducting regular safety and security programs, and by offering safety and security brochures. However, the best protection against crime is by taking appropriate steps in preventing crime from happening.
2. Protect your property:
  - Personal property (purses, briefcases, calculators, etc.) should never be left unattended.
  - Take such items with you if you are leaving the office or classroom.
  - Lock your door whenever you leave your room or office.
  - Take valuables home with you.
  - Maintain a record of serial numbers for valuable items such as laptop computers, tablets, cell phones, etc.
3. Protect your automobile:
  - Always lock your car doors and never leave your keys in the vehicle.
  - Try to park your car in a well-lit area
  - Avoid leaving property where it is visible.

## **Illegality of Alcoholic Beverages on Campus and Enforcement of Under-Age Drinking Laws**

Cankdeska Cikana Community College forbids the use (consumption), possession, manufacture, sale, transportation or furnishing of alcoholic beverages on campus. Cankdeska Cikana Community College also forbids the maintenance of unlawful drinking places on campus. This prohibition of possession or consumption of alcoholic beverages on campus applies regardless of age.

Cankdeska Cikana Community College enforces the North Dakota drinking laws, including the prohibition of use by persons less than 21 years of age. Possession or consumption of alcohol on campus is prohibited by Cankdeska Cikana Community College and may result in a student/employee disciplinary complaint. If the accused is not cooperative or is underage, the Fort Totten Police may be called to assist.

# **Illegality of Drugs on Campus and the Enforcement of Federal and State Drug Laws**

Cankdeska Cikana Community College forbids the possession, use, or sale of illegal drugs on campus. This includes but is not limited to possession, sale, and use, growing, manufacturing and making of narcotic drugs. Exceptions would be drugs prescribed by a doctor's order.

Cankdeska Cikana Community College enforces both North Dakota and Federal drug laws regarding the use, possession, and sale of illegal drugs. Cankdeska Cikana Community College has been designated "Drug Free". The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws such laws are strictly enforced by the Fort Totten Police Department. Violators are subject to college disciplinary action, criminal prosecution, fine and imprisonment.

## **Drug and Alcohol Abuse Education Programs**

The purpose of this policy is to set forth the College's policy regarding alcohol and other drug use, including unlawful drug use or abuse in the workplace in accordance with the Drug Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D) and Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101-226). A copy of the Drug Free Schools and Workplace information appears elsewhere in this publication. The possession, sale or the furnishing of alcohol on the CCCC campus is governed by CCCC alcohol policy and North Dakota State Law. Laws regarding the possession, sale, consumption or furnishing of alcohol is determined by state and federal laws. However, the enforcement of alcohol laws on campus is the primary responsibility of the Campus Security Department and Fort Totten Police Department. The CCCC campus has been designated "Drug free". The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by Fort Totten Police Department. Violators are subject to college disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of the CCCC Alcohol Policy for anyone to consume or possess alcohol in any public or private area of campus, regardless of age. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the college.

The College recognizes the reality of chemical dependency and is aware of its occasional presence in the College community. As a safeguard against this dependency, all students and employees are required to complete annual training through Vector's Safe Colleges.

The College encourages and provides reasonable assistance to any student, faculty or staff member who seeks information on chemical dependency or treatment for chemical dependency. Various offices, including Student Services and Human Resources, provide information and referral to prevention programs for those seeking help with substance abuse.

## **Disclosures to Alleged Victims of Crimes of Violence or Non-Forcible Sex Offenses**

Cankdeska Cikana Community College will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by Cankdeska Cikana Community 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, Cankdeska Cikana Community College will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

## **Sexual Assault and Related Offenses**

### ***Cankdeska Cikana Community College Policy Sexual Violence Policy:***

Sexual Violence is an intolerable intrusion into the most personal and private rights of an individual, and is prohibited at Cankdeska Cikana Community College. Cankdeska Cikana Community College is committed to eliminating sexual violence in all forms and will take appropriate remedial action against any individual found responsible for acts in violation of this policy. A violation of this policy could result in institutional disciplinary actions such as suspension or expulsion from the college. Acts of sexual violence may also constitute violations of criminal or civil law that may require separate proceedings. To further its commitment against sexual violence, Cankdeska Cikana Community College provides reporting options, internal mechanisms for dispute resolution, and prevention training or other related services as appropriate.

The college educates the student community about sexual assaults and date rape through student orientation at the beginning of each semester, as well as required training through Vector's Safe Colleges. Area organizations offer sexual assault education and information programs to CCCC students and employees upon request.

If you are a victim of sexual assault at CCCC your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. CCCC strongly advocates that a victim of sexual assault, report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to the Fort Totten Police Department, Dean of Student Services or a Campus Security Department. Filing a police report with a college advocate will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from staff or faculty of CCCC. Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests
- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam)
- Assure the victim has access to confidential counseling and support services from professionals specifically training in the area of sexual assault crisis intervention

## If You Are the Victim of a Sexual Assault:

Go to a safe place.

If you are on campus contact the Campus Security Department at (701) 766-1345 or the Dean of Student Services at 701-766-1137. You may also report the incident to any college employee. All college employees have a duty to report knowledge of incidents of sexual violence. For information on how to file a complaint please click on the link: [Student Complaint Procedures](#)

Timely and prompt reporting of a sexual assault within 72 hours is critical in preserving evidence important in proving a criminal case against the assailant or may be helpful in obtaining a protection order. Do not bathe, douche, use the toilet, or change clothing.

If you have been the victim of a sexual assault, you should seek medical attention immediately regardless of whether you report the matter to the police.

CHI St. Alexius Hospital  
1031 7<sup>th</sup> St NE  
Devils Lake, ND 5830  
(701) 662-2131

You are not required, but you may file a police report with the appropriate law enforcement agency. CCCC staff will be available to assist you in this process per your request. For on-campus incidents contact the Fort Totten Police Department by calling 911.

Cankdeska Cikana Community College will provide you with written notification of your rights through this process.

In order to reduce contact between the survivor and the alleged assailant, the College will provide written options, at the request of the survivor, attempt to provide a change in classes or working arrangements, as applicable and take other appropriate remedial measures. Additionally, the college will assist the victim with transportation, parking their vehicle on campus, and other measures as needed to protect the survivor. These 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). Student Services has information available on how to file for and request an OFP or HRO. Cankdeska Cikana Community College may take actions it deems necessary in response to all HRO, OFP, or non-contact orders.

Mental health professionals are also available at the following community resources:

- Spirit Lake Victim Assistance (701) 766-1816
- Lake Region Human Service Center (701) 665-2200 Fort Totten Mental Health (701)-766-1613
- CAWS North Dakota (888) 255-6240
- National Domestic Violence Hotline, (800) 799-SAFE (7233) United Way 24-hour Referral Line, 2-1-1
- Find Help in North Dakota: [cawsnorthdakota.org](http://cawsnorthdakota.org).

## ***Education and Resources***

Cankdeska Cikana Community College will educate the campus community staff, student and faculty about sexual assaults, relationship violence, bystander intervention, and stalking through required annual training provided through Vector's Safe Colleges. Students also complete orientation at the beginning of every semester. Additionally, there are television monitors throughout campus with information, email messages with links and/or informational posters. Informational brochures regarding sexual violence will be available through Student Service Room A-122.

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

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are OK.
2. Speak up when someone discusses plans to take sexual advantage of another person
3. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
4. Refer people to on or off campus resources listed in the Annual Security Report or other resources for support in health, counseling, or with legal assistance.

### ***Reducing the Risk of Sexual Assault:***

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas; it is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don't know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. Try not to load yourself down with packages or bags as you can appear more vulnerable.
6. Make sure your cell phone is with you and charged.
7. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (call 911)
11. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink unattended, just get a new one.
12. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they have had, or is acting out of character, get him or her to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

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

## **Application of policy to students, employees, and others.**

This policy applies to all Cankdeska Cikana Community College students and employees and to others, as appropriate, where alleged incidents of sexual violence have occurred on Cankdeska Cikana Community College property. Incidents of sexual violence, dating violence, domestic violence, sexual assault, and stalking alleged to have been committed by a student at a location other than on Cankdeska Cikana Community College property are covered by this policy pursuant to applicable state and federal laws. Incidents of sexual violence alleged to have been committed by a Cankdeska Cikana Community College employee at a location other than Cankdeska Cikana Community College property are covered by this policy.

Individuals alleged to have committed acts of sexual violence on Cankdeska Cikana Community College property who are not students or employees are subject to appropriate actions by Cankdeska Cikana Community College, including, but not limited to, pursuing criminal or civil action against them.

Allegations of discrimination and harassment are governed by Cankdeska Cikana Community College Procedure and applicable state and federal laws.

**Cankdeska Cikana Community College property.** "Cankdeska Cikana Community College property" means the facilities and land owned, leased, or under the primary control of the Spirit Lake Tribe and Cankdeska Cikana Community College.

**Employee.** "Employee" means any individual employed by Cankdeska Cikana Community College including student workers.

**Student.** The term "student" includes all persons who:

- Are enrolled in one or more courses, either credit or non-credit, through the college; Withdraw, transfer or graduate, after an alleged violation of the student conduct code;
- Are not officially enrolled for a particular term but who have a continuing relationship with Cankdeska Cikana Community College
- Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid; or
- Are not Cankdeska Cikana Community College employees and are not enrolled.



**On-Campus** – Defined as:

Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes; and

Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes.

**Non-Campus Building or Property** – Defined as

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

**Public Property** – Defined as

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

**Definitions.** The following definitions apply to this policy and Cankdeska Cikana Community College.

**Murder and Non-Negligent Manslaughter**

The willful (non-negligent) killing of one human being by another.

As a general rule, any death caused by injuries received in a fight, argument, quarrel, assault, or commission of a crime is classified as Murder and Non-Negligent Manslaughter (1a).

**Criminal Homicide - Negligent Manslaughter**

The killing of another person through gross negligence.

As a general rule, any death caused by the gross negligence of another is classified as Criminal Homicide— Manslaughter by Negligence (b).

**Sex Offenses - Defined Forcible Sex Offenses.**

Any sexual act directed against another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent.

Reported offenses may include:

- **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 in instances 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 or against the person's will in instances 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** - To use 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 in instances 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.
- **Note:** An object or instrument is anything used by the offender other than the offender's genitalia. Examples include but are not limited to a finger, bottle, handgun, or a stick.

- Forcible Fondling - 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.
- Note: Forcible Fondling includes Indecent Liberties and Child Molesting. Because Forcible Fondling is an element of Forcible Rape, Forcible Sodomy, and Sexual Assault with an object, it should be reported only if it is the sole Forcible Sex Offense committed against a victim.

Sex Offenses, Non-forcible.

Unlawful, non-forcible sexual intercourse. Reported offenses may include:

**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.

Note: If force was used or threatened, or if the victim was incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity, then the offense should be classified as forcible rape, not statutory rape.

### **Sexual Violence**

Sexual violence includes a continuum of conduct that includes sexual assault, and 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 Spirit Lake and federal law, as well as form the basis for discipline under student conduct codes and employee disciplinary standards. Sexual assault includes but is not limited to:

- i. 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.
- ii. Involvement in any sexual act when the victim is unable to give consent.
- iii. The intentional touching or coercing, forcing, or attempting to coerce or force another to touch an unwilling person’s intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast).
- iv. 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 Spirit Lake and Federal law.

## **Stalking**

Stalking is conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated and that would cause a reasonable person to fear for her or his safety or the safety of others or to suffer substantial emotional distress.

## **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, and the condition was known or would be known to a reasonable person, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining 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 that force will be used.

Robbery is a vicious type of theft in that it is committed in the presence of the victim. The victim, who usually is the owner or person having custody of the property, is directly confronted by the perpetrator and is threatened with force or is put in fear that force will be used. Robbery involves a theft or larceny but is aggravated by the element of force or threat of force.

## **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 displays weapon in a threatening manner) or by means likely to produce death or great bodily harm (e.g. victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness).

## **Burglary**

The unlawful entry of a structure with the intent to commit a felony or theft.

## **Motor Vehicle Theft**

The theft or attempted theft of a motor vehicle.

Note: A motor vehicle is a self-propelled vehicle that runs on the surface of land and not on rails and that fits one of the following property descriptions:

- **Automobiles** - sedans, coupes, station wagons, convertibles, taxicabs, or other similar motor vehicles that serve the primary purpose of transporting people
- **Buses** - motor vehicles that are specifically designed (but not necessarily used) to transport groups of people on a commercial basis
- **Recreational Vehicles** - motor vehicles that are specifically designed (but not necessarily used) to transport people and also provide them temporary lodging for recreational purposes

- **Trucks** - motor vehicles that are specifically designed (but not necessarily used) to transport cargo
- **Other Motor Vehicles** - any other motor vehicles, e.g., motorcycles, motor scooters, trail bikes, mopeds, snowmobiles, or golf carts.

### **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.

### **Liquor law violations**

Arrests or referrals for the violation of laws or ordinances prohibiting the use, manufacture, sale, transporting, furnishing, or possessing of intoxicating liquor.

### **Drug law violations**

Arrests or referrals for the violation of Tribal and federal laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

### **Weapons law violations**

Arrests or referrals for the violation of laws or ordinances dealing with weapon offenses.

### **Biased Crimes**

**Larceny-theft** - The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another person.

**Simple Assault** - An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

**Intimidation** - To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack. Note: This offense includes stalking.

**Destruction/Damage/Vandalism of Property** - To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

### **Procedures for Campus Disciplinary Action for Sex Offenses:**

Victims of sexual assaults or those witnessing any type of sexual violence or relationship violence are encouraged to report the incident to the Dean of Student Services, Campus Security Department or any faculty or staff. The Dean of Student Service's Office is the office of official record for reports of sexual assault, as it is in all reported law violations. A report with Dean of Student Services 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 Campus Security Department can also initiate the college disciplinary process, and is an option for any person wishing to report a case of student misconduct.

Fill out the Sexual/Relationship Violence Complaint form as completely as possible. For information on how to file a complaint please click on the link: [Student Complaint Procedures](#).

Be as specific as possible with the information, listing person(s) involved, time(s), date(s), and location(s) of the incident(s) and details regarding the behavior, actions, or statements by the alleged assailant.

Cankdeska Cikana Community 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.

If the Dean of Student Services (or the director's designee) determines that a continued threat exists, information about the reported sexual assault will be released to the campus community. Taking care to protect the identity of the survivor, the Dean of Student Services Office will release information regarding the location, date and time of the assault, and any information that might help identify the assailant. The Dean of Student Services Office will inform the campus community of the reported sexual assault and may use such resources as email notices and social media to communicate this information.

In order for Cankdeska Cikana Community College to proceed with a prompt, fair and impartial process from the initial investigation to the final report, a written complaint (whether by the victim or a third party) must be filed with the Dean of Student Services office. Reports made through Dean of Student Services office will be forwarded to an investigator who receives annual training on the issues related to dating violence, domestic violence, sexual assault and stalking in addition to how to investigate and hearing processes that protect the safety of the victim and accountability. After receiving a report/complaint, the investigator shall take the steps listed below:

Conduct a prompt, fair and impartial fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings; Per the Student Code of Conduct both parties are allowed to have an advisor or attorney of their choice present during any disciplinary proceedings including any meeting. The college will not limit the choice of advisor or presence for either. However, the advisor/advocate or attorney may not participate in any questioning or advocate on behalf of the student.

Cankdeska Cikana Community College procedures ensure that the institution or employee does not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities.

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;

Inform the complainant, respondent, witnesses and other involved individuals of the prohibition against retaliation and reprisal;

Create, gather and maintain investigative documentation as appropriate which will be conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused;

Disclose appropriate information to others only on a need to know basis consistent with tribal and federal law;

Inform the complainant and respondent of the status of the investigation at reasonable times until final disposition of the complaint. Including timely notice of meetings at which the accuser or accused or both may be present.

Conduct further investigation as deemed appropriate by the designated officer; prepare an investigation report for review by the decision-maker;

Take additional investigative measures as requested by the decision-maker;

Provide sufficient information to the respondent consistent with federal and tribal data privacy laws to allow the respondent to respond to the substance of the complaint; and

Notify both the victim and the accused party of the outcome of the investigation simultaneously in writing that the result of the disciplinary proceedings that arose from the allegation. If there is any change to the result of the disciplinary proceedings both accuser and the accused will be promptly notified.

The possible sanctions and protective measures that Cankdeska Cikana Community College may impose following the results of any investigation may include but are not limited to: reprimand, counseling, suspension, community service, social probation, letter of apology, no contact order, and/or expulsion.

Provide the investigation report to the complainant or respondent upon request unless the information is protected under tribal or federal law consistent with the institution's policies and transparent to the accuser and the accused.

Cankdeska Cikana Community College will complete an investigation and issue a written response within 60 days after a complaint is made, unless reasonable cause for delay exists. Cankdeska Cikana Community 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.

The College uses a preponderance of evidence standard of evidence in determining violations of the Student Code of Conduct and Sexual Violence policy. Students who are found to have violated the Sexual Violence policy could face suspension or expulsion from the College.

During and upon the completion of the complaint process, the complaint file shall be posited in a secure location in the office of the Dean of Student Services for Cankdeska Cikana Community College. Access to the data shall be in accordance with the respective collective bargaining agreement or personnel plan, the Family Educational Rights and Privacy Act or other applicable law.

### **Complaints/Grievances/Petitions**

Cankdeska Cikana Community College is committed to a policy of nondiscrimination in employment and education opportunity.

Cankdeska Cikana Community College (CCCC) will not discriminate in educational programs, activities, or employment practices, based on race, color, national origin, gender, sexual orientation, disability, age, religion, ancestry, or any other legally protected classification. Announcement of this policy is in accordance with Federal Law, including Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990.

**SEXUAL HARRASSMENT DEFINED.** Sexual harassment is the unwarranted and unwanted actions of an individual against another individual involving sexual overtone. CCCC will not tolerate verbal or physical conduct by an employee which harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile work environment.

CCCC is opposed to sexual harassment in the work place. Such harassment is against the law. Sexually harassing conduct in the workplace or elsewhere, whether committed by supervisory or non-supervisory personnel or students, is prohibited. Such conduct may include, but is not limited to:

- Sexual flirtations, touching, advances, etc.
- Verbal abuse of a sexual nature.
- Graphic or suggestive comments about an individual’s dress or body.
- Sexually degrading words to describe an individual.
- The display in the work place of sexually suggestive objects or pictures, including nude photographs.
- Explicitly or implicitly making submission to the conduct, a term or condition of an individual’s employment.
- Using submission or rejection of the conduct as a basis for employment decisions.
- The conduct substantially interferes with the individual’s work performance or creates an intimidating, hostile, or offensive work environment.

**RACIAL DISCRIMINATION DEFINED.** Racial discrimination occurs when one party treats an individual or group differently on the basis of race, color, or national origin without a legitimate, non-discriminatory reason so as to interfere with or limit the ability of that individual or group from participating or benefiting from the services, activities, or privileges afforded to members of the college community.

**Harassment or Discrimination Procedure**

The following steps are to be used in the event a student or employee wishes to file a discrimination or harassment complaint related to an individual’s sex, race, ethnicity, age, religion, or any other legally protected characteristic. Employees and students of the Cankdeska Cikana Community College are required to utilize the internal process prior to utilizing external sources for remediation. Failure to comply could result in disciplinary action.

1. Any employee or student who believes that the actions or words of any employee, faculty, student or fellow employee constitute unwelcome discrimination or harassment must complete the Discrimination Complaint Form, (see page 8-0) and submit to the appropriate CCCC official listed immediately. Forms are available at the Human Resource Office, Student Services, and/or the Title IX/Section 504/ADA Coordinator.

If the alleged harasser is:

a) Student or student group	Notify	Dean of Student Services
b) Faculty member	Notify	Academic Dean
c) Academic Dean	Notify	President
d) Human Resource Director	Notify	President
e) Staff member	Notify	Human Resource Director
f) Other (vendor or guests)	Notify	Human Resource Director
e) President	Notify	Board of Regents

2. Upon receipt of an allegation of discrimination or harassment, a Compliance Committee of three members will be appointed by the President and will begin an investigation of the allegation within 5 working days.
3. The Compliance Committee will submit a written report of the findings to the College President and notify the complainant and alleged harasser within ten working days after completion of the report.
4. ENFORCEMENT: Upon completion of its investigation the Compliance Committee will submit a written report with recommendations to the College President. Any employee, who is found, after appropriate investigation, to have engaged in harassment of another employee or student, will be subject to appropriate disciplinary action and may be subject to immediate termination or expulsion.



5. GRIEVANCE: If the employee or student disagrees or is not satisfied with the decision or results of the Compliance Committee, the employee or student must submit their grievance in writing to the Board of Regents and providing a copy to the President within five business days from the date he/she is notified of the finding(s). A copy will be made for the other parties involved. The Board of Regents will hear the grievance and obtain statements from all parties involved. The Board will vote on the decision/action to remedy the grievance within five business days of the hearing.
6. What is NOT Harassment? It should be noted that ordinary teasing, offhand comments, or isolated non-serious incidents are not prohibited under federal law. Harassing behavior must be sufficiently frequent or severe to 1) create a hostile work environment, or 2) result in hiring, firing, promotion, demotion, or an undesirable work reassignment. A decision causing a significant change in benefits or compensation also might be interpreted as harassment.

### **Retaliation Prohibited**

CCCC prohibits retaliatory behavior against any complainant or any participant in the complaint process. The initiation of a complaint of harassment will not reflect negatively on the employee who initiates the complaint nor will it affect the employee's job assignment, status, rights, privileges, or benefits.

Questions or inquiries can be made to:

- Title IX Coordinator/Section 504/ADA Coordinator - CCCC Dean of Student Services 701-766-1137
- Office of Civil Rights  
US Department of Education  
500 W. Madison Street Suite 1475 Chicago, IL 60661
- CCCC Vice President of Academic Affairs 701-766-1133
- Affirmative Action Officer: DeLana McLean 701-766-1137 (Room A-124)
- Americans with Disabilities: DeLana McLean 701-766-1137 (Room A-124)
- Sexual Harassment Officers: DeLana McLean 701-766-1137 (Room A-124)
- Zero Tolerance of Campus Violence: DeLana McLean 701-766-1137 (Room A-124)

### ***Location of Law Enforcement Agency Information Regarding Registered Sex Offenders***

The Federal Campus Sex Crimes Prevention Act, effective October 28, 2002, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state regarding registered sex offenders may be obtained. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offender already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student.

Information regarding registered sex offenders may be obtained through the Fort Totten Police Department. The Fort Totten Police Department may be contacted at (701) 766-4231. General information on registration requirements and notification procedures can be found at the following website: <http://www.nsopw.gov>

## **Drug and Alcohol Program for Students and Employees**

### **Part 1. Scope of Policy**

The Cankdeska Cikana Community College Drug-and Alcohol-Free Campus Policy is for Students and Employees of the College and includes all campus locations. The possession, use and sale of alcohol and enforcement of Tribal drinking laws shall be enforced. The possession, use and sale of illegal drugs shall be enforced through Federal and Tribal laws.

### **Part 2. Purpose**

Cankdeska Cikana Community College (CCCC) is committed to ensuring an educational and employment environment where students and employees can work, learn and develop to their full potential. Because the use and abuse of alcohol and controlled substances negatively impacts the ability of students and employees to work, learn and develop to their full potential, and to comply with federal and tribal laws, Cankdeska Cikana Community College has adopted and will implement the following drug-and alcohol-free campus policy.

### **Part 3. Drugs, Alcohol Prohibited**

The unlawful manufacture, growing, possession, use, dispensation, sale or distribution of controlled substances and the manufacture, use, sale, distribution or possession of alcoholic beverages by Cankdeska Cikana Community College students and Cankdeska Cikana Community College employees is strictly prohibited: 1) on Cankdeska Cikana Community College property; 2) while participating in a student activity, activities sponsored by officially recognized student organizations, or an event or activity sponsored or sanctioned by Cankdeska Cikana Community College, including off-site activities; and 3) while performing work, including overtime work and rest breaks.

#### **Subpart A. Employees**

No Cankdeska Cikana Community College employee may:

1. Report to work under the influence of alcohol, controlled substances or other drugs which affect her/his alertness, coordination, reaction, response, judgment, decision-making or safety; or
2. Operate, use or drive any Cankdeska Cikana Community College's equipment, machinery or vehicle while under the influence of alcohol, controlled substances or mind-altering drugs.

An employee who is under the influence of alcohol, controlled substances or other mind-altering drugs, or who is taking medically authorized drugs or other substances which may affect job performance, has an affirmative duty to immediately notify the appropriate supervisor that the employee's mental or physical condition precludes her/his ability to operate, use or drive Cankdeska Cikana Community College's equipment.

Employees are prohibited from consuming alcoholic beverages off-site during lunch or dinner meals when returning to perform work on behalf of Cankdeska Cikana Community College. In any situation subsequent to the intake of alcohol, an employee whose behavior or condition adversely affects her/his performance is subject to discipline. Since engaging in off-duty sale, purchase, transfer, use or possession of controlled substances may have a negative effect on an employee's ability to perform his/her work, a Cankdeska Cikana Community College employee involved in such circumstances is subject to discipline.

Employees working on federal grants or contracts who are convicted of a criminal drug statute violation occurring in the workplace are required to notify Cankdeska Cikana Community College within five (5) working days of such a conviction.

### **Substance Abuse Education**

#### **Prevention Programs**

Cankdeska Cikana Community College has developed programs to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including dissemination of informational materials, educational programs, referral to counseling services, other referrals and college disciplinary actions.

Areas of CCCC that provide Drug Education include:

- Alcohol and Drug Education: College Student Services and Human Resources Department for college staff and students
- Referral Services: Student Services, Human Resources Department
- College Disciplinary Actions: Dean of Student Services, Academic Dean Institutional, Tribal and Federal Legal Sanctions

### **Legal Sanctions-Laws Governing Alcohol**

The State of North Dakota sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated are available from local law enforcement.

#### **Part 4. Penalties for Policy Violations**

Cankdeska Cikana Community College employees and students who violate this policy are subject to Cankdeska Cikana Community College sanctions and may be subject to legal sanctions under institutional, tribal or federal law. Cankdeska Cikana Community College students will be disciplined according to the Student Code of Conduct.

Disciplinary sanctions include, but are not limited to, warning, confiscation, restitution, dismissal, suspension, expulsion and referral for prosecution.

#### **Part 5. Information**

Cankdeska Cikana Community College provides voluntary educational programs designed to inform students and staff about the health risks associated with drug and alcohol use, community resources available to provide assistance to individuals dealing with drug and/or alcohol abuse issues, the legal ramifications associated with illegal use of drugs and/or alcohol, and penalties for policy violations under Tribal and Federal Law.

#### **Legal Penalties Tribal Law**

Refer to Spirit Lake Tribe Law and Order Code, Spirit Lake Tribal Court, Fort Totten, ND 58335 (701)766-4244.

#### **Federal Law**

##### **Schedule I Drugs (Penalty for possession)**

First Offense: 10 years to life, 10-year mandatory minimum; if death or serious injury, 20 year minimum; up to \$4 million fine individual, \$10 million other than individual.

Second Offense: 20 years to life, 20-year mandatory minimum; if death or serious injury, not less than life; up to \$8 million fine individual, \$20 million other than individual.

### **Schedule II Drugs (Penalty for possession)**

First Offense: 5 to 40 years, 5-year mandatory minimum; if death or serious injury, 20 year minimum; up to \$2 million fine individual, \$5 million other than individual.

Second Offense: 10 years to life, 10-year mandatory minimum; if death or serious injury, not less than life; up to \$4 million fine individual, \$10 million other than individual.

### **Schedule I or Schedule II Controlled Drugs (Penalty for possession)**

First Offense: 0 to 20 years, if death or serious injury, 20 year minimum, not more than life; up to \$1 million fine individual, \$5 million other than individual.

Second Offense: 0 to 30 years, if death or serious injury, not less than life; up to \$2 million fine individual, \$10 million other than individual.

### **Schedule III Drugs (Penalty for possession)**

First Offense: 0 to 5 years, up to \$250,000 fine individual, \$1 million other than individual. Second Offense: 0 to 10 years; up to \$500,000 fine individual, \$2 million other than individual.

### **Schedule IV Drugs (Penalty for possession)**

First Offense: 0 to 3 years, up to \$250,000 fine individual, \$1 million other than individual. Second Offense: 0 to 6 years, up to \$500,000 fine individual, \$2 million other than individual.

### **Schedule V Drugs (Penalty for possession)**

First Offense: 0 to 1 year, up to \$100,000 fine individual, \$250,000 other than individual. Second Offense: 0 to 2 years, up to \$200,000 fine individual, \$500,000 other than individual.

### **Health Risks**

*Associated with the use/abuse of alcohol:* malnutrition; lowered resistance to disease; irreversible brain or nervous system damage; gastrointestinal irritation; damage to liver; heart and pancreas; addiction/alcoholism; coma; death from overdose, injury or accident; fetal alcohol syndrome.

*Associated with the use/abuse of controlled substances:* damage to heart, lungs, brain and nerve cells; lung cancer; memory disorders; interference with psychological maturation; temporary loss of fertility in both men and women; psychological dependence; bronchitis, infections, colds and other viruses; stroke, liver problems, seizures; heart and respiratory failure; psychosis, convulsions; sexual dysfunction. For users who share/use unsterile needles: tetanus; hepatitis; tuberculosis; HIV/AIDS. For pregnant women: miscarriage; stillbirths; premature labor or delivery; hemorrhaging. For cocaine babies: irritability; unresponsiveness; stroke; malformed kidneys and genitals; seizures; SIDS.

A description of procedures, if any, will be available that encourages pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

**Campus Resources:**

Student Services: (701) 766-1137, Human Resources: (701) 766-1333

**Community Resources:** refer to CCCC Student Handbook found online on the college website

Spirit Lake Health Service (701) 766-1600, Fort Totten, ND 58335

Spirit Lake Recovery and Wellness (701) 766-4285, Fort Totten, ND 58335

Spirit Lake Tribal Health, Fort Totten (701) 766-4236

Spirit Lake Victim Assistance, Fort Totten (701) 766-1816

CHI St. Alexius Hospital Devils Lake, ND 58301 (701) 662-2131

Lake Region Human Service Center, Devils Lake, ND 58301 (701) 662-2200

ND Crisis Help Line (800) 472-2911

Local Crisis Line (701) 662-5050

National Domestic Violence Hotline, (800) 799-SAFE (7233)

United Way 24-hour Referral Line, 2-1-1

Sexual Assault Resources: <http://www.dr-b0b.Org/vpc/virtulets.html#Sexual-Assault>

## **Discrimination and Harassment Reporting Process (College Policy)**

### **Part 1. Policy Statement**

Cankdeska Cikana Community 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 activities with regard to race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, or sexual orientation. In addition, discrimination in employment based on membership or activity in a local commission as defined by law is prohibited.

Harassment on the basis of race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, or sexual orientation is prohibited. Harassment may occur in a variety of relationships, including faculty and student, supervisor and employee, student and student, staff and student, employee and employee, and other relationships with persons having business at, or visiting the educational or working environment.

This policy is directed at verbal or physical conduct that constitutes discrimination/harassment under tribal and federal law and is not directed at the content of speech. In cases in which verbal statements and other forms of expression are involved, CCCC will give due consideration to an individual's constitutionally protected right to free speech and academic freedom. However, discrimination and harassment are not within the protections of academic freedom or free speech.

CCCC shall maintain and encourage full freedom, within the law, of expression, inquiry, teaching and research. Academic freedom comes with a responsibility that all members of our education community benefit from it without intimidation, exploitation or coercion.

This policy shall apply to all individuals affiliated with CCCC, including but not limited to, its students, employees, applicants, volunteers, agents, and Board of Regents, and is intended to protect the rights and privacy of both the complainant and the respondent and other involved individuals, as well as to prevent retaliation or reprisal.

Individuals who violate this policy shall be subject to disciplinary or other corrective action.

## **Part 2. Definitions**

### **Subpart A. Consensual Relationship**

A sexual or romantic relationship between two persons who voluntarily enter into such a relationship. Employees who are members of the same household should also refer to the CCCC Nepotism Policy.

### **Subpart B. Discrimination**

Discrimination is defined as conduct that is directed at an individual because of his or her protected class and that subjects the individual to different treatment by agents or employees so as to interfere with or limit the ability of the individual to participate in, or benefit from, the services, activities, or privileges provided by the college or otherwise adversely affects the individual's employment or education.

### **Subpart C. Discriminatory Harassment**

Discriminatory harassment is defined as verbal or physical conduct that is directed at an individual because of his or her protected class, and this is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of creating a hostile work or educational environment.

As required by law, CCCC has further defined sexual harassment as a form of sexual discrimination which is prohibited by tribal and federal law. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, evaluation of a student's academic performance, or term or condition of participation in student activities or in other events of activities sanctioned by the college; or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions or other decisions about participation in student activities or other events as sanctioned by the college; or
3. Such conduct has the purpose and effect of threatening an individual's employment; interfering with an individual's work or academic performance; or creating an intimidating, hostile, or offensive work or educational environment.

### **Subpart D. Employee**

CCCC personnel include all faculty, staff, administrators, and student employees.

### **Subpart E. Protected Class**

Protected class for the purpose of this policy means that discrimination and harassment in employment and education are prohibited on the basis of: race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance or sexual orientation. In addition, membership or activity in a local human rights commission is a protected class in employment.

### **Subpart F. Retaliation**

Retaliation includes, but is not limited to, intentionally engaging in any form of intimidation, reprisal or harassment against an individual because he or she made a complaint under this policy or assisted or participated in any manner in an investigation, or process under this policy, regardless of whether a claim of discrimination or harassment is substantiated; or associated with a person or group of persons who are disabled or are of a different race, color, creed, religion, sexual orientation or national origin. Retaliation may occur whether or not there is a power or authority differential between the individuals involved.

### **Subpart G. Sexual Harassment and Violence as Sexual Abuse**

Under certain circumstances, sexual harassment or violence may constitute sexual abuse according to Tribal and/or Federal law. In such situations, the college shall comply with the reporting requirements. Nothing in this policy will prohibit the college from taking immediate action to protect victims of alleged sexual abuse.

### **Subpart H. Student**

“Student” means an individual who is: admitted, enrolled, registered to take or is taking one or more courses, classes, or seminars, credit or noncredit; or

between terms of a continuing course of study at the college, such as summer break between spring and fall academic terms; or

Expelled or suspended from enrollment as a student at the college during the pendency of any adjudication of the student disciplinary action.

### **Part 3. Consensual Relationships**

An employee of CCCC shall not enter into a consensual relationship with a student or an employee over whom he or she exercises direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence. In the event a relationship already exists, the evaluative authority will be reassigned to avoid violations of this policy. This prohibition does not limit the right of an employee to make a recommendation on personnel matters concerning a family or household member where the right to make recommendations on such personnel matters is explicitly provided for in the applicable collective bargaining agreement or compensation plan.

### **Part 4. Retaliation**

Retaliation as defined in this policy is prohibited at CCCC. Any individual subject to this policy who intentionally engages in retaliation shall be subject to disciplinary or other corrective action as appropriate.

## **Investigation and Resolution (College Policy)**

### **Part 1. Purpose and Applicability**

#### **Subpart A. Purpose**

This procedure is designed to further implement CCCC's policies relating to nondiscrimination by providing a process through which individuals alleging violation of system nondiscrimination policies may pursue a complaint. This includes allegations of retaliation, or discrimination or harassment based on sex, race, age, disability, color, creed, national origin, religion, sexual orientation, marital status, or status with regard to public assistance. In addition, discrimination in employment based on membership or activity in a local commission as defined by law is prohibited.

#### **Subpart B. Applicability**

This procedure shall apply to all individuals affiliated with CCCC, including its students, employees, and applicants for employment, and is intended to protect the rights and privacy of both the complainant and respondent and other involved individuals, as well as to prevent retaliation/ reprisal. Individuals who violate this procedure shall be subject to disciplinary or other corrective action.



A single act of discrimination or harassment may be based on more than one protected class status. For example, discrimination based on anti-Semitism may relate to religion, national origin, or both; discrimination against a pregnant woman might be based on sex, marital status, or both; discrimination against a transgender or transsexual individual might be based on sex or sexual orientation.

Not every act that may be offensive to an individual or group constitutes discrimination or harassment. Harassment includes action beyond the mere expression of views, words, symbols or thoughts that another individual finds offensive. To constitute a violation of Cankdeska Cikana Community College Policy Nondiscrimination, conduct must be considered sufficiently serious to deny or limit a student's or employee's ability to participate in or benefit from the services, activities, or privileges provided by Cankdeska Cikana Community College.

### **Subpart C. Scope**

This procedure is not applicable to allegations of sexual violence. In addition, harassment and discrimination complaints not arising from alleged violations of Cankdeska Cikana Community College Nondiscrimination Policy are to be addressed under other appropriate policies and established practices.

## **Part 2. Definitions**

### **Subpart A. Designated officer**

Designated officer means an individual designated by the president to be primarily responsible for conducting an initial inquiry, determining whether to proceed with an investigation under this procedure, and investigating or coordinating the investigation of reports and complaints of discrimination/harassment in accordance with this procedure.

The designated officer for Cankdeska Cikana Community College is: Human Resource Director

### **Subpart B. Decision maker**

Decision maker means a high-level administrator designated by the president to review investigative reports, to make determinations whether the nondiscrimination policy has been violated based upon the investigation, and to recommend the appropriate action for the institution to take based upon the findings.

### **Subpart C. Retaliation**

Retaliation means any action against a complainant or other individual because the individual:

1. Participated in the investigation or resolution of a complaint under this procedure;
2. Opposed conduct the individual believes was in violation of nondiscrimination policies; or
3. Associates with another individual who is protected from discrimination under Cankdeska Cikana Community College Nondiscrimination Policy.

## **Part 3. Consensual relationships**

Cankdeska Cikana Community College Nondiscrimination Policy in Employment and Education Opportunity prohibits consensual relationships between an employee and a student or another employee over whom he or she exercises direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence, whether or not both parties appear to have consented to the relationship, except as noted.

Examples of prohibited consensual relationships include, but are not limited to

- An employee and a student if the employee is in a position to evaluate or otherwise significantly influence the student's education, employment, participation in athletics, or any other college activity (employee includes, for example, administrators, coaches, advisors, program directors and counselors);
- A faculty member and a student who is enrolled in the faculty member's course, who is an advisee of the faculty member, or whose academic work is supervised or evaluated by the faculty member; and
- A supervisor and an employee under the person's supervision.

If a consensual, romantic or sexual relationship exists between an employee and another individual and a subsequent event creates a supervisor/employee, faculty/student or similar relationship between them, the person with evaluative or supervisory authority is required to report the relationship to his or her supervisor so that evaluative functions can be reassigned if possible.

This procedure does not cover consensual relationships between individuals that do not require one to exercise direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence over the other.

This prohibition does not limit the right of an employee to make a recommendation on personnel matters concerning a person with whom they have a consensual relationship where the right to make recommendations on such

#### **Part 4. Reporting incidents of discrimination/harassment Subpart A. Reporting an incident**

Any individual who believes she or he has been or is being subjected to conduct prohibited by Cankdeska Cikana Community College Nondiscrimination Policy, is encouraged to report the incident to the designated officer. The report/complaint should be brought as soon as possible after an incident occurs. Any student, faculty member or employee who knows of, receives information about or receives a complaint of discrimination/harassment is strongly encouraged to report the information or complaint to the designated officer.

##### **Subpart B. Duty to report**

Administrators and supervisors shall refer allegations of conduct that they reasonably believe may constitute discrimination or harassment under Cankdeska Cikana Community College Nondiscrimination Policy to the designated officer, or in consultation with the designated officer may inquire into and resolve such matters. Subpart C. Reports against a president

A report/complaint against a president of a college shall be filed with the Board of Regents. However, complaints against a president shall be processed by the college if the president's role in the alleged incident was limited to a decision on a recommendation made by another administrator, such as tenure, promotion or non-renewal, and the president had no other substantial involvement in the matter.

##### **Subpart D. False statements prohibited**

Any individual who is determined to have provided false information in filing a discrimination report/complaint or during the investigation of such a report/complaint may be subject to disciplinary or corrective action.

##### **Subpart E. Withdrawn complaints**

If a complainant no longer desires to pursue a complaint, CCCC reserves the right to investigate and take appropriate action.

## **Part 5. Right to representation**

In accordance with federal law and applicable collective bargaining agreement and personnel plan language, represented employees may have the right to request and receive union representation during an investigatory meeting.

Nothing in this procedure is intended to expand, diminish or alter in any manner whatsoever any right or remedy available under a collective bargaining agreement, personnel plan or law. Any disciplinary action imposed as a result of an investigation conducted under this procedure will be processed in accordance with the applicable collective bargaining agreement or personnel plan.

## **Part 6. Investigation and Resolution**

Cankdeska Cikana Community College has an affirmative duty to take timely and appropriate action to stop behavior prohibited by Cankdeska Cikana Community College Nondiscrimination Policy, conduct investigations and take appropriate action to prevent recurring misconduct.

### **Subpart A. Personal resolution**

This procedure neither prevents nor requires the use of informal resolution by an individual who believes he or she has been subject to conduct in violation of Cankdeska Cikana Community College Nondiscrimination Policy. In such a situation, the individual should clearly explain to the alleged offender as soon as possible after the incident that the behavior is objectionable and must stop. If the behavior does not stop or if the individual believes retaliation may result from the discussion, the individual should report to the designated officer. Under no circumstance shall an individual be required to use personal resolution to address prohibited behaviors.

### **Subpart B. Information privacy**

Confidentiality of information obtained during an investigation cannot be guaranteed; such information, however, will be handled in accordance with applicable federal and tribal data privacy laws.

### **Subpart C. Processing the complaint**

The designated officer must be contacted in order to initiate a report/complaint under this procedure. The scope of the process used in each complaint/report shall be determined by the designated officer based on the complexity of the allegations, the number and relationship of individuals involved, and other pertinent factors.

1. Jurisdiction. The designated officer shall determine whether the report/complaint is one which should be processed through another college procedure available to the complainant; if appropriate, the designated officer shall direct the complainant to that procedure as soon as possible.
2. Conflicts. The designated officer should identify to the president any real or perceived conflict of interest in proceeding as the designated officer for a specific complaint. If the president determines that a conflict exists, another designated officer shall be assigned.
3. Information provided to complainant. At the time the report/complaint is made, the designated officer shall:
  - a.) inform the complainant of the provisions of the Cankdeska Cikana Community College Nondiscrimination Policy, and this procedure;
  - b.) provide a copy of or Web address for Cankdeska Cikana Community College Policy on Nondiscrimination and this procedure to the complainant;
  - c.) determine whether other individuals are permitted to accompany the complainant during investigatory interviews and the extent of their involvement;
  - d.) inform the complainant of the provisions of Cankdeska Cikana Community College Policy on Nondiscrimination prohibiting retaliation.
4. Complaint documentation. The designated officer shall insure that the complaint is documented in writing. The designated officer may request, but not require the complainant to document the complaint in writing using the complaint form of the college.

5. Information provided to the respondent. At the time initial contact is made with the respondent, the designated officer shall inform the respondent in writing of the existence and general nature of the complaint and the provisions of the nondiscrimination policy. At the initial meeting with the respondent, the designated officer shall:
  - a) provide a copy of or Web address for Cankdeska Cikana Community College Nondiscrimination Policy and this procedure to the respondent;
  - b.) provide sufficient information to the respondent consistent with federal and tribal data privacy laws to allow the respondent to respond to the substance of the complaint;
  - c.) explain to the respondent that in addition to being interviewed by the designated officer, the respondent may provide a written response to the allegations;
  - d.) determine whether other individuals are permitted to accompany the respondent during investigative interviews and the extent of their involvement; and
  - e.) inform the respondent of the provisions of Cankdeska Cikana Community College Policy on Nondiscrimination prohibiting retaliation.
6. Investigatory process. The designated officer shall:
  - a.) conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings;
  - b.) Inform the witnesses and other involved individuals of the prohibition against retaliation;
  - c.) Create, gather and maintain investigative documentation as appropriate;
  - d.) disclose appropriate information to others only on a need to know basis consistent with tribal and federal law, and provide a data privacy notice in accordance with tribal law; and
  - e.) Handle all data in accordance with applicable federal and tribal privacy laws.
7. Interim Actions.
  - a.) Employee reassignment or place on administrative leave.
  - b.) Under appropriate circumstances, the president or designee may, in consultation with system legal counsel and labor relations, reassign or place an employee on administrative leave at any point in time during the report/ complaint process.
  - c.) In determining whether to place an employee on administrative leave or reassignment, consideration shall be given to the nature of the alleged behavior, the relationships between the parties, the context in which the alleged incidents occurred and other relevant factors. Any action taken must be consistent with the applicable collective bargaining agreement or personnel plan.
  - d.) Student summary suspension or other action.
  - e.) Under appropriate circumstances, the president or designee may, in consultation with system legal counsel, summarily suspend a student at any point in time during the report/complaint process.
  - f.) A summary suspension may be imposed only in accordance with Board Policy and associated system procedures.
  - g.) After the student has been summarily suspended, the report/complaint process should be completed within the shortest reasonable time period, not to exceed nine (9) class days.
  - h.) During the summary suspension, the student may not enter the campus or participate in any college activities without obtaining prior permission from the president or designee.
  - i.) Other temporary measures may be taken in lieu of summary suspension where the president or designee determines such measures are appropriate.
8. No basis to proceed. At any point during the processing of the complaint, the designated officer may determine that there is no basis to proceed under Cankdeska Cikana Community College Policy Nondiscrimination. The designated officer shall refer the complaint as appropriate. The designated officer shall notify the complainant and respondent of the outcome as appropriate, in accordance with applicable data privacy laws.

#### **Subpart D. Resolution**

After processing the complaint, the designated officer may consider one or more of the following methods to resolve the complaint as appropriate:

1. Conduct or coordinate education/training;
2. Facilitate voluntary meetings between the parties;
3. Recommend separation of the parties, after consultation with appropriate college personnel; other possible outcomes may include recommending changes in workplace assignments, enrollment in a different course or program, or other appropriate action; the College may use alternative dispute resolution or mediation services

as a method of resolving discrimination or harassment complaints. Alternative dispute resolution and mediation options require the voluntary participation of all parties to the complaint; upon completion of the inquiry, the designated officer may dismiss or refer the complaint to others as appropriate.

### **Subpart E. Decision process**

If the above methods have not resolved the complaint within a reasonable period of time to the satisfaction of the designated officer, or the designated officer feels additional steps should be taken, the procedures in this subpart shall be followed.

1. Designated officer shall:
  - a.) prepare an investigative report and forward it to the decision maker for review and decision;
  - b.) take additional investigative measures as requested by the decision maker; and
  - c.) be responsible for coordinating responses to requests for information contained in an investigation report in accordance with but not limited to, the Family Educational Rights and Privacy Act (FERPA).
2. Decision maker. After receiving the investigative report prepared by the designated officer, the decision maker shall:
  - a.) determine whether additional steps should be taken prior to making the decision. Additional steps may include:
    - 1) a request that the designated officer conduct further investigative measures;
    - 2) a meeting with the complainant, respondent or other involved individuals. If a meeting involving a represented employee is convened, the complainant or respondent may choose to be accompanied by a member of CCCC's leadership team, and federal and tribal law; and
3. A request for additional information which may include a written response from the complainant or respondent relating to the allegations of the complaint.
  - a.) take other measures deemed necessary to determine whether a violation of Cankdeska Cikana Community College Nondiscrimination Policy has been established;
  - b.) when making the decision, consider the totality of the circumstances, including the nature and extent of the behaviors, the relationship(s) between the parties, the context in which the alleged incident(s) occurred, and other relevant factors;
  - c.) determine the nature, scope and timing of disciplinary or corrective action and the process for implementation if a violation of the nondiscrimination policy occurs. This may include consultation with human resources or supervisory personnel to determine appropriate discipline;
  - d.) As appropriate, consistent with applicable tribal and federal data privacy laws, report in writing to the complainant, respondent and the designated officer her or his findings, and the basis for those findings, as to whether Cankdeska Cikana Community College Nondiscrimination Policy has been violated. The written response to the complainant shall be provided within 60 days after a complaint is made unless reasonable cause for delay exists.
  - e.) Conduct that is determined not to have violated Cankdeska Cikana Community College Policy Nondiscrimination shall be referred to another procedure for further action, if appropriate.

### **Part 7. College action**

The college shall take the appropriate corrective action based on results of the investigation, and the designated officer shall make appropriate inquiries to ascertain the effectiveness of any corrective or disciplinary action.

Complainants are encouraged to report any subsequent conduct that violates Cankdeska Cikana Community College Nondiscrimination Policy, as well as allegations of retaliation.

Written notice to parties relating to discipline, resolutions, and/or final dispositions resulting from the report/complaint process is deemed to be official correspondence from the college.

### **Part 8. Appeal**

#### **Subpart A. Filing an appeal**

The complainant or 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. The appeal must

state specific reasons why the complainant or respondent believes the decision was improper. In a complaint against a president official who reports directly to the Board of Regents, an appeal may be considered by the Board of Regents whether or not the Board of Regents served as the decision maker.

### **Subpart B. Appeal process**

The president or designee shall review the record and determine whether to affirm or modify the decision. The president or designee may receive additional information if the president or designee believes such information would aid in the consideration of the appeal. The decision on appeal shall be made within a reasonable time and the complainant, respondent and designated officer shall be notified in writing of the decision, consistent with applicable tribal and federal data privacy laws. The decision on appeal exhausts the complainant's and respondents' administrative remedies under this procedure except as provided herein.

### **Part 9. Education and training**

The College shall provide education and training programs to promote awareness and prevent discrimination/harassment, such as educational seminars, peer-to-peer counseling, operation of hotlines, and informational resources. Education and training programs should include education about Cankdeska Cikana Community College Nondiscrimination Policy and this procedure.

### **Part 10. Distribution**

Information regarding Cankdeska Cikana Community College Nondiscrimination Policy and this procedure shall, at a minimum, be distributed to students at the time of registration and to employees at the beginning of employment. Distribution may be accomplished by posting on an internet website, provided all students and employees are directly notified of how to access the policy and procedure by an exact address, and that they may request a paper copy. Copies of the policy and procedure shall be conspicuously posted at appropriate locations on the College campus at all times and shall include the designated officers' names, locations and telephone numbers.

Designated officers also must be identified by name, location and phone number in informational publications such as student catalogs, student and employee handbooks, bulletin boards, campus websites and other appropriate public announcements.

### **Part 11. Maintenance of report/complaint procedure documentation**

During and upon the completion of the complaint process, the complaint file shall be maintained in a secure location in the office of the designated officer for the college in accordance with the applicable records retention schedule.

Access to the data shall be in accordance with the respective personnel plan, the Family Educational Rights and Privacy Act or other applicable law.

## **College Policy**

### **Student Code of Conduct**

#### **Part 1. Student Conduct Policy Section 1: Student Conduct Code**

Each student at Cankdeska Cikana Community College has the right to an education, and it is the responsibility of the college to provide an environment that promotes learning. Any action by a student that



interferes with the education of any other student or interferes with the operations of the college in carrying out its responsibility to provide an education will be considered a violation of this code. Disciplinary action will be handled in an expeditious manner while providing due process.

Cankdeska Cikana Community College has established a code of student conduct that states its student conduct policies and its procedures for the administration of student conduct proceedings. Hazing, whether occurring on or off campus, is included in CCCC's list of prohibited behavior. Students shall be afforded appropriate due process in the resolution of any allegation(s) of violations of the code of student conduct. Students found responsible for violations are subject to sanctions, which in more serious cases may include suspension or expulsion from the college. Annually, and upon amendment, CCCC shall notify its students of the availability and location of the code of conduct and a copy of the code shall be posted at appropriate locations on campus and on the college website.

Allegations of discrimination, harassment, sexual violence, fraud or dishonest acts as defined in Board Policy shall be resolved pursuant to Board policy. Allegations of academic dishonesty may be resolved under separate procedures in accordance with CCCC's policy.

### **Part 2. Off-campus Conduct**

Cankdeska Cikana Community College may hold students accountable for a violation of the behavioral guidelines contained in their Student Code of Conduct committed off campus when:

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

### **Part 3. Appeal**

The College establishes a code of student conduct that states policies and procedures for the administration of student conduct proceedings. Students will be afforded appropriate due process in the resolution of any allegation(s) of violations of the code of student conduct. Students found responsible for violations are subject to disciplinary action which in more serious cases may include suspension or expulsion from the College. The Student Code of Conduct is available on the College website and is posted at appropriate locations on campus.

Students found to be responsible for a conduct violation will be provided an avenue of appeal within the college. In addition, in cases involving suspension for ten (10) days or longer, student will be informed of their right to a contest.

### **Part 4. Procedures**

#### **College Policy — Student Code of Conduct Procedures**

##### **Part 1. Purpose**

Cankdeska Cikana Community College believes that every student is accountable for his or her individual behavior especially as it imposes on the freedom, rights and safety of another individual or to the extent that it impacts upon the atmosphere and environment conducive to the educational mission of the College community.

Within this context, specific kinds of behavior are judged to be unacceptable and may serve as a basis for expulsion. These include, but are not limited to: disorderly and/or disruptive behavior; physical assault or threat of physical assault; theft or attempted theft; vandalism or willful property damage; trespassing (unauthorized presence) or failure to



heed a lawful order; academic dishonesty; fraud and/or willful misrepresentation; and possession of alcohol and/or illicit substances.

Disciplinary action against individual students or a group of students are administered in the context of a unified and coordinated set of campus regulations and processes to ensure fair, equitable, and legal outcomes. This process ensures due process for students accused of engaging in misconduct.

The code of conduct exists to guide the behavior of all Cankdeska Cikana Community College students. Students participating in on-site orientation will be provided with information regarding the student code of conduct.

## **Part 2. Jurisdiction**

The college has the right to take necessary and appropriate action to support and protect the safety and wellbeing of the college community. Cankdeska Cikana Community College students are expected to abide by tribal and federal laws and college rules. Should the violation of civil or criminal law involve college interests, the college has the right to proceed with disciplinary action without regard to civil or criminal proceedings.

These regulations apply on campus and at all college-sponsored activities, or at activities sponsored by college clubs or organizations on- or off-campus, or if the off-campus action involves a continuation or extension of a situation initiated on campus, except where specifically limited. Students or organizations may be subject to college discipline for any of the misconduct described below which occurs any time on college-controlled premises or at college- approved or sponsored functions.

## **Part 3. Standards**

All Cankdeska Cikana Community College students are encouraged to familiarize themselves with, as well as to conform to, college rules and regulations governing personal conduct on all campuses. Violations of such rules and regulations for which students are subject to disciplinary action include, but are not limited to, the following:

1. Dishonesty, including, but not limited to cheating, plagiarism, or knowingly furnishing false information to the college. Plagiarism includes, but is not limited to the use by paraphrase or direct quotation, the published or unpublished work of another person without full and clear acknowledgement; unacknowledged use of materials prepared by another person or agency engaging in selling or otherwise providing term papers or other academic materials. Knowingly passing an insufficient funds check or fraudulent money order in payment of any financial obligation to the college.
2. Forgery, alteration, misrepresentation, or misuse of college documents, records or identification, or of records submitted to the college.
3. Unauthorized use, changing, deleting of any information or data contained in the campus student record computer system.
4. Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other college activities on or off campus, including, but not limited to, instruction, the community service functions or other authorized activities on or off college premises.
5. Failure to comply with directions of college officials acting in the performance of their duties or with fire, police or other emergency service personnel. Failure to identify oneself to these persons when requested to do so, after they have identified themselves.
6. Conduct which threatens or endangers the health or safety of any person at the college, or at college controlled, sponsored or supervised functions. Intentionally, recklessly or negligently causing physical harm to any person on the college premises or at college sponsored activities. This includes engaging in any form of fighting or any hostile conduct or behavior that might incite violence.
7. Harassment of any member of the college community, placing any person under mental duress or causing any person to be in fear of physical danger through verbal abuse (including repeated phone calls), intimidation including but not limited to, violence or threat of violence, bullying or personal vilification, including when such actions are based on age, sex, race, color, disability, religion, sexual orientation, or national/ethnic origin.

(Refer also to Cankdeska Cikana Community College Sexual Harassment Policy).

8. Physical, sexual abuse or battery upon a student or college employee, upon college premises, or while under the authority of college employee, or at a college-sponsored event; or continued abuse of a student or college employee, assault or battery upon a student or college employee, or any threat of force or violence directed toward a student or college employee.
9. Hazing, including any act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose or intention, admission into, affiliation with, or as a condition of continued membership in a group or organization.
10. Unauthorized borrowing of or use of college property, theft or attempted theft or damage to, property of the college or property of a member of the college community or property of a campus visitor.
11. Unauthorized entry to, or use of, college supplies (including college stationery and postage), keys, telephones (including long distance service), computers or computer systems, equipment and/or facilities or the use of any of the above for any illegal act or any act prohibited by the code of conduct.
12. Theft or destruction of computer hardware or software. Misuse of computer time including, but not limited to: unauthorized entry into a file, to use, read, or change the contents, or for any other purpose; unauthorized transfer of a file, unauthorized use of another individual's identification and password; use of computing equipment to interfere with the work of another student, faculty member or college official; use of computing facilities to send obscene or abusive messages; use of computing equipment to interfere with normal operation of the college computing system.
13. Damage to public or private property on college premises including, but not limited to graffiti, defacing signs or damaging college property wherever located.
14. The incurring of financial obligations on behalf of the college without proper authorization.
15. Violation of college regulations concerning student organizations, the use of college facilities, or the time, place and manner of public expression.
16. Unauthorized use, sale, possession, or presence on campus or at college-sponsored events of alcoholic beverages or controlled substances and/or drug paraphernalia. The state of being under the influence of alcohol or controlled substances on college-controlled property, or at college sponsored events. A complete copy of the Drug and Alcohol-Free Campus Policy is available for students and employees in the Student Services and the Human Resources Office.
17. Disorderly, disruptive, indecent, or obscene conduct or expression, or breach of peace, on college-owned or controlled property or at college-sponsored or supervised functions. Obstruction of the free flow of pedestrian or vehicular traffic on college premises or at college-sponsored or supervised functions.
18. Continued willful and disruptive behavior, vulgarity, open and persistent defiance of authority, or persistent abuse of college personnel.
19. Possession or use of unauthorized firearms or other dangerous weapons on college-controlled property. "Weapon" is broadly defined to include, but is not limited to, all firearms (including BB guns), dangerous knives, explosives, explosive fuels, dangerous chemicals, billy-club, and fireworks.
20. Violation of college regulations regarding the use of tobacco products on college-controlled property.
21. Gambling on campus.
22. Unauthorized solicitation or selling of goods or services on campus or at college-sponsored activities on or off campus.
23. Actions which interfere with obstruct or prevent the regular and essential operations of the college or infringe upon the rights of others to freely participate in its courses, programs or services.

#### **Part 4. Sanctions**

Disciplinary sanctions are implemented by written notification after an informal meeting or formal hearing with administrative staff arranged by the Dean of Student Services.

More than one of the sanctions listed below may be imposed for any single violation. The following sanctions are listed to provide students with examples of possible penalties for conduct code violations.

The college reserves the right to impose other sanctions as circumstances warrant.

**Warning** - issuance of an oral or written warning or reprimand that may become part of a student's permanent file.

**Restitution** - payment required to the college or other persons, groups, or organizations for damages incurred.

**Probation** - continued enrollment at the college but under specific written conditions for a specific period of time. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulations(s) during the probationary period.

**Discretionary Sanction** - service to the college or other related discretionary assignments.

**Loss of a College Privilege** - an order directing a student not to have contact with an area or another member of the college community.

**Suspension** - denial of the privilege of enrollment for a specific period of time after which the student is eligible to return. Conditions for re-admission may be specified.

**Long-term Suspension** - a suspension that remains in effect for longer than 10 (ten) days. Long-term Suspensions are recorded on the academic transcript.

**Summary Suspension** - a suspension imposed without an investigation, informal meeting or formal hearing to ensure the safety and well-being of members of the college community.

**Expulsion** - termination of student status. Expulsions are recorded on the academic transcript.

## **Part 5. Initiation of Conduct Investigation**

NOTE: Complaints alleging harassment or discrimination based on race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, or sexual orientation, will be investigated and processed under the Equal Opportunity Policy and Procedures in the college catalog. All other complaints alleging improper conduct by a student or student group will be investigated under the Student Conduct Investigation Procedures.

### **Subpart A. Filing of a Complaint**

Any member of the college community may file a complaint against a student or student organization alleging a violation of the Student Code of Conduct or other college policy. A complaint should be submitted to the Dean of Student Services or designee. Once a complaint is filed, the Dean of Student Services chooses not to pursue the matter. Persons filing a complaint are required to provide pertinent information and, if necessary, appear at a hearing.

### **Subpart B. Misconduct Reported Through Other Means**

In many situations, alleged conduct violations are reported to the Dean of Student Services through Incident Reports or other means. The Dean of Student Services has the responsibility to insure compliance with the Student Code of Conduct and therefore retains the authority to investigate all reports of alleged student misconduct regardless of how the report is received by the Dean of Student Services.

### **Subpart C. Cooperation with Investigation**

All members of the college community are required to cooperate with an investigation and provide pertinent information to the Dean of Student Services upon request, and if necessary, appear at a hearing.

## **Part 6. Investigation of Alleged Misconduct**

Following the filing of a complaint or receipt of a report of alleged misconduct, the Dean of Student Services or designee will investigate. If, in the process of the investigation, the Dean of Student Services or designee determines

that the complaint is unwarranted or unsupported, the Dean of Student Services or designee shall discontinue proceedings.

### **Subpart A. Informal Meeting**

If the Dean of Student Services or designee feels that there is sufficient evidence to support the complaint, the Dean of Student Services or designee shall offer the accused student an opportunity to resolve the violation at an informal meeting. The student or students will be notified of their right to the informal meeting orally or by e-mail sent to their college assigned e-mail account.

Prior to or at the beginning of the informal meeting, the student must be provided with the following information:

- Oral or written notice of the complaint.
- A copy of the Student Code of Conduct handbook/policy
- Oral or written notice of a summary of the evidence to support the complaint specific policy he/she is accused of violating.

During the informal meeting the Dean of Student Services or designee shall review the complaint and evidence with the student and allow the student to present a defense against the complaint. The accused student may have an advisor or attorney present. However, the advisor or attorney may not participate in any questioning or advocate on behalf of the student.

Within a reasonable time period following the meeting, the Dean of Student Services shall inform the accused student in writing of his/her decision whether a violation of the code was established by a preponderance of evidence and any applicable sanction as well as options available for an appeal meeting or formal hearing.

If the student fails to appear for the informal meeting, the Dean of Student Services or designee may impose an appropriate sanction against the student. The Dean of Student Services or designee shall send written notice to the student of any sanction imposed, including any applicable right to appeal. The student or students will be notified by e-mail sent to their College assigned e-mail account.

A student who has received a sanction other than a long-term suspension or expulsion has a right to an appeal meeting with the Academic Dean. A request for an appeal meeting must be made in writing to the Academic Dean identified in the notice of sanction, and received within ten (10) business days of the e-mail notice of sanctioning. Failure to request an appeal meeting in writing within the ten (10) day time period presumes acceptance of the sanction.

A student who has received a sanction of a long-term suspension or expulsion may accept the sanction or may request a formal hearing. A request for formal hearing must be made in writing to the Academic Dean identified in the notice of sanction, and received within ten (10) business days of the e-mail notice of sanctioning. Failure to request a formal hearing in writing within the ten (10) day time period presumes acceptance of the sanction.

### **Subpart B. Formal Hearing**

After receiving a request for a formal hearing within the proscribed time period, the college will notify the student in writing of the time, place and date of hearing. Such notice to the student shall also include:

- A summary of the witness and documentary evidence that may be presented in support of a charge.
- A statement that the student's failure to appear will not prevent the hearing from proceeding as scheduled and may lead to imposition of sanctions in the student's absence.
- Notice that the student may have an advisor present, and if there is a likelihood that the student will face criminal prosecution related to the charge, notice that the student may wish to retain an attorney.
- Notice that the student must provide a summary of their witnesses and documentary evidence that may be

presented at the formal hearing by a prescribed date.

The student may elect to have a hearing before the Academic Dean or before a College Conduct Committee made up of members of the college community. The hearing will be conducted in the following manner:

1. The **Dean of Student Services** or designee who imposed the sanction shall first present the complaint and supporting evidence. The accused student shall have an opportunity to challenge evidence.
2. The accused student shall next present evidence or testimony to refute the complaint.
3. Only those materials and matters presented at the hearing shall be considered as evidence.
4. The hearing shall be held in closed session unless the Academic Dean/Conduct Committee Chair determines there is a compelling reason and neither the accused student nor the complainant presents an objection.
5. The accused student may have an advisor or attorney present. However, the advisor or attorney may not participate in any questioning or advocate on behalf of the student.

Upon conclusion of the Conduct Committee hearing, the Committee in closed session shall consider the evidence and make a recommendation to the Academic Dean. The Academic Dean will consider the recommendation and evidence that is forwarded by the Conduct Committee and will decide to uphold the sanction, exonerate the student, or impose a different sanction.

If the student elects to have a hearing before the President, the hearing will be conducted in the manner described above. Upon conclusion of the hearing, the President shall consider the evidence and decide to uphold the sanction, exonerate the student, or impose a different sanction.

A written notice of findings and conclusions shall be provided to the student within a reasonable time after the hearing. The student shall be considered notified of the sanction: 1) when the notice is hand-delivered to the student or 2) two-days (excluding Sundays and legal holidays) after the notice is e-mailed to the student's college assigned e-mail account. If the **Dean of Student Services** affirms a long-term suspension or expulsion, the notice shall inform the student of his/her right to a contested case hearing.

#### **Part 7. Contested Case Hearings**

If a long-term suspension or an expulsion is upheld by the Academic Dean or President, the student has a right to appeal the decision. A student seeking a hearing must inform the Academic Dean and President within ten (10) business days of the e-mail notice of the **Dean of Student Services final decision**. The College will request a hearing from Tribal Court. The student will be notified of the time, place and date of the hearing.

The hearing will be conducted pursuant to Contested Case Procedures adopted by the Spirit Lake Tribal Court. Following the hearing, the judge shall make a report, which contains a recommendation, to the College President. Within a reasonable time period following receipt of the judge's recommendation, the College President shall make a decision. The President's decision shall be final.

#### **Part 8. Summary Suspension**

In some cases, a complaint may allege threats of harm or serious harm to individuals. If, in the judgment of the **Dean of Student Services** or designee, the accused student's presence on campus would constitute a serious threat to the safety and well-being of others, the **Dean of Student Services** or designee may impose a summary suspension. To the greatest extent possible before implementing the summary suspension, the accused student shall be given oral or written notice of the intent to impose summary suspension and shall be given an opportunity to present oral or written arguments against the imposition of the suspension. However, the refusal of a student to accept or acknowledge this notice shall not prevent the implementation of a summary suspension.

Notice of a summary suspension shall be provided to the accused student in writing. During the summary suspension, the student may not enter the campus without obtaining prior authorization from the **Dean of Student Services** or designee. A student who has been summarily suspended will be given the opportunity for an informal meeting or formal hearing within the shortest reasonable time period, not to exceed nine (9) school or business days. *None of the provisions in this policy affect the rights of persons in authority to take immediate and temporary action necessary to protect others and to uphold established policies, regulations and laws.*

#### **Part 9. Appeal Guidelines**

The following guidelines should be used as grounds for an appeal: new evidence not reasonably available at the time of the hearing, violation of hearing procedures, violation of student's due process rights, inconsistency of sanction relative to violation, and decisions contrary to weight of the evidence.

#### **Part 10. Implementation**

A sanction shall not become effective during the time in which a student seeks an appeal meeting or formal hearing, unless, in the discretion of the Dean of Student Services or designee, it is necessary to implement an immediate sanction for the safety and welfare of the College community.

#### **Part 11. Definitions**

For purposes of Student Code of Conduct and Student Code of Conduct Procedures the following definitions apply:

**Expulsion.** Permanent denial of the privilege of enrollment at the College.

**Hazing.** An act which endangers the mental or physical health or safety of a person, subjects a person to public humiliation or ridicule, or which 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 student group, organization, or athletic team.

**Preponderance of evidence.** A standard of responsibility that it is more likely than not that the code has been violated.

**Student.** The term "student" includes all persons who:

1. Are enrolled in one or more courses, either credit or non-credit, through the College.
2. Withdraw, transfer or graduate, after an alleged violation of the student conduct code.
3. Are not officially enrolled for a particular term but who have a continuing relationship with the college.
4. Have been notified of their acceptance for admission or have initiated the process of application.

**Summary suspension.** A suspension imposed without an informal meeting or formal hearing to ensure the safety and well-being of members of the college or university community.

**Suspension.** Denial of the privilege of enrollment for a specified period of time after which the student is eligible to return. Conditions for re-enrollment may be specified.

#### **Notification of Rights under FERPA for Postsecondary Institutions**

Important notice to students of Cankdeska Cikana Community College about Public vs. Private Student Information. The Federal Family Education Rights and Privacy Act of 1974 and the Minnesota Tribal Legislative Chapter 479 and 401 provide direction for the data practices at Cankdeska Cikana Community College. Each college may establish what information is public information (sometimes referred to as directory information) on its students.



## **STUDENT RECORDS POLICY**

### **Part 1. Confidentiality of Student Records**

The Federal Family Education Rights and Privacy Act (FERPA) of 1974 provide for specific regulations regarding the collection, security, dissemination and confidential status of data in student records. Besides classroom academic papers, students enrolled in the College are required by various offices such as Admissions and Records, Business Services, Counseling and Advising, and Financial Aid to supply information necessary for services to be rendered the student. The College gives assurance that student information will be safeguarded against improper disclosure as indicated in this policy. Students who refuse to supply official college-requested information will not receive the services rendered by that office.

### **Part 2. Public vs. Private Student Information**

#### **Subpart A. Public Information**

At Cankdeska Cikana Community College the following information is Public Information (directory information). This data is accessible to any member of the public for any review:

- Name of Student
- Date of Attendance
- Graduation, Certification, Field of Study

Cankdeska Cikana Community College does not publish a student directory. No directory or other list of students will be released to individuals or commercial agencies. (Please note exception: Students attending the Spring Graduation Ceremony may have their addresses released to the graduation photographer so that pictures may be mailed to participants.)

A student may make a written request not to release public information without his/her written permission (i.e., request confidentiality); this request should be submitted to the Admissions Office. Currently enrolled students should make such notice with the Admissions Office by the fifth day of the term.

#### **Subpart B. Private Information**

Private information may be released by the college to students requesting information about themselves, to appropriate college personnel or to personnel who have a legitimate educational interest, to the Higher Education Services Office, to the National Student Loan Clearinghouse for enrollment verification, or if necessary to protect the health and safety of the student or other persons. Other exceptions authorized by law which permit the release of private information without consent include: to other schools in which you seek or intend to enroll; to the federal Comptroller General or other federal, state, tribal or local educational officials for purposes of program compliance, audit, or evaluation; as appropriate, in connection with your application for, or receipt of, financial aid; to a court, grand jury or state or tribal or federal agency, if the information is sought with an appropriate subpoena or court order; to an institution engaged in research for an educational institution or agency related to testing, student aid, or improved instruction; an accrediting organization in connection with its accrediting functions; if required by a subpoena or a court order, or when permitted by other tribal or federal laws.

#### **Private information includes:**

- Address and phone number of the student
- Academic information including transcripts, grades, assessment and test results
- Recommendation information



- Evaluations
- Profile information which identifies individuals
- Student financial records and other financial information
- Background information including behavior, performance, traits, etc.
- Counselor records
- Suspension or probation status
- Conduct reports

**Subpart C. Exception to Private Information listed above**

There is a federally mandated exception that authorizes the release of some otherwise private information to the United States military.

Under the Solomon Amendment to the National Defense Authorization Act (1996), Cankdeska Cikana Community College must provide access to the following information on students to the United States military:

- Name
- Address
- Telephone listing
- Date and place of birth
- Level of education
- Academic major
- The educational institution in which the student was most recently enrolled

**Part 3. Confidential Information**

Confidential information is information available only to individuals or agencies authorized by law to gain access, such as investigation information, legal counsel data and some financial records and statements. This information may not be available to the subject of the data.

**Part 4. Notification of rights under FERPA**

The Family Educational Rights and Privacy Act (FERPA) afford students certain rights with respect to their education records.

**They are:**

The right to inspect and review the student's education records within 45 days of the day the college receives a request for access. Students should submit to the Registrar, Dean of Student Services, Dean of Academic, or other appropriate official, written requests that identify the record(s) they wish to inspect. The college

1. The right to inspect and review the student's education records within 45 days of the day the college receives a request for access. Students should submit to the Registrar, Dean of Student Services, Dean of Academic, or other appropriate official, written requests that identify the record(s) they wish to inspect. The college official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the college official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes is inaccurate or misleading. Students may ask the college to amend a record that they believe is inaccurate or misleading. They should write the college official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the college decides not to amend the record as requested by the student, the college will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the college in an administrative, supervisory, academic or research, or support

staff position (including law enforcement unit personnel and health staff); a person or company with which the College has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the College discloses education records without consent to officials of another school in which a student seeks or intends to enroll. **(NOTE: FERPA requires an institution to make a reasonable attempt to notify the student of the records request unless the institution states in its annual notification that it intends to forward records on request.)**

Cankdeska Cikana Community College discloses educational records to National Student Loan Clearing House, a national educational agency that serves as an agency of the College by providing verification of attendance for financial aid recipients and for other purposes.

The right to file a complaint with the U.S. Department of Education concerning alleged failures by Cankdeska Cikana Community College to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
600 Independence Avenue, SW  
Washington, DC 20202-4605

## **Part 5. Student Records Procedure Summary**

In general, the following points are used to implement the Student Records Policy:

1. No private information will be released to the public unless the student specifically requests in writing that such information be released.
2. A student may submit a written request not to release public information without his/her written permission (i.e. request confidentiality) to the Admissions Office in A123. The "Request to Withhold Directory Information" form may be submitted to the Admissions Office at any time and allow 5 days to process.
3. College employees can gain access only after following the procedures set forth in the policy.
4. All student information records may be subject to subpoena.
5. Information gathered on students will be used only to further student's educational programs.
6. Requests for information by telephone, without secured identification, will not be honored.
7. Students must request academic transcripts in writing.
8. Students applying for graduation and/or attending the graduation ceremony should be aware that their addresses may be provided to the photography studio present at the graduation ceremony.

## **Student Right to Know**

### **What is Student Right-To-Know?**

Student Right-To-Know is a federal law that requires all colleges and universities to disclose certain information to students. This handout provides the information that a college must provide to students on graduation rates and transfer-out rates for full-time students seeking degrees at Cankdeska Cikana Community College.

### **What is a Graduation Rate?**

Federal regulations specify how to calculate the graduation. The study includes all first-time, students who were enrolled full-time that fall and were seeking to earn a degree, diploma or certificate at the college. The graduation rate is the percentage of these students who graduated from Cankdeska Cikana Community College within three years. The CCCC graduation rate from the 2020 IPED's report was 20%.

### **Why don't more CCCC students graduate in three years?**

- Since Cankdeska Cikana Community College has an “open door” mission, many new students need to take “developmental” courses to improve their reading, writing or math skills before taking other college courses;
- Students who switch from full- time to part-time enrollment or “stop out” for one or more semesters are more likely to take more than three years to graduate.
- Some students take jobs before they graduate;
- Other students delay their education for personal, family or financial reasons.

### **Emergency Evacuation of Cankdeska Cikana Community College Buildings**

The sounding of the fire alarms means that the building must be evacuated immediately. Go outside through the nearest door; do not use elevators. Remain outside (away from the building) until a Cankdeska Cikana Community College staff member tells you that it is safe to re-enter the building. Special instructions for evacuation of students with disabilities who are known to need assistance with evacuation (i.e. students registered with the Dean of Student Services for Students with Disabilities) are available through the Student Services Department. In most emergencies the campus will use the radio system to provide instructions to the campus on proper emergency protocol.

### **Cancellation or Postponement of Classes Due to Weather**

Cankdeska Cikana Community College will use Local media and e2Campus Alert System to announce cancellations or postponements due to weather emergencies.

### **Withdrawing from Classes and Refund Policy**

The federal government requires colleges to provide students with information on how to withdraw. In compliance with that requirement, the following information is provided:

#### **Withdrawing from class**

The “drop” period takes place during the first two weeks of fall and spring semester and first week during the summer semester. Students are given 100% refund for classes they drop within the deadlines, and the registration does not appear on the student’s transcript. Check the schedule for each term for the exact deadlines to drop.

After the drop period has concluded, a student wishing to withdraw from college must initiate the withdrawal process on or before the last day to withdraw from classes. Students will receive a grade of “W” in classes from which they withdraw and a “W” remains on the student’s transcript. In the event that withdrawal is necessary, following the proper procedure may avoid financial loss and prevent a student from receiving grades of “F”. A student who wishes to withdraw must fill out the necessary form(s), obtain signatures to his/her Advisor and Instructors, and return the form(s) to the Registrar’s Office. A student does not withdraw by simply leaving college. When students do not formally withdraw from the college, they will receive a grade of “F” in each course in which they are registered. Students must complete the withdraw process only when they are dropping all of their courses. Tuition refunds are determined by a schedule outlined in the “Financial Information” section of the student handbook.

“W” grades do not affect grade point average (GPA).

“W” grades do affect your completion rate (67% completion rate is required to maintain SAP - Satisfactory Academic Progress).

Students will not be withdrawn automatically from classes that they do not continue to attend.

Students will be dropped from a course without penalty if they have not attended at least once during the first two weeks of the fall and spring semesters or at least once during the first week of the summer semester.

Students receiving financial aid who withdraw from all classes may have to pay back a large portion of their financial aid. The amount of Title IV funds earned by a student is based on the amount of time spent in attendance by the student for that term as calculated in the return of title IV funds worksheet.

### **Refund policy**

Any student who drops a class during the first two weeks of instruction of a fall/spring semester or first week of instruction of a summer semester will receive a 100% refund of tuition and fees for the credit hour attributable to the class or classes dropped. No refund for a dropped class will be allowed after the first two weeks of instruction of a fall/spring semester or first week of instruction of a summer semester; however, classes of the same or fewer credits may be substituted when added prior to the published deadline (see academic calendar) for the dropped class at no additional tuition charge. The institution will charge the student for the additional credits and any special course fee(s) if added classes result in an increase in credit hours or if an added class required special course fees.

### **Last Date of Attendance**

**See Refund Policy for Title IV Financial Aid:** [http://www.littlehoop.edu/financial\\_aid.html](http://www.littlehoop.edu/financial_aid.html)

Students are expected to regularly attend classes in which they are enrolled and abide by Cankdeska Cikana Community College Policy Procedures for changing enrollment. Students who decide to stop attending courses should immediately drop/withdraw from their course(s). The student will remain responsible for any financial liability, less applicable refunds that have incurred and for any academic consequences.

### **Equal Opportunity Institution**

Cankdeska Cikana Community College is an equal opportunity educator and employer. Cankdeska Cikana Community College will not discriminate against any person because of race, color, creed, religion, national origin, sex, disability, age, marital status, sexual orientation, or status with regard to public assistance or membership in a local commission. Cankdeska Cikana Community College prohibits sexual harassment and sexual violence.

This document is available in alternative formats to individuals with disabilities by calling the Dean of Student Services at (701) 766-1137.

# 2023 Campus Safety and Security Crime Statistics

## Criminal Offenses - On campus

Criminal offense	Total occurrences on campus		
	2020	2021	2022
a. <u>Murder/Non-negligent manslaughter</u>	0	0	0
b. <u>Manslaughter by Negligence</u>	0	0	0
c. <u>Rape</u>	0	0	0
d. <u>Fondling</u>	0	0	0
e. <u>Incest</u>	0	0	0
f. <u>Statutory rape</u>	0	0	0
g. <u>Robbery</u>	0	0	0
h. <u>Aggravated assault</u>	0	0	0
i. <u>Burglary</u>	0	0	0
j. <u>Motor vehicle theft</u>	0	0	0
k. <u>Arson</u>	0	0	0

## Criminal Offenses - Public Property

Criminal offense	Total occurrences on Public Property		
	2020	2021	2022
a. <u>Murder/Non-negligent manslaughter</u>	0	0	0
b. <u>Manslaughter by Negligence</u>	0	0	0
c. <u>Rape</u>	0	0	0
d. <u>Fondling</u>	0	0	0
e. <u>Incest</u>	0	0	0
f. <u>Statutory rape</u>	0	0	0
g. <u>Robbery</u>	0	0	0
h. <u>Aggravated assault</u>	0	0	0
i. <u>Burglary</u>	0	0	0
j. <u>Motor vehicle theft</u>	0	0	0
k. <u>Arson</u>	0	0	0

## Hate Crimes - On campus

Criminal offense	Occurrences of Hate crimes								
	2022 Total	Category of Bias for crimes reported in 2022							
		Race	Religion	Sexual orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. <u>Murder/ Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0
c. <u>Rape</u>	0	0	0	0	0	0	0	0	0
d. <u>Fondling</u>	0	0	0	0	0	0	0	0	0
e. <u>Incest</u>	0	0	0	0	0	0	0	0	0
f. <u>Statutory rape</u>	0	0	0	0	0	0	0	0	0
g. <u>Robbery</u>	0	0	0	0	0	0	0	0	0
h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u>	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/ vandalism of property</u>	0	0	0	0	0	0	0	0	0

		Occurrences of Hate crimes							
Criminal offense	2021 Total	Category of Bias for crimes reported in 2021							
		Race	Religion	Sexual orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. <u>Murder/ Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0
c. <u>Rape</u>	0	0	0	0	0	0	0	0	0
d. <u>Fondling</u>	0	0	0	0	0	0	0	0	0
e. <u>Incest</u>	0	0	0	0	0	0	0	0	0
f. <u>Statutory rape</u>	0	0	0	0	0	0	0	0	0
g. <u>Robbery</u>	0	0	0	0	0	0	0	0	0
h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u>	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/vandalism of property</u>	0	0	0	0	0	0	0	0	0

		Occurrences of Hate crimes							
Criminal offense	2020 Total	Category of Bias for crimes reported in 2020							
		Race	Religion	Sexual orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. <u>Murder/ Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0
c. <u>Rape</u>	0	0	0	0	0	0	0	0	0
d. <u>Fondling</u>	0	0	0	0	0	0	0	0	0
e. <u>Incest</u>	0	0	0	0	0	0	0	0	0
f. <u>Statutory rape</u>	0	0	0	0	0	0	0	0	0
g. <u>Robbery</u>	0	0	0	0	0	0	0	0	0
h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u>	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/vandalism of property</u>	0	0	0	0	0	0	0	0	0

## Hate Crimes - Public Property

		Occurrences of Hate crimes							
Criminal offense	2022 Total	Category of Bias for crimes reported in 2022							
		Race	Religion	Sexual orientation	Gender	Gender Identity	Disability	Ethnicity	National origin
a. <u>Murder/ Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0
c. <u>Rape</u>	0	0	0	0	0	0	0	0	0
d. <u>Fondling</u>	0	0	0	0	0	0	0	0	0
e. <u>Incest</u>	0	0	0	0	0	0	0	0	0
f. <u>Statutory rape</u>	0	0	0	0	0	0	0	0	0

g. <u>Robbery</u>	0	0	0	0	0	0	0	0	0
h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u>	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/vandalism of property</u>	0	0	0	0	0	0	0	0	0

Criminal offense	Occurrences of Hate crimes								
	2021 Total	Category of Bias for crimes reported in 2021							
		Race	Religion	Sexual orientation	Gender	Gender identity	Disability	Ethnicity	National origin
a. <u>Murder/ Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0
c. <u>Rape</u>	0	0	0	0	0	0	0	0	0
d. <u>Fondling</u>	0	0	0	0	0	0	0	0	0
e. <u>Incest</u>	0	0	0	0	0	0	0	0	0
f. <u>Statutory rape</u>	0	0	0	0	0	0	0	0	0
g. <u>Robbery</u>	0	0	0	0	0	0	0	0	0
h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u>	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/vandalism of property</u>	0	0	0	0	0	0	0	0	0

Criminal offense	Occurrences of Hate crimes								
	2020 Total	Category of Bias for crimes reported in 2020							
		Race	Religion	Sexual orientation	Gender	Gender identity	Disability	Ethnicity	National origin
a. <u>Murder/ Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0
c. <u>Rape</u>	0	0	0	0	0	0	0	0	0
d. <u>Fondling</u>	0	0	0	0	0	0	0	0	0
e. <u>Incest</u>	0	0	0	0	0	0	0	0	0
f. <u>Statutory rape</u>	0	0	0	0	0	0	0	0	0
g. <u>Robbery</u>	0	0	0	0	0	0	0	0	0
h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u>	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/vandalism of property</u>	0	0	0	0	0	0	0	0	0



## VAWA Offenses - On Campus

Crime	Total occurrences On Campus		
	2020	2021	2022
a. <u>Domestic violence</u>	0	0	0
b. <u>Dating violence</u>	0	0	0
c. <u>Stalking</u>	0	0	0

## VAWA Offenses - Public Property

Crime	Total occurrences on Public Property		
	2020	2021	2022
a. <u>Domestic violence</u>	0	0	0
b. <u>Dating violence</u>	0	0	0
c. <u>Stalking</u>	0	0	0

## Arrests - On campus

Crime	Number of Arrests		
	2020	2021	2022
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

## Arrests - Public Property

Crime	Number of Arrests		
	2020	2021	2022
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

## Disciplinary Actions - On Campus

Crime	Number of persons referred for Disciplinary Action		
	2020	2021	2022
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

## Disciplinary Actions - Public Property

Crime	Number of persons referred for Disciplinary Action		
	2020	2021	2022
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

## Unfounded Crimes

	Number		
	2020	2021	2022
a. <u>Total unfounded crimes</u>	0	0	0