

# Annual Security & Fire Safety Report

## For the school year 2021-2022\*

\*with statistics from 2020



# Table of Contents

(To use a link, hold CTRL and use the mouse to click the link)

<a href="#">Resources</a>	3
<a href="#">About the report</a>	4
<a href="#">The Security Department</a>	5
<a href="#">Security and Building Access</a>	6
<a href="#">Emergency Notifications, Procedures, and Alerts</a>	7
<a href="#">Emergency Response Guides</a>	7
Trapper Alerts	
Emergency Notification	
Emergency Drills, Exercises, Trainings	
<a href="#">Timely Warnings</a>	9x
<a href="#">Reporting</a>	9
Reporting of Criminal Offenses	
Voluntary Confidential Reporting	
Procedures for Confidential Reporting	
<a href="#">General Prevention &amp; Awareness Programs</a>	10x
Security Awareness Programs	
Crime Prevention Programs	
Sexual Misconduct Policy	13
Other Sex Offense Policy Areas	42
Registered Sex Offenders	xx
Disclosure of Disciplinary Results	xx
Missing Students	43

## **RESOURCES**

### **On-Campus Resources:**

- Title IX Coordinator, Northwest College 231 W 6<sup>th</sup> Street, Powell WY 82435  
[Title9@nwc.edu](mailto:Title9@nwc.edu), 307.754.6102
- Vice President for Student Services. ORB XXX 307.754.6102
- Student Success Center Counseling, ORB 101 307.754.6135  
(8:00 a.m.-4:00 p.m.)
- Director of Residence and Campus Life (Housing) DSC XXX 307.754.6412
- Campus Security, DSC 222 Day 307.754.6067  
Night 307.202.0605

### **Off-Campus Resources:** EMERGENCY CALL 911

#### **Powell**

- Powell Police Department, 250 N. Clark St. Powell 307.754.2212
- Crisis Intervention Services
  - 24-Hour Crisis Hotline 877.864.9688
  - Other calls 307.754.3737
- Powell Valley Hospital, 777 Ave H, Powell
  - Emergency Room 307.754.1175
  - Other Calls 307.754.2267
- Northwest Family Planning, 246 N. Hamilton, Powell 307-754.5023

#### **Cody**

- Cody Police Department, 1402 River View Dr., Cody 307.527.8700
- Crisis Intervention Services
  - 24-Hour Crisis Hotline 877.864.9688
  - Other Calls 307.587.3545
- West Park Hospital, 707 Sheridan Ave, Cody
  - All calls 307.527.7501

#### **Lovell**

- Lovell Police Department 307.548.2215
- North Big Horn Hospital, 1115 Lane 12, Lovell WY 82431  
All calls 307.548.5200

#### **Worland**

- Worland Police Department 307.347.4253
- Washakie Medical Center, 400 S 15<sup>th</sup> St., Worland WY 82401  
All calls 307.347.3221

## The Crime Awareness & Campus Security Act of 1990

In November of 1990, President George Bush signed into law the Crime Awareness and Campus Security Act. This act established that students, parents and employees have a “right to know” about crimes committed on college and university campuses and about campus security policies and procedures.

Many students and parents are concerned about the issue of personal safety on college campuses. Northwest College (NWC) shares that concern and employs security measures to help ensure that students and employees are as free as possible from threats to their personal safety and well-being.

The Campus Security Office prepares this report to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act using information maintained by the Security Office, Residential Life Office, Human Resources Office, Counseling Office, Title IX Coordinator and information provided by Powell Police Department, The Park County Sheriff’s Office, and other police agencies as appropriate. Each of these offices provide updated policy information and/or crime data.

This report provides statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned, leased, or controlled by NWC. This report also includes institutional policies concerning campus security, such as policies regarding sexual misconduct, alcohol and drugs, and missing students.

NWC distributes a notice of the availability of this Annual Security Report by October 1 of each year to every student and every employee, as well as every prospective employee and every prospective student of the NWC community. Anyone may obtain a paper copy of this report by contacting the Campus Security Office at 307-754-6067. This report is also available online at:



## **THE SECURITY DEPARTMENT**

### *Northwest College Security*

Northwest College (NWC) is a non-sworn, non-law enforcement department with no powers of arrest. The Security Department operates only on NWC property and upholds the policies and procedures as set forth by the Northwest College Board. The Security Department consists of one Security Manager, one Security Technician, two part-time campus security assistants providing for daily patrol of the campus, as well as student workers to provide a security presence in several campus areas.

The *Campus Security Manager* assists in providing educational programming on campus, providing instruction to first year seminar classes on our outlined responses to campus emergency events, planning and conducting emergency drills, sexual assault investigations, some campus discipline, as well as many other duties.

The *Campus Security Technician* provides security during the daytime operation of the campus, responds to fire/assist calls, keeps the security office open (answering the phone and monitoring police/weather radio), assists in student discipline, compiles statistics, checks/maintains security/emergency equipment, maintain a work assignment schedule and other duties as assigned.

*Campus Security Assistants* are responsible for the nightly locking of the campus buildings, providing patrol for addressing and reporting problems on campus, as well as addressing policy violations that they encounter.

All members of the Security Department maintain CPR and AED training.

### *Local Law Enforcement*

NWC maintains a close working relationship with the Powell Police Department, which is outlined in an MOU and includes subjects such as enforcement of crime, information sharing, and crime prevention and educational programming, as well as the Park County Sheriff's Department which has jurisdiction over a few of our outlying buildings. All Law Enforcement agencies have access to the campus for patrolling as well as completion of their duties that may involve individuals on our campus.

### *Monitoring and Recording of Student Activities*

While NWC does not have any off-campus student organizations, NWC does have written into its *Memorandum of Understanding*, MOU, with the Powell Police Department, that student criminal activity off campus may be shared with NWC security and depending on the criminal activity, NWC's policy may allow for NWC to also investigate and act on the information shared from any Law Enforcement Agency. NWC also monitors Law Enforcements Police Bulletins to identify college student criminal behavior. The primary purpose of this is to maintain as accurate a picture of the student as possible to assist those students who may need assistance in re-engaging in their educational opportunities and achieving their potential while at NWC.

## **SECURITY OF AND ACCESS TO CAMPUS FACILITIES**

### **Non-residential buildings**

Students have complete access to academic, administrative and recreational facilities on campus during the daytime and evening hours when classes or programs are in progress. All non-residential facilities close at 10 pm to all students and visitors to campus, however, students may have extended access to educational areas in buildings by completing and properly submitting the *After-Hours Authorization Form* located on NWC portal under campus security. All non-residential facilities are closed on board approved college holidays.

### **Residential Buildings and Apartments**

All NWC Residence Halls are locked 24 hours a day, and key access is only available to residents of that hall through their room key/access card, as well as NWC employees to perform specific functions. Any guests in the building must be accompanied at all times by a resident of that building. Access to living spaces within the residence halls by NWC employees will be attempted to be done through appointment with the student unless the situation is believed to be life threatening, a violation of NWC policy that requires immediate investigation, or there is a risk of significant property damage if the situation is not addressed in a timely manner. Occupants of NWC apartments are responsible for the security of their living spaces through the locks provided by NWC. Access to these living spaces by NWC employees will be attempted to be done through appointment with the student unless the situation is believed to be life threatening, a violation of NWC policy that requires immediate investigation, or there is a risk of significant property damage if the situation is not addressed in a timely manner.

### **Lighting, Camera's, and other Campus Safety Measures**

NWC's Physical Plant Department maintains all college buildings and grounds with a concern for safety and security. Staff inspect facilities regularly and, as promptly as possible, make repairs affecting safety and security. They respond immediately to reports of potential hazards such as broken windows and locks. The campus is well lit and lighting surveys are regularly conducted with students and employees to ensure that lights are sufficient and properly working throughout campus, and to also identify any physical environment concerns that students or employees may have.

NWC does utilize security cameras in some areas on campus. These camera images are sent to recording devices and are primarily only used to assist in investigation purposes. There are five emergency phone/strobe (blue light) locations on campus that are directly linked to the Powell Police Department. These phones are regularly checked for proper operation by the Powell Police Department and/or NWC Security.

### **Weapons**

Weapons cannot be kept in residence hall rooms, college apartments, or on college property. (vehicles in parking lots). Weapons and ammunition must be checked in and registered with campus security. It is then stored in secured lockers. Any violation of this policy will result in dismissal from the residence halls or college apartments.

## **EMERGENCY NOTIFICATION, PROCEDURES, and ALERTS**

### *Emergency Notification*

NWC is committed to providing information to employees, students, and to the extent possible, visitors, timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus, or in the local area, that poses an immediate threat to their health and safety. Upon learning about and verifying the existence of a significant event or emergency situation, a Trapper Alert will be initiated without delay, using at least one of the systems, by a member of the emergency response team. Initial messages have been prerecorded to aid in the speed of delivery and generally identify the situation and any immediate steps to follow. While Trapper Alerts can be selective in their distribution, the initial message will generally be sent to all subscribers as a means of expediency. Subsequent information and instructions may be sent through Trapper Alerts, posted on NWC's [home page](#), Facebook page, or Twitter feed and will have more specifics on the incident and necessary actions that are needed by the community as the information is obtained and verified. These subsequent messages will generally originate out of the Incident Command structure, will most likely involve information from other agencies, and will be released through the assistance of the Crisis Communication team.

Emergencies can be reported to NWC by calling 307-754-6311. This phone number simultaneously calls the NWC President, Vice Presidents, and Campus Security Manager who will take the report of the emergency and immediately start the process of verification, notification of the campus and key personnel, as well as initiating Incident Command for management of the incident. NWC may also receive information about incidents from local Law Enforcement Agencies or text message paging of local Emergency Response Agencies and will use this information to act accordingly.

### *Trapper Alerts*

NWC has also implemented systems to notify the campus community in the event of an emergency. Trapper Alerts is a two-pronged system designed to provide multiple means of communicating with employees, students and visitors to the campus. The first system is the RAVE system, which uses text message, email, and voice messaging to disseminate information to subscribed users. All NWC employees and students are automatically enrolled, with the ability to "opt out" with the first use of the college portal page. The portal page can also be used to update phone numbers if they change, as well as verify enrollment in the system. The second system is Big Voice, a PA system that is located in academic buildings as well as a large outdoor speaker. Big Voice can be used in one building, a few buildings, or campus-wide as the need arises.

### *Timely Warnings*

The purpose of timely warnings is to alert the campus community of any identified incidents that may pose a serious or ongoing threat so that individuals may take steps to protect themselves and property from similar incidents. Timely warnings will generally be issued for such crimes as criminal homicide, sexual assault, aggravated assault, burglary, robbery, theft, arson, and hate crimes. Consideration will be given to any significant event, that is not criminal in nature, but poses an actual or potential threat to the campus community or their property.

If the Security Manager or Director of Residence and Campus Life receive information about crimes that have been identified to be considered for timely warnings, they will, preferably with consultation of the VP for Student Services, issue a timely warning. Timely warnings will only be sent if the following criteria are met:

- (1) a crime is committed, or a significant event is identified;
- (2) the perpetrator has not been identified;
- (3) there is a substantial risk to the physical safety of the campus community or their property.

Information to consider included in timely warnings: what the threat is, where the threat is or may be occurring, what steps are being taken by NWC, information to assist readers on how to protect themselves or property, and educational statement(s) about the crime or significant event. Timely Warnings may be issued through one or more of the following means: NWC portal (MyNWC), NWC web-site, NWC RAVE (campus text message, email and telephone system), NWC Big Voice, Telephone PA system, postings on campus, news releases, campus media, the campus mail system, person to person contact, or any other method that seems appropriate to disseminate the information appropriately in a timely manner.

### Emergency Response Guides

NWC is committed to emergency preparedness, training, and education of faculty, staff and students. NWC has developed an [Emergency Response Guide](#) (ERG) to aid employees and students to properly respond to emergency situations in a manner that supports life safety as well as assists NWC in effectively managing an emergency should one arise. ERG's are distributed and reviewed with all NWC employees, and many first-year seminar classes devote time to educating students on the ERG's and discussing the importance of following prescribed responses by the students. ERG's are also placed in all classrooms and public building areas on campus for use by employees, students, and visitors.

### Emergency Drills, Exercises and Trainings

To ensure that NWC can effectively and efficiently manage an emergency event and its employees can respond appropriately, NWC conducts a fire drill in each building at least once per academic year to practice basic evacuation and accountability procedures. These fire drills will have some level of prior notification through NWC email to staff, faculty, and students. In addition, NWC administration participates in at least one full scale drill, functional exercise, or table top exercise each year. These drills are always prescheduled with safety and operational briefing prior to the drill, as well as an e-mail sent to the campus community prior to the event. When possible, these are conducted in coordination with local emergency responders in an effort to increase communication efforts and efficiency of emergency operations. At the conclusion of each drill or exercise, participants will gather to debrief on the drill, discuss areas of deficiency, and identify ways to increase efficiency and effectiveness.

**Anyone with information warranting a timely warning should report the circumstances to NWC Security at 307-754-6067, email - [nightsecurity@nwc.edu](mailto:nightsecurity@nwc.edu), or by going to the NWC Security Office located in the Dewitt Student Center, Room 222D. If no one is available, contact the VP for Student Services at 307-754-6102. 307-202-0605**

## **REPORTING OF CRIMINAL OFFENSES AND OTHER EMERGENCIES**

NWC encourages the prompt and accurate reporting of any and all circumstances by anyone who feels the situation is a potential danger or concern to them or the safety of the campus community in general. NWC feels that it is everyone's responsibility to engage in keeping the campus safe, and all reports will be evaluated for the proper response in terms of the safety of the individual and campus community as well as determining what follow-up actions are required. It is only through everyone's involvement and participation in security that NWC can be as safe as possible.

### **Reporting to NWC**

There are a number of ways that safety and security matters can be reported. While reporting to Campus Security directly is the most efficient manner of reporting, all non-faculty positions, club advisors and resident assistants (RAS) are Campus Security Authorities (CSA's) and reports may be made to them with the understanding that they are obligated to pass along that information to the appropriate personnel on campus in a timely manner. Incident reports can also be filed using the report form found on the Portal Page under the Security tab and by accessing the [NWC Cares](#) link at the bottom of any NWC webpage. Emails can be sent to [Nightsecurity@NWC.edu](mailto:Nightsecurity@NWC.edu) as well. You can contact Campus Security by calling 307.754.6067 during the day, 307.202.0605 at night.

If an individual wants to make an official report of an act of sexual misconduct to NWC, they can file a report with the College Title IX Coordinator at Northwest College 231 W. 6<sup>th</sup> Street Powell, WY 82435, email: [title9@nwc.edu](mailto:title9@nwc.edu), phone:307.754.6102. The report does not have to be made by the individual subjected to the misconduct. A report may be made in person, electronically or by a written letter (paper). Individuals may choose not to report sexual misconduct to campus officials. NWC respects and supports the individual's decision with respect to reporting however, if information about sexual misconduct comes to the attention of NWC, the college may (1) start an investigation even in the absence of a filed Complaint and/or (2) notify appropriate law enforcement authorities if required or warranted by the nature of the information of which it becomes aware. No member of NWC community may discourage an individual from reporting alleged incidents of sexual misconduct.

### **Voluntary or Anonymous Reporting**

While NWC has no policies related to voluntary or anonymous reporting of crime, if you are a victim of a crime or feel you are unsafe, NWC encourages you to report the incident so that you can take full advantage of your constitutional and educational rights and access all resources available to bring closure to the situation and give you the ability to achieve your full educational potential. Depending on the circumstances of the situation, you may be able to report the information anonymously. If circumstances are such that anonymity is not able to be maintained, every effort will be made to inform the person of this prior to the report being made. Anonymous reports will still be dealt with in a serious manner, will be brought to the best resolution possible while trying to maintain the anonymity, and will count toward the collection of data, when applicable, for the purposes of this document.

### **Confidential Reporting**

NWC allows for the confidential reporting of crimes to its confidential advisors. NWC's only confidential advisors are its licensed professional counselors. It is NWC's policy to keep all such reports confidential except where NWC or the confidential advisor may be required to disclose the report under state or federal laws and every effort will be made to make the confidential reporter aware of required reporting when possible. All such reports will be used in the collection of data, when applicable, for the purposes of this document.

### Reporting to local Law Enforcement

Because NWC has non-sworn personnel, we encourage the reporting of all criminal activity to the appropriate Law Enforcement agency as well as to NWC. NWC Security will assist in determining the agency of jurisdiction and making the connection to that agency. The Powell Police Department (307-754-2212) has jurisdiction over NWC's main campus as well as Trapper West apartments, with the Park County Sheriff's office (307-754-8700) having jurisdiction over the Physical Plant, Equine Center, Paul Stock Ag Pavilion, NWC Field Camp and Trapper Arena. Cody Police Department (307-527-8700) has jurisdiction over the Cody Center, and Worland Police Department (307-347-4253) has jurisdiction over the Worland Center. A criminal investigation into the matter does not preclude NWC from conducting its own investigation. It should be known that a report to law enforcement may delay NWC's investigation if a report is also made to the NWC. NWC may not wait until the law enforcement officers have completed their investigation before providing necessary assistance to the Complainant or the Respondent. NWC and law enforcement may coordinate their investigatory protocol to determine the best outcome for all concerned. Neither a criminal investigation nor the result of a criminal investigation is determinative of whether or not sexual misconduct occurred under College policy.

### Campus Sexual Misconduct Data Reporting

NWC is required to report, investigate, and report statistics of sexual misconduct (including sexual assault/violence) under Title IX, the Clery Act, the SaVE Act and the Violence Against Women Act. Reporting such acts indicates transparency in recognizing the extent of sexual misconduct at NWC and provides a basis for addressing issues of sexual misconduct in a corrective and constructive manner to prevent recurrences.

## **GENERAL PREVENTION & AWARENESS PROGRAMS**

### Security Awareness and Crime Prevention Activities

The Residence and Campus Life Office, in cooperation with community and campus organizations and local police officers, conducts programs each semester on personal safety and security awareness. The programs include, but are not limited to, Project I.D., night safety escorts, free bicycle license program, self-defense, sexual assault prevention, dating violence, theft and violence prevention, and alcohol and drug abuse. Information about safety and security issues are provided to students and employees regularly through crime log bulletins, crime alerts (Timely Warning Notices), mailbox stuffers, flyers, and community newspapers.

There are currently no Employee Programs for Crime Prevention.

### Security Policies and Programs

During hall orientation meetings, residents are warned about the dangers of leaving their room doors unlocked, propping exterior doors, removing screens from windows, and letting strangers into the hall unescorted. Internal disciplinary measures and fines are levied for violating security rules. Students are also encouraged to mark their personal belongings, lock cars and bicycles, and to not leave laundry or books unattended. The disappearance of unattended or unlocked belongings accounts for the vast majority of all reported thefts on campus

### Personal Responsibility

The cooperation and involvement of students and employees in a campus safety program is absolutely essential. Individuals must assume responsibility for their personal safety and the security of their belongings.

**Avoid Being a Victim** — Walk with others when possible; be especially cautious during evening hours; keep keys ready, use sidewalks and well-lit pathways; be careful about whom you let approach you when alone; and call 911 if you notice something suspicious or believe yourself to be in danger. Call Campus Security for an escort.

**Lock It Up** — Use the locks on exterior building doors, individual rooms, offices, and vehicles; keep windows secured; and store valuables out of sight.

**Record All Serial Numbers** — Maintain a list of serial numbers and descriptions of valuable property (cameras, stereos, bicycles, etc.); items without identifying numbers such as coats, books, CDs and cassettes should be labeled. An engraver suitable for metal, plastic or wooden objects is available through the Residence Life Project ID Program. Take pictures of items and store them on a USB drive off campus or elsewhere.

**Be a Crime Stopper** — Report all accidents, thefts or other criminal activities to the Powell Police Department or the Vice President for Student Services as soon as possible; help the police do their job by cooperating when asked to provide a statement, sign a complaint, or testify in court; stay calm and give accurate details when making calls for assistance; and be concerned for the safety and property of every one on campus.

## **DRUG, ALCOHOL, SUBSTANCE ABUSE**

### *Alcohol Policy*

The College shall maintain an educational environment that is conducive to learning and is “Alcohol Free” for its properties and activities. To that end, the NWC Powell campus is an alcohol-free campus. With limited exceptions (see NWC Board Policy) possession, consumption, or sale of alcoholic beverages is not allowed on campus or at any off-campus College-sponsored function, event, or activity. In addition, College funds are not to be used for the purchase of alcoholic beverages.

Regardless of age, you are in violation of Northwest College’s alcohol policy:

- if you are on college property and found in the immediate area where alcohol is present, whether consuming it or not.
- if you are on college property and under the influence of alcohol and/or exhibiting intoxicated behavior.
- if you are on college property and have alcohol in your possession.

It is a violation of Northwest College’s alcohol policy if you are at an off-campus, college-sponsored event, while under the legal drinking age and:

- in possession of alcohol.
- under the influence and/or exhibiting intoxicated behavior.

Anyone in violation of the college’s alcohol policy concerning the possession, use, and sale of alcoholic beverages, particularly those persons who are under the state’s legal drinking age, are subject to arrest and prosecution by local law enforcement and to sanctions by the court as allowed by Wyoming law.

### *Drug Policy*

On October 21, 1988, Congress enacted the Drug-Free Workplace Act of 1988. This statute requires that all institutions receiving grants from any federal agency certify to that agency that they shall maintain a drug-free workplace.

The College shall maintain a workplace free from the unlawful manufacture, use, dispensing, possession, and/or distribution of controlled substances. Unlawful manufacture, use, dispensing, possession, or distribution of controlled substances by College employees in the workplace is prohibited under this policy.

No employee or student shall possess, consume or distribute controlled substances (except those lawfully prescribed by a medical provider to the possessing employee or student and which are used as prescribed for the medical condition being treated) on College property, College sponsored activities, or on College sponsored trips. Controlled substances are defined by State of Wyoming statutes and federal laws. These include those categories often known as cannabis, acids, hallucinogens, barbiturates, amphetamines, narcotics or the illicit use of prescription drugs.

Regardless of age, you are in violation of Northwest College's drug policy:

- if you are on college property and found in the immediate area where drugs are present, whether having consumed (consuming) them or not.
- if you are on college property and under the influence of drugs and/or exhibiting drug-related behavior.
- if you are on college property and have drugs in your possession.

It is a violation of Northwest College's drug policy if you are at an off-campus, college-sponsored event, and:

- in possession of drugs and/or drug paraphernalia
- under the influence of and/or exhibiting drug-related behavior.

Students found to be in violation of alcohol and/or drug policies may appeal the sanctions to the appropriate individual or Student Appeals Board.

Students and employees are responsible for complying with provisions of Wyoming law that make it a crime to possess, sell, deliver or manufacture those drugs designated collectively as controlled substances. Any student or employee who violates that law is subject to prosecution and punishment by the civil authorities and to disciplinary action by the college. Disciplinary action taken by the college may be one or more of the disciplinary sanctions listed under [Sanctions for Violations of General Code of Student Conduct](#), including expulsion from the college. Any student or employee voluntarily seeking assistance with a drug-related problem is encouraged to do so and will be treated with the utmost sensitivity and confidentiality. Such assistance may be sought through the college Student Success Center, Student Health Services, the Residence Hall Staff, the Campus Security Coordinator, or community programs.

## **5700 Sexual Misconduct/Sexual Harassment**

### **Policy Overview**

This policy applies to all faculty, staff, students, contractors, and visitors of the College. It incorporates the essential elements regarding sexual misconduct related to sexual harassment, sexual assault, dating violence, domestic violence, stalking, and sexual discrimination, as well as sexual nondiscrimination provisions contained in state and federal legislation such as Title IX, Title VII, the Clery Act, the SaVE Act, and Violence Against Women Act. The College is mandated by these acts to report incidents of sexual misconduct/sexual harassment, to provide remedies to those affected by the behavior, and to impose necessary sanctions to the party(s) found to be responsible for the sexual misconduct/sexual harassment. This document shall be available on the College website or a copy may be obtained from the Title IX Coordinator or in the Administrative Services Department. All College faculty, staff, and students are responsible for knowing the information, policies, and procedures outlined in this document. The College reserves the right to make changes to this policy as necessary and once those changes are posted online, they are in effect. If federal regulations change in a way that impacts this policy, this policy shall be construed to comply with federal regulations in their most recent form.

### **Title IX Coordinator**

In accordance with Title IX regulations, the College has designated Laura Gwinn, as the College's Interim Title IX Coordinator. She is responsible for tracking and monitoring incidents of gender-based discrimination, including all forms of sexual misconduct/sexual harassment and retaliation, to ensure the College responds effectively to each complaint, and where necessary, for coordinating investigations and grievance proceedings of particular situations. Questions regarding Title IX, as well as concerns and complaints of non-compliance, may be directed to her. The College's Title IX Coordinator is located in the Orendorff Building, 231 West 6th Street, Bldg. 1, Room 119, Powell, WY 82435; phone: 307-754-6159; email: [Title9@nwc.edu](mailto:Title9@nwc.edu).

The Title IX Coordinator is specially designated to avoid actual or potential conflicts of interest. It is also the responsibility of the Title IX Coordinator to ensure that individuals who play a role in receipt, investigation, hearing, appeal, or other resolution of complaints do not have actual or potential conflicts of interest, and have been adequately trained.

### **Title IX Coordinator Contact Information:**

Laura Gwinn, Interim Title IX Coordinator  
Orendorff Building, 231 West 6th Street, Bldg. 1, Room 119 Powell, WY 82435  
(307) 754-6159 Email: [Title9@nwc.edu](mailto:Title9@nwc.edu)

### **Conflicts of Interest and Bias**

The College is committed to ensuring that its grievance processes are free from actual or perceived bias or conflicts of interest that would potentially impact the outcome. Any party who feels that there is an actual or perceived bias or conflict of interest that would materially impact the outcome must submit a written statement requesting the person's removal from the process. The statement should include specifics as to the actual or perceived bias or conflict of interest, and why the party believes the bias or conflict could materially impact the outcome. The written statement should be submitted to the Title IX Coordinator, or to the College's Compliance Officer in the event that the potential bias or conflict involves the Title IX Coordinator. A failure to provide a written statement evidencing any alleged bias or conflict of interest will be deemed a waiver to any later allegation of bias or conflict of interest.

## **Jurisdiction**

This policy applies when the College has actual knowledge to any alleged form(s) of sexual misconduct/sexual harassment that are committed by any member of the College community when: (1) the alleged conduct meets the definition of sexual misconduct/sexual harassment, as defined in Section III. below; (2) the College has disciplinary jurisdiction over the Respondent; (3) the Complainant is participating in or attempting to participate in the College's education program or activity; (4) the conduct occurred on the College campus, and/or; (5) off College property, if in connection with a recognized College program or activity that occurs in the United States. The College campus includes the main campus and extended facilities such as the Paul Stock Agriculture Pavilion; the Equine Center; the Physical Plant; the West Campus; the Cody Center; the A.L. Mickelson Field Station; the Trapper Arena (rodeo); and anywhere that official College activities may be held or attended. Additionally, the College may choose to respond to any alleged form of sexual misconduct/sexual harassment that does not meet the Title IX definition of sexual harassment and/or occurred off the College campus or outside an educational program or activity, only if an individual provides notice to the Title IX Coordinator, Vice President of Student Services, and/or Campus Security. The College maintains the right to conduct an investigation and/or commence grievance proceedings of any alleged form of sexual misconduct/sexual harassment under the definitions outlined in various Board Policies or the Student Code of Conduct policy.

## **Education/Training to Prevent and/or Respond to Sexual Misconduct/Sexual Harassment**

In an effort to prevent incidents of sexual misconduct/sexual harassment on or off campus, the College provides primary prevention and awareness programs for students and College employees. The College also provides ongoing prevention and awareness campaigns. For a description of the education/training programs provided, see **List of Programs** below.

Students, particularly freshmen, are provided many opportunities to engage in presentations that are designed to address the issue of sexual **violence** while at NWC. Presentations can be attended at Kickoff Weekend, in the residence halls through programming within the living environments, in the classrooms, particularly the first-year seminar classes, which are offered as part of the curriculum, as well as events sponsored on campus. These presentations bring awareness to the issue, define the problem, set standards of conduct, tips on how to assist a survivor, options for reporting, and resources available on campus.

All new interim or regularly hired faculty and staff are required to complete online training that is aimed at eliminating campus sexual violence as well as preventing harassment and discrimination. On an annual basis, all interim and regular employees are required to complete a refresher training on the topic of sexual misconduct. These training programs provide practical training for identifying, reporting, and preventing campus sexual violence, as well as assisting victims of sexual assault. These topics educate in how to respond to known or suspected sexual violence, which includes sexual assault, dating violence, domestic violence and stalking. The course also teaches valuable skills for assisting victims and survivors of sexual violence and reporting sexual violence.

## List of Programs

Sexual misconduct prevention efforts to comply with Title IX, SaVE, and Clery Act guidelines and requirements:

- Employees are required to complete online compliance training modules regarding the Campus Sexual Violence Elimination Act (Campus SaVE Act), Title IX, and Anti- Harassment and Equal Employment Opportunity.
- Training for Residence Assistants on topics that may include, but are not limited to, community building, sexual assault report taking, report writing, resource referral, confidentiality, bystander intervention, dating and relationship violence, sexual harassment, and an overview of Title IX and their responsibilities.
- Students can voluntarily attend Kick-off Weekend and Orientation program presentations on Topics that address sexual assault prevention and awareness. These topics may include, but are not limited to, alcohol's role in sexual assault, bystander intervention strategies, cultural influences related to sexual assault, healthy relationships, and sexual consent.
- The College provides information on Title IX issues in courses such as First Year Seminar. The topics may include, but are not limited to, sexual violence, overview of Title IX policy and procedures, sexual consent, reporting options at the College, resources available on campus and in the community, role of alcohol in sexual assaults, emotional effects of trauma, how to support a survivor, bystander intervention strategies, and sexual communication skills.
- The College is committed to providing a sexual assault prevention and awareness program in each hall during each semester. Topics may include, but are not limited to, alcohol's role in sexual assault, bystander intervention strategies, sexual consent, sexual coercion, reporting options, and intimate partner violence.
- The College is committed to partnering with student clubs and organizations to promote discussion and awareness on topics that include, but are not limited to, sexual violence, cultural and social diversity, and domestic violence.
- The College is committed to partnering with community clubs and organizations to increase community-wide awareness on Title IX issues along with other social topics that impact learning, understanding, and awareness of the world they live in.

## **II. Title IX Compliance Statement of Nondiscrimination**

The College does not discriminate on the basis of race, color, national origin, sex, disability, age, religion, sexual orientation, gender identity, genetic information, or veteran status in its programs and activities. The College is an Equal Opportunity Employer and Institution (EOE/EOI). Student inquiries concerning disability services shall be directed to the Disability Support Services Coordinator, Student Success Center, 231 West 6th Street (Building 1), Powell, WY 82435-1898; phone: 307-754-6227.

Acts of sexual misconduct (including sexual harassment, sexual assault, dating violence, domestic violence, stalking, sexual exploitation, sexual discrimination, and retaliation) are considered Title IX violations and must be directed to the College Title IX Coordinator who is responsible for implementing the College's Sexual Misconduct/Sexual Harassment policy. The College Interim Title IX Coordinator, Laura Gwinn, is located in the Orendorff Building, 231 West 6th Street, Building 1, Room 119, Powell, WY 82435; phone: 307-754-6159; email: [Title9@nwc.edu](mailto:Title9@nwc.edu).

Individuals may also contact the Office for Civil Rights, U.S. Department of Education, Cesar E. Chavez Memorial Building, 1244 Speer Blvd. Suite 310, Denver, CO 80204-3582; phone: 303-844-5695; FAX: 303-844-4303; TDD: 800-877-8339; email: [OCR.Denver@ed.gov](mailto:OCR.Denver@ed.gov). Individuals may contact the Office for Civil Rights at any time.

### III. Sexual Misconduct

This policy addresses acts of sexual misconduct such as sexual harassment, sexual assault, dating violence, domestic violence, and stalking as well as sexual exploitation, sex-based discrimination, and retaliation. These acts are prohibited at the College. In addition, applicable federal and state laws prohibit retaliation, intimidation, or reprisal against anyone who files a report and/or who cooperates with or participates in any procedures or investigations related to reports of sexual misconduct/sexual harassment.

#### A. Definitions

1. **Dating/Acquaintance Rape:** Date rape involves act(s) of non-consensual sexual contact committed in a social relationship of a romantic or intimate nature. The most prevalent form of sexual assault on college campuses is “acquaintance rape (assault).” Those involved know each other either through classes, activities, mutual friends, and/or in a residence hall or otherwise.
2. **Dating Violence,** defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant.
  - a. The existence of such a relationship shall be determined based on the Complainant’s statement and with consideration of the following factors:
    - i. The length of the relationship,
    - ii. The type of the relationship, and
    - iii. The frequency of the interactions between the persons involved in the relationship
  - b. For purposes of this definition:
    - i. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    - ii. Dating violence does not include acts covered under the definition of domestic violence.
3. **Domestic Violence,** defined as violence committed –
  - a. By a current or former spouse or intimate partner\* of the Complainant;
  - b. By a person with whom the Complainant shares a child in common;
  - c. By a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner;
  - d. By a person similarly situated to a spouse of the Complainant under the domestic or family violence laws in the State of Wyoming;
  - e. By any other person against an adult or youth Complainant who is protected from that person’s acts under the domestic or family violence laws of the State of Wyoming.

\*To categorize an incident as Domestic Violence, the relationship between Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship. Domestic violence behaviors include, but are not limited to:

- Physically abusing, threatening to physically abuse, attempting to cause physical harm or acts which unreasonably restrain the personal liberty of any with whom the perpetrator has a substantial relationship;
- Placing an individual, with whom the perpetrator has a significant relationship, in fear of imminent physical harm; and
- Causing an individual, with whom the perpetrator has a significant relationship, to engage involuntarily in sexual activity by force, threat of force, or duress.

- Physical action done in self-defense is not included in the definition of domestic violence.
4. **Retaliation:** Retaliation may be any adverse action or treatment because of reporting or participating in a sexual misconduct/sexual harassment complaint or investigation under this policy. Any person retaliated against can file a complaint with the College and a full grievance proceeding shall be commenced.
  5. **Sexual Assault**, defined as:
    - a. Sex Offenses, Forcible—Any sexual act directed against another person, without the consent of the Complainant including instances where the Complainant is incapable of giving consent.
      - i. Forcible Rape—Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ or another person, without the consent of the Complainant.
      - ii. 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 (non-consensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
      - iii. Sexual Assault with An Object—To use an object or instrument to 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 (non-consensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
      - iv. Forcible Fondling—The touching of the private body parts of another person (buttocks, groin, breasts) for the purpose of sexual gratification, forcibly and/or against that person’s will (non-consensually) or not forcibly or against the person’s will in instances where the Complainant is incapable to giving consent because of age or because of temporary or permanent mental or physical incapacity.
    - b. Sex Offenses, Nonforcible—Nonforcible sexual intercourse.
      - i. Incest—Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Wyoming state law.
      - ii. Statutory Rape-- Nonforcible sexual intercourse with a person who is under the statutory age of consent, in the State of Wyoming.
  6. **Sex-based Discrimination:** Conduct that is based upon an individual’s sex, gender identity, or sexual orientation that excludes an individual from participation, denies the individual the benefits of, treats the individual unfavorably, or otherwise adversely affects a term or condition of an individual’s employment, education, living environment, or participation in a College program.
  7. **Sexual Exploitation**, defined as: Occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct/sexual harassment offenses. Examples of sexual exploitation include, but are not limited to:
    - a. Invasion of sexual privacy;
    - b. Non-consensual electronic recording of sexual activity;

- c. Engaging in or encouraging others to engage in voyeurism;
  - d. Knowingly transmitting a sexually transmitted disease (STD) or HIV to another person;
  - e. Exposing one's genitals in non-consensual circumstances for one's sexual gratification.
8. **Sexual Harassment:** "Sexual Harassment" means conduct on the basis of sex that satisfies one or more of the following:
- a. An employee of the College conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct. This type of harassment is commonly referred to as "quid pro quo" and examples include:
    - i. Pressuring an individual to engage in sexual behavior for some educational or employment benefit; or
    - ii. Making a real or perceived threat that rejecting sexual behavior shall carry a negative educational or employment consequence for the individual.
  - b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity, thereby creating a hostile environment; or
  - c. "Sexual Assault," "Dating Violence," and "Domestic Violence" as defined above; and "Stalking" as defined below.

In determining whether harassment creates a hostile environment, the harassment shall be considered from the perspective of a reasonable person in a similar situation. Also, factors including, but not limited to, the following shall be considered:

- the degree to which the conduct affected one or more student's educational programs or activity, or
- the individual's employment;
- the nature, scope, frequency, duration, and location of the incident or incidents;
- the identity, number, and relationships of the person involved.

Sexual harassment does not include verbal expressions or written material that is relevant and appropriately related to course subject material or curriculum, and this policy shall not abridge academic freedom or the College's educational mission. In particular, the policy does not limit classroom teaching concerning topics legitimately related to the content or purposes of a course, even though such topics may elicit discomfort in a class member. Nor is this policy intended to limit scholarly research, publication, or public speaking on gender-related or protected class-related topics.

9. **Stalking**, defined as engaging in a course of conduct that is directed at a specific person that would cause a reasonable person to:
- a. Fear for his or her safety or the safety of others; or
  - b. Suffer substantial emotional distress.

For the purposes of this definition-

- Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.

- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

B. Other Definitions

1. **Actual Knowledge:** means notice and/or allegations of sexual misconduct/sexual harassment to the College's Title IX Coordinator or any official of the College who has authority to institute corrective measures on behalf of the College. (Such an official of the College would be the President in consultation with Vice-President(s).) Once the College has actual notice, they are required to respond and take action. Imputation of knowledge based solely on constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the College with actual knowledge is the Respondent. The mere ability or obligation to report sexual misconduct/sexual harassment or to inform a student about how to report sexual misconduct/sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the College.
2. **Bystander Intervention:** The act of intervening to prevent further harm when there is a perceived or imminent threat of sexual misconduct/sexual harassment. This person may also assist to seek medical attention, secure a safe place to stay, and assist with reporting the sexual misconduct/sexual harassment.
3. **Complainant:** The individual who is alleged to be the victim of conduct that could constitute sexual misconduct/sexual harassment.
4. **Consent:** Giving permission to another to act in specific ways (in this case, sexually). Consent must be informed, given freely, and with full knowledge and understanding. It must be given in mutual agreement through understandable words and/or actions. If an individual is mentally or physically impaired or incapacitated so that she/he cannot fully and clearly understand the nature or extent of the sexual situation, there is no consent. This includes conditions resulting from alcohol and drug consumption, or being asleep or unconscious.

If force, coercion, threats, and/or physical or emotional intimidation are used to obtain consent, the consent is invalid. Prior sexual activities as well as dress are not implied consent and cannot be used to justify sexual misconduct/sexual harassment. Once given, consent can be withdrawn at any point and all sexual activity is to immediately cease.

If at any time during a sexual act any confusion or ambiguity is or should reasonably be apparent on the issue of consent, it is incumbent upon each individual involved in the activity to stop and clarify the other's willingness to continue and capacity to consent. Neither party shall make assumptions about the other's willingness to continue.

5. **Formal Complaint:** A document filed by a Complainant alleging a form of sexual misconduct/sexual harassment against a Respondent (or filed by parent or legal guardian of minor or disabled person), or signed by the Title IX Coordinator when an alleged victim will not or cannot file, but the Title IX Coordinator determines an investigation is appropriate. Once a formal complaint is filed the College is compelled to initiate an investigation. (The options for reporting are discussed in Section IV. "Sexual Misconduct Reporting Process" of this policy.) At the time of filing a formal complaint, a Complainant must be participating in or attempting to

participate in an education program or activity of the College. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic email, using the contact information listed for the Title IX Coordinator.

6. **Investigation:** A process of gathering and compiling statements of a reported allegation from all parties involved, to include but not limited to the Complainant, Respondent, witnesses, and any and all evidence. This process is discussed in Section VI. "GREIVANCE PROCESS – Investigation of Formal Complaints."
7. **Party/Parties:** This phrase signifies the Complainant(s) and Respondent(s) that are in involved in a sexual misconduct/sexual harassment grievance process.
8. **Process Advisor:** A person (other than an individual who may be called to provide witness testimony) who aids either the Complainant or the Respondent in understanding the sexual misconduct/sexual harassment process, rules, and proceedings, as well as conducts cross examination at any formal grievance process hearing. The College maintains a pool of trained staff and faculty advisors who are available to be assigned to the parties, and each party is entitled to one advisor to guide and accompany them throughout the grievance process. The advisor may be a friend, mentor, family member, or attorney. The parties may choose an advisor from outside the pool, or outside the campus community, but outside advisors are not eligible to be trained by the College. The College cannot guarantee equal advisory rights, meaning that if one party hires an attorney, the College is not obligated to provide an attorney to the other party. However, if a party does not have an advisor at any formal grievance process hearing, the College must appoint an advisor to conduct cross-examination. Furthermore, a party cannot remove an assigned advisor, unless said advisor is refusing to conduct cross-examination at a hearing. Then, the College must provide the party another process advisor to perform that function.
9. **Rape Shield Protection:** A provision designed to protect the privacy of rape victims. It limits the ability to introduce evidence or cross-examination of a Complainant concerning their past sexual behavior, unless it is deemed relevant by the decision-maker in a hearing. It also protects the publication of the identity of an alleged rape victim.
10. **Reporting Party:** A Reporting Party is an individual who reports an alleged incident of sexual misconduct/sexual harassment. A Reporting Party is someone other than the person who may have been subjected to the sexual misconduct/sexual harassment, such as a mandated reporter.
11. **Respondent:** An individual(s) who has been reported to be the alleged perpetrator of conduct that could constitute sexual misconduct/sexual harassment.
12. **Supporter:** Any person (other than an individual who may be called to provide witness testimony) who attends a sexual misconduct/sexual harassment grievance process hearing to provide support or guidance to the participants. The Complainant and Respondent have the right to a Supporter of their choice throughout the formal grievance process hearing. The Supporter is not allowed to participate in the questioning or present information during the hearing.

13. **Supportive Measures:** means non-disciplinary, non-punitive, individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the College's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties of the College's educational environment, or deter sexual misconduct/sexual harassment. Supportive measures may include, but are not limited to: counseling; disability services; extensions of deadlines or other course-related adjustments; timely warnings; provide alternative course completion options; modifications of campus work or class schedules; campus escort services; mutual restrictions on contact between the parties; changes in campus work or resident life housing locations on campus; leaves of absence; interim suspension of a student on an emergency basis after the College has performed (1) a safety and risk analysis, (2) provided notice to the effected party, and (3) an opportunity to challenge the decision; increased security of certain areas of the campus; and other similar measures. The College must maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the College to provide supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

#### **IV. Sexual Misconduct/Sexual Harassment Reporting Process**

Sexual misconduct/sexual harassment may in some instances constitute both a violation of College policy and criminal activity, and because the College grievance process is not a substitute for instituting legal action, the College encourages individuals to report alleged sexual misconduct/sexual harassment promptly to campus officials and to law enforcement authorities.

Individuals may, however, choose not to report sexual misconduct/sexual harassment to such campus officials and/or law enforcement authorities. The College respects and supports the individual's decision with respect to reporting; nevertheless, the College may notify appropriate law enforcement authorities if required or warranted by the severe nature of the allegations at issue. Information regarding obtaining a court-issued protection and/or restraining order can be obtained from Campus Security or the Title IX Coordinator.

If the College has actual knowledge of an alleged act of sexual misconduct/sexual harassment in an educational program or activity, the College must respond promptly in a manner that is not deliberately indifferent. The Title IX Coordinator must promptly contact the Complainant to discuss the availability of supportive measures with or without the filing of a formal complaint, consider the Complainant's wishes with respect to any supportive measures, and explain the process for filing a formal complaint. The Title IX Coordinator shall also conduct a preliminary evaluation to determine jurisdiction.

The Complainant may file a formal complaint at any time, but the College strongly encourages Complainants to file a formal complaint promptly in order to preserve evidence for a potential legal and/or grievance process proceeding. It is important that evidence is preserved from the alleged incident by: (1) Going immediately (within 24 hours) to a hospital emergency room and requesting an examination (which may include a sexual assault exam) or accessing another facility which can perform an examination; and (2) Not taking a shower, changing clothes, or in any way destroying physical evidence relative to the alleged incident until after one has talked with a professional resource person, who are listed under the "On-Campus Resources" and "Off-Campus Resources" in this section of this policy.

##### **A. Reporting to Law Enforcement**

You may contact law enforcement by dialing **911**, or by contacting the local Police Department as listed below. A criminal investigation into the matter does not relieve the College from the duty of conducting its own investigation. It should be known that a report to law enforcement may not delay the College's investigation, if a report is also made to the College. The College may not wait until the law enforcement officers have completed their investigation before providing necessary assistance to the Complainant or the Respondent. The College and law enforcement may coordinate their investigatory protocol to determine the best outcome for all concerned. A criminal investigation, or the result of a criminal investigation, is not determinative of whether or not sexual misconduct/sexual harassment occurred under College policy. A Complainant can be assisted by Campus Security or the Title IX Coordinator in notifying law enforcement if the Complainant so chooses.

##### **B. Reporting to the College**

Any person, whether the Complainant, or a parent, friend, or bystander, has a right to report an incident of sexual misconduct/sexual harassment. If a Complainant wants to make a formal complaint of an alleged act of sexual misconduct/sexual harassment to the College, she/he shall file a report with the College's Title IX Coordinator at Northwest College, 231 West 6th Street, Powell, WY 82435, email: [title9@nwc.edu](mailto:title9@nwc.edu), phone: 307-754-6159. A formal complaint may be made in person, electronically through email, or by a written letter (paper).

Complainants may choose not to report sexual misconduct/sexual harassment to campus officials. The College respects and supports the individual's decision with respect to reporting; however, if information about sexual misconduct/sexual harassment comes to the attention of the College, the College reserves the right to: (1) start an investigation and resolution proceedings even in the absence of a formal complaint, and/or (2) notify appropriate law enforcement authorities if required or warranted by the nature of the information of which it becomes aware.

A Complainant may report sexual misconduct/sexual harassment to a faculty or staff member other than the Title IX Coordinator. No member of the College community may discourage an individual from reporting alleged incidents of sexual misconduct/sexual harassment, and no employee is authorized to investigate or resolve incidents without the involvement of the Title IX Coordinator.

1. **Limited Confidential Report:** An individual may choose to discuss a sexual misconduct/sexual harassment situation with a licensed professional counselor in the Student Success Center in order to access help/services. Any reports made to the Student Success Center must be reported to the Title IX Coordinator, but can be done so on a limited/anonymous basis in reference to personally-identifiable information.
2. **Non-Confidential Report:** An individual may make a report to College personnel and any such report received by College personnel, other than those indicated under a limited confidential report, must fully disclose the report to the Title IX Coordinator. All College personnel made aware of an alleged sexual misconduct/sexual harassment incident are required to report the incident to the Title IX Coordinator.

#### C. Reporting to Confidential Resources

College personnel (other than counselors) are not considered confidential resources and any discussion with an individual would be subject to limited or non-confidential reporting requirements. College personnel in the Student Success Center can help you identify local resources for the purpose of Confidential Reporting, without the requirement of advising the Title IX Coordinator, if a request for resources is requested and no other details are provided. All confidential reports must be made to resources outside of the College and may include, but are not limited to, licensed mental health providers, clergy, or other confidential resources such as physicians.

**On-Campus Resources:**

- Title IX Coordinator, Laura Gwinn, Northwest College, 231 West 6th Street, Powell, WY 82435; [Title9@nwc.edu](mailto:Title9@nwc.edu); 307-754-6159
- Vice President for Student Services: 307-754-6102
- Counseling (Student Success Center): 307-754-6135
- Director of Residence and Campus Life (Housing): 307-754-6412
- Campus Security: 307-754-6067

**Off-Campus Resources: Emergency calls: 911****Powell:**

- Powell Police Department: 307-754-2212; 250 N. Clark, Powell, WY 82435
- Crisis Intervention Services: offers assistance to domestic violence/sexual assault survivors (24-hour crisis hotline: 877-864-9688); other calls: 307-754-7959; 335 N. Gilbert Street, Powell, WY 82435
- Powell Valley Hospital: (emergency number: 307-754-1175); other calls: 307-754-2267; 777 Avenue H, Powell, WY 82435
- NW WY Family Planning: 307-527-5174; 109 W. 14th Street, Powell, WY 82435

**Cody:**

- Cody Police Department: 307-527-8700; 1402 River View Drive, Cody, WY 82414
- Crisis Intervention Services: (Crisis Hotline: 877-864-9688); other calls: 307-587-3545; 1220 13th Street, Cody, WY 82414
- Cody Regional Health: 307-527-7501; 707 Sheridan Avenue, Cody, WY 82414
- NW WY Family Planning: 307-527-5174, 1231 Rumsey Avenue, Cody, WY 82414

**Lovell:**

- Lovell Police Department: 307-548-2215; 355 5th Street #1, Lovell, WY 82431
- North Big Horn Hospital: 307-548-5200; 1115 Lane 12, Lovell, WY 82431

**Worland:**

- Worland Police Department: 307-347-4253; 100 N. 10 Street, Worland, WY 82401
- Washakie Medical Center: 307-347-3221; 400 S. 15th Street, Worland, WY 82401

#### D. Reporting Considerations

1. **Confidentiality:** All complaints of unlawful harassment (race, color, sex, religion, gender identity, genetic information, national origin, age, disability, veteran status, or sexual orientation) shall be considered confidential (particularly complaints of sexual misconduct/sexual harassment) and only those persons necessary for the investigation and resolution of the complaint shall be given any information about the alleged incident or the parties involved. The College shall respect the confidentiality of the Complainant and the Respondent to the extent possible consistent with the College's legal obligations to protect the rights and security of its employees and students. The final determination on issues of confidentiality is made by the Title IX Coordinator.
2. **Amnesty:** In an effort to remove barriers to the reporting of acts of sexual misconduct/sexual harassment, the College may offer immunity from violations of some Student Code of Conduct policies related to the sexual misconduct/sexual harassment if one has knowledge of and reports an act of sexual misconduct/sexual harassment, so long as the violations are not violent or dangerous in nature.
3. **Statement of Non-Retaliation:** The College affirms the rights of individuals to bring complaints of discrimination and/or harassment without fear of reprisal. Each employee or student, who, in good faith, complains about illegal discrimination of any kind, is protected from retaliation and any act of retaliation shall result in appropriate disciplinary action in accordance with the College's policies and procedures. Complaints of retaliation shall be treated as separate and distinct from original complaints of discrimination and shall be investigated.
  - a. Staff, students, and faculty who are found to be participating in any form of employment or educational based retaliation against any employee or student may be subject to disciplinary action up to and including termination from employment, or student discipline procedures where appropriate.
  - b. The College may issue "Mutual No Contact" orders to parties identified in the sexual misconduct/sexual harassment complaint. The "Mutual No Contact" orders may include third parties. Specifics of such an order shall vary from case to case. However, under no circumstances may the College restrict the rights protected under the U.S. Constitution, including the First Amendment, the Fifth Amendment, and the Fourteenth Amendment.
4. **False Reporting:** Sexual misconduct/sexual harassment is taken very seriously by the College and reports of such acts are assumed to be given in good faith. If, after careful investigation, it is determined that an intentionally false report was made by a student or employee, disciplinary action up to and including student expulsion and/or termination of employment may be imposed.
5. **Detailed Account of the Alleged Sexual Misconduct/Sexual Harassment:** It is important for the Complainant to provide as much detail of the alleged sexual misconduct/sexual harassment as one can. The location, time, and a description of what happened are essential to investigating the case, as well as any witnesses.
6. **Third Party Reporting:** If a Complainant is impaired and/or unable to make a coherent report, the Title IX Coordinator may make a formal complaint on behalf of the Complainant. Where the Title IX Coordinator signs a formal complaint, they are not the Complainant or otherwise a party

to the action.

7. **No Statute of Limitation:** A formal complaint of alleged sexual misconduct/sexual harassment may be filed any time. The College encourages the prompt reporting in order to preserve evidence for a potential legal or disciplinary proceeding. A delay in filing a formal complaint may compromise the subsequent investigation, particularly if neither the Complainant nor Respondent is employed by the College or enrolled as a student at the time.
8. **Withdrawal or Resignation While Allegations are Pending:** If a student withdraws from the College and has an allegation pending for a violation of this policy, the College shall place a hold on their official transcript, and/or prohibit graduation as necessary to permit the grievance process to be completed. Should an employee resign with unresolved allegations pending, the records of that employee will reflect that status and any College response to future inquiries regarding employment references for that individual will disclose the unresolved status.

#### **V. Campus Sexual Misconduct/Sexual Harassment Data Reporting**

The College is required to report all investigative and reported statistics of sexual misconduct/sexual harassment under Title IX, the Clery Act, the SaVE Act and the Violence Against Women Act. Reporting such acts indicates transparency in recognizing the extent of sexual misconduct/sexual harassment at the College and provides a basis for addressing issues of sexual misconduct/sexual harassment in a corrective and constructive manner to prevent recurrences.

#### **VI. GRIEVANCE PROCESS – Investigation of Formal Complaints**

Throughout the entire Grievance Process, the College shall not discriminate against the Complainant or Respondent on the basis of sex. Nor shall any credibility determinations be made on the basis of a person's status as a Complainant, Respondent, or witness. Furthermore, there is a presumption that the Complainant filed the formal complaint in good faith, as well as a presumption that the Respondent is not responsible until a final determination is reached.

In addition, during the entire grievance process, the College shall employ the Preponderance of Evidence standard (i.e., more likely than not) when determining responsibility for and resolution of any violations of this policy. This Preponderance of Evidence standard shall be employed for all formal complaints of sexual misconduct/sexual harassment against students and staff, including faculty.

The College shall investigate in a prompt, efficient, and thorough manner all allegations of sexual misconduct/sexual harassment when a formal complaint has been filed. (Time extensions may be warranted when the College is working with other agencies (law enforcement, etc.), or when there are delays due to extenuating circumstances such as witness availability, holidays, illnesses, etc.) If temporary delays are encountered, the investigator assigned to the case shall serve each party with written notice of the reason for such delay. If law enforcement is performing an investigation, the College shall not wait for that investigation to end before initiating its own investigation. The two may coordinate their investigations and share their information. If law enforcement decides not to pursue the case, the College may continue its investigation and determine appropriate actions to be taken to ensure a safe environment for the College community.

The College investigation is based on determining if a violation occurred as defined in this Sexual Misconduct/Sexual Harassment policy, and the sanctions for such violations deal with the future of the relationship between the student(s), employees (and others), and the College. Investigation by law enforcement is a criminal investigation and the penalties are legally determined.

#### A. Investigation Process

Upon receipt of a formal complaint of sexual misconduct/sexual harassment, the Title IX Coordinator shall conduct an initial assessment to determine if the report falls within the scope of this policy. If it does, the Title IX Coordinator shall appoint an investigator(s) to initiate a fact-finding investigation of the alleged actions. The investigator(s) shall be specifically trained in sexual misconduct/sexual harassment investigations and not have any known conflict of interest or bias. The appropriate investigator(s) shall be determined by the Title IX Coordinator and/or other designated College personnel. The investigation shall be conducted in a prompt, impartial, equitable, and thorough manner.

#### B. Investigatory Actions

The investigation must include, but is not limited to:

1. Providing written notification to parties about Title IX rights and options including opportunity to informal resolution of complaint, existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available within the College or the community.
2. Providing written notice to all parties of any reasonable delays in the investigation, any additional allegations, and notice of all hearings, interviews, and meetings requiring attendance with sufficient time to prepare.
3. Conducting recorded interviews with the Complainant, Respondent, and any witnesses. No individual who is knowingly under the influence of alcohol or illegal drugs shall be interviewed until such substances are no longer an influence on their mental faculties.
4. Reviewing law enforcement investigation documents (if applicable)
5. Reviewing student files or employee personnel files
6. Gathering and objectively examining all relevant and reasonably available documents or evidence, both inculpatory (i.e. evidence favorable to the Complainant) and exculpatory (i.e. evidence favorable to the Respondent).
7. Preparation of a final investigative file that summarizes all relevant information and which is sent to all parties and their process advisors at least 10 business days prior to any grievance process hearing. The report must be presented in either an electronic format or hard copy to all parties and allow time for written response.
8. The original final investigative report, along with all documentation produced during the investigation, shall then be sent to the Title IX Coordinator to maintain in their office.

#### C. Rights of the Parties/Witnesses During the Investigation

1. Upon receipt of the formal complaint, and before investigatory interviews, parties shall be notified in writing with a Notice of Allegation(s) by the Title IX Coordinator (via secure College email, hand delivered, or by postal service mail) of the following: (1) the allegation with sufficient details including the identity of the parties, implicated policies, date, and location if known; (2) all relevant grievance procedures; (3) a statement that the Respondent is presumed not responsible; (4) the right to have a process advisor of their choice; (5) the right to inspect and review all evidence; (6) information regarding the code of conduct, retaliation and false statements; (7) right to sufficient time to prepare a response; and (8) right to amend the allegations as more information becomes available.
2. The burden of proof and burden of gathering evidence rests with the College. However, throughout the investigation, no gag orders can be initiated and all parties must have an equal

opportunity to present relevant witnesses and evidence, while respecting the “rape shield” provision.

3. Parties have the right to be notified of the timeframes and of each stage of the investigation, including scheduled interviews with time to prepare.
4. Prior to the completion of the investigative file, both parties and their advisor, if any, must receive notice of all inculpatory and exculpatory evidence subject for inspection and review in an electronic format or hard copy, and each party must have at least 10 business days to submit a written response, which the investigator(s) shall consider prior to the completion of the investigative report. Prior to the release of any evidence in an electronic or written format, the investigator shall provide a confidentiality agreement form that authorizes such sharing. This form must be completed before the College is able to share records with the process advisors and/or parties.
5. Parties must receive the finalized investigative report to review and submit written responses at least 10 business days prior to any formal hearing proceeding.
6. Both parties may choose to have a person (other than an individual who may be called to provide witness testimony, or their process advisor) to provide support and/or guidance to the parties during an investigation and the grievance process. This person, known as a Supporter, is not allowed to participate in the questioning or present information.
7. No information protected by a legal privilege, such as an attorney-client or doctor-patient privilege, can be used during the investigation unless the person holding that privilege voluntarily agrees to waive it.
8. Witnesses are expected to cooperate with and participate in the College’s investigation. Any witness who declines to participate in or cooperate with an investigation shall not be permitted to offer evidence or testimony later in a live hearing.
9. During the investigation, the Title IX Coordinator may need to provide additional, equitable supportive measures (other than those provided at the time of the initial reporting) to ensure the safety, physical and/or emotional health, and academic freedom to one or more parties (see previous Section II., B., 11 for more information). These services may include, but are not limited to:
  - a. Relocating from one College residential facility to another;
  - b. Arranging for needed College counseling services within the ability of those services offered on campus;
  - c. Arranging for alternative academic completion (change classes, online completion, etc.);
  - d. Adjusting employment schedules/duties;
  - e. Issuing “Mutual No Contact” orders to protect the party(s) from potential threats or physical and/or emotional harm;
  - f. Providing protective services to accompany Complainant and/or Respondent while attending classes and/or College-related activities (music, athletic, Student Senate, forensics, etc.) during the investigative/resolution process;
  - g. Other services deemed necessary by the Title IX Coordinator, investigatory personnel, and/or other personnel connected with the case.
  - h. Interim suspension of a student from the College’s education program or activities on an emergency basis, provided that the investigator(s) undertakes an individualized safety and risk analysis to determine if there is an immediate threat to the physical health or safety of students or employees on campus. If such a threat exists, the College must provide the student with notice and an opportunity to challenge the suspension. If the

Respondent is a non-student employee, the College may place them on administrative leave during the pendency of the investigation, without a safety and risk analysis being performed.

10. Each party has the right to one process advisor throughout the Grievance Process (see Section III., B., 2.). The process advisor may be present at any and all meetings and interviews, but may not participate by asking questions or offering evidence during the investigation process.

## **VII. GRIEVANCE PROCESS – Resolution of the Formal Complaint**

Grievance process resolution of a formal complaint can be accomplished through an Informal Resolution process, a Mandatory or Discretionary Dismissal, or a Formal Resolution/Live Hearing proceeding.

### **A. Informal Resolution**

Before pursuing a complete formal resolution process, every reasonable effort should be made to constructively resolve conflict when both parties are students. This process is available for all incidents of sexual misconduct/sexual harassment. Exceptions for informal resolution proceedings are: (1) when the Respondent is an employee/faculty member of the College; (2) when the Title IX Coordinator determines a situation is not eligible; or (3) either of the parties are reluctant to participate in good faith.

### **Requirements of Informal Resolution Process:**

1. An informal resolution process may be attempted if each party enters into the process completely voluntarily. The College can never force, threaten, or require any party to enter into an informal resolution process.
2. Prior to the beginning of any voluntary informal resolution process, the College must provide written notice to the parties, which includes: notice of the allegations, requirements of the process, date and time of the scheduled informal resolution process, information about the confidential nature of the process, consequences of participation and ability to withdraw from the process and commence formal resolution.
3. The College must provide an informal resolution decision-maker, who is free from conflicts of interest or bias, and who has received special training. The decision-maker shall explain the process, encourage conversations, monitor the parties for safety, and create an informal resolution agreement that both parties would be required to sign.
4. If informal efforts are unsuccessful, a formal resolution process consisting of a live hearing shall be initiated.

### **B. Mandatory or Discretionary Dismissal**

The College **must** dismiss a formal complaint when: (1) it does not describe conduct that meets the definition of sexual misconduct/sexual harassment; and/or (2) it alleges sexual misconduct/sexual harassment that did not occur in the College's educational program or activity; and/or (3) it alleges sexual misconduct/sexual harassment that did not occur in the United States; and/or (4) the Complainant is not participating or attempting to participate in the educational program or activity at the time of filing the formal complaint. The College can still address these complaints under the Board Policy Manual, or the Student Code of Conduct policy.

The College **may** dismiss a formal complaint when: (1) the Complainant notifies the Title IX Coordinator in writing that they wish to withdraw the formal complaint or some of its allegations; (2) if the Respondent is no longer enrolled or employed by the school; or (3) specific circumstances prevent the College from gathering evidence sufficient to reach a determination about the allegations. Such

discretionary dismissal will be on a case by case basis and the College reserves the right to place a hold on the Respondent's College records.

Whenever the College dismisses a formal complaint, or any allegations in it, the College must promptly notify all parties by sending a written notice of the dismissal, the reasons for the dismissal, and the right of either party to appeal the decision.

### C. Formal Resolution/Live Hearing Process

After the investigation is completed, the investigator(s) shall write findings in a report to be presented to the Title IX Coordinator who shall file the report in his/her office, along with all notices and a summary of evidence.

If the alleged act of sexual misconduct/sexual harassment is found not to have merit, the Claimant and Respondent shall be simultaneously notified that the allegations have been dismissed and what their rights are, as outlined above.

If the allegation of sexual misconduct/sexual harassment is found to be substantiated (according to the Preponderance of Evidence standard), steps must be taken by the Title IX Coordinator to facilitate the scheduling of a formal resolution by means of a live hearing with cross examination of all parties and witnesses.

#### 1. Hearing Policy

- a. The College shall provide an equal opportunity for the parties to present witnesses and evidence.
- b. The College shall treat the Complainant and Respondent equitably by providing remedies (see Section VII., G. "Sanctions/Remedies") to a Complainant if a Respondent is found responsible, and by following the prescribed grievance process imposing sanctions on a Respondent.
- c. The live hearing process is strictly confidential.
- d. The hearing decision-maker(s) shall make an objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence. Furthermore, any credibility determinations shall not be made on the basis of a person's status as a Complainant, Respondent, or witness.
- e. The decision-maker(s) shall be fully trained in their role and not have any bias or conflict of interest. If a bias or conflict of interest is known, the decision-maker(s) must recuse themselves from the grievance process.
- f. Throughout the live hearing process, there is a presumption that the Complainant filed the formal complaint in good faith, as well as a presumption that the Respondent is not responsible until a final determination is reached.
- g. The formal live hearing process shall be concluded in a reasonably prompt time frame, with temporary delays permitted only for good cause.
- h. No documents and/or evidence shall be allowed that are protected by a legal privilege, unless the person holding that privilege waives it. Furthermore, neither party is allowed to seek, permit questions about, or allow the introduction of evidence that is protected by a recognized privilege, including the Rape-Shield Protection, unless prior sexual behavior is specifically relevant, which shall be determined by the hearing decision-maker(s).

- i. All parties are required to have a process advisor accompany them to the hearing for support and to conduct cross examination. At no time shall either party be allowed to personally ask questions or cross-exam anyone. Process advisors should help their advisees prepare for the hearing and are expected to advise ethically, with integrity and in good faith.
  - j. Process advisors are expected to refrain from interfering with the College's formal hearing resolution process. Any process advisor who steps out of their role in any hearing shall be warned once, and if they continue to disrupt or otherwise fail to respect the limits of their role, or the Colleges formal resolution process, they shall be asked to leave the hearing. The decision to have the advisor leave is in the College's sole discretion. If an advisor is removed from the hearing, a new advisor shall be provided to the affected party and the hearing shall continue to a later date, which shall then be determined by the hearing decision-maker(s).
  - k. Process advisors are expected to maintain the privacy of all documentation and evidence shared with them by the College. These documents/evidence may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by the College. The College may seek to restrict the role of any advisor who does not respect the sensitive nature of the resolution process or who fails to abide by privacy expectations.
  - l. The College expects the parties, process advisors, and any witnesses to adjust their schedules to allow them to attend the noticed hearing. The College shall not typically change scheduled meetings to accommodate a party, advisor, or witness's inability to attend.
  - m. If a process advisor is unable or unwilling to conduct cross examination, the College must provide the affected party with a new process advisor to perform that function.
  - n. The College will create an audio, or audiovisual recording, or transcript of any live hearing and make it available to the parties for inspective and review, upon request.
2. Hearing Procedures
- a. All parties and their process advisors must receive written notice at least 10 business days before any scheduled hearing.
  - b. All formal grievance process resolutions shall be performed with live hearings. If either party requests it, the entire hearing must be held on campus with the parties located in separate rooms and with technology enabling everyone to see and hear each other.
  - c. Each party, speaking on their own behalf, shall be allowed a five-minute opportunity to conduct both an opening and closing statement, if they so desire.
  - d. Process advisors and the parties shall be required to meet with the hearing decision-maker(s) at a pre-hearing conference. This shall be held jointly, unless the parties request separate rooms. This pre-hearing conference shall include, but not be limited to the following:
    - i. allow the process advisors to clarify any questions they may have;
    - ii. allow the hearing decision maker(s) an opportunity to clarify the role the process advisor is expected to take during the hearing;
    - iii. a determination of relevant issues to be resolved;
    - iv. presentation of a list of all witnesses that shall be called; and
    - v. presentation of a complete list of all relevant evidence either party plans to introduce in support of their position.

- e. Only process advisors shall be allowed to perform cross-examination of the other parties and witnesses. Those cross-examination questions must have been submitted to the process advisor by their advisee (i.e. either the Complainant or Respondent) prior to the hearing, including any questions challenging credibility. An exception would be any follow-up questions.
  - f. Any cross-examination questions must be relevant. The decision-maker(s) must decide if the question is relevant BEFORE the party or witness has to answer it and explain any decision to exclude a question as not relevant.
  - g. All parties and witnesses have a right to participate in or not participate in the live hearing. If a party or witness chooses not to appear at the live hearing, or not to answer cross-examination questions, the decision-maker(s) must exclude that party's or witnesses' statements and evaluate any evidence that does not involve those statements. The hearing decision-maker(s) must never make inferences about the determination regarding responsibility based on the fact that a party or witness did not attend the hearing or submit to cross-examination.
  - h. The decision-maker(s) shall conduct all direct examination of the parties, prior to any cross-examination being performed by the parties' process advisors.
  - i. The investigator(s) may provide testimony and introduce evidence at the live hearing.
3. Hearing Decisions
- a. Upon final completion of the hearing, the decision-maker shall prepare a written determination of responsibility within five (5) business days after the hearing. Both the Complainant and the Respondent shall receive simultaneous notification, in person or by mail, of the final determination of responsibility. Such written determination shall include, but is not limited to the following:
    - i. The portion of the College's Sexual Misconduct/Sexual Harassment policy that was violated;
    - ii. A description of the procedural steps taken by the College to reach the determination;
    - iii. Findings of facts and rationale used to support the final determination. Any questions that were deemed not relevant by the decision maker(s) at the hearing may be excluded from the rationale provided;
    - iv. A determination on each allegation regarding responsibility, any resulting sanctions imposed on the Respondent, and any remedies provided to the Complainant;
    - v. A statement and rationale for any remedies for the Complainant, addressing how those remedies shall restore and preserve equal access;
    - vi. The College's procedures and permissible basis for an appeal; and
    - vii. An explanation on how the College's response was not deliberately indifferent.

4. Sanctions/Remedies

If the Respondent is found to be responsible (according to the standard of the Preponderance of Evidence) for an act of sexual misconduct/sexual harassment, appropriate sanctions shall be imposed, based on the severity of the violation. The purpose of sanctions is for the College to end the discrimination, prevent its recurrence, and remedy its effects on the Complainant and the College community by implementing effective remedial actions. Such remedial actions for the

Complainant may include any previous supportive measures and/or any additional measures that are designed to restore and preserve access to the College's educational programs and activities. Furthermore, any remedies provided to the Complainant can, at this point, be punitive and/or disciplinary against the Respondent.

Sanctions may include, but are not limited to, any one or a combination of the following:

- a. **Warning:** an official written or verbal notice to the Respondent stating such conduct is in violation of College policies. If the conduct or actions continue, the College shall take further disciplinary action.
- b. **Disciplinary probation:** which may include restrictions involving access to campus facilities, class attendance/academic completion, participation in campus activities, limitations on employment activities and/or relationships, and any other restrictions deemed applicable to the situation. The probation may be for a specified time period and may include specified conditions to be met. The Respondent may be given a specific time frame in which to complete the conditions. At the end of the probationary period, a review of the Respondent's behavior and completion of required conditions may be conducted by the Title IX Coordinator or his/her designee(s) to determine if the Respondent shall have any or all restrictions lifted.
- c. **Disciplinary suspension:** from the residence hall, school activities, and/or physical attendance of classes. This action terminates a Respondent's enrollment and/or residence hall contract without financial reimbursement. The suspension may be for a specific period of time and may be tied to specified conditions to be met. The Respondent may apply in writing for reinstatement to the Vice President for Student Services. Written proof documenting completion of specified conditions must be provided with the reinstatement application.
- d. **Mandatory counseling:** for a specific period of time.
- e. **Expulsion from the College:** expulsion is the withdrawal of the privilege of attending the College. There is no promise that the Respondent may return to the College at a future time.
- f. **Employee disciplinary action up to and including termination of employment:** In addition, employee sanctions may include any of the above-mentioned sanctions, sanctions may be multiple/combined, and sanctions may include any of the following depending on the severity of the violation: enhanced supervision; observation or review; transfer; performance improvement plan including additional training; reassignment; assignment to a new supervisor; demotion; denial of wage increase, bonus, or other compensation; restriction of stipends, research, and/or professional development resources; demotion; loss of salary increases, bonus, or other compensation; paid or unpaid administrative, disciplinary, decision-making leave; and/or paid/unpaid suspension.

- g. **A No Contact order:** restricts the Respondent's ability to communicate with or access College personnel, Complainant, and/or witnesses.
- h. **Criminal trespass:** the Respondent may not enter specified College facilities or property. Trespassing charges shall be filed if this sanction is violated.
- i. **Notation on transcript/employment record:** which indicates that the Respondent was found to be in violation of this policy.
- j. Other actions deemed appropriate to bring resolution to the case.

Factors considered when determining a sanction action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- Previous allegations or allegations involving similar conduct
- The need for sanctions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions to prevent the future recurrence of the discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the decision-maker(s)

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal.

## **VIII. APPELLATE PROCEEDINGS – Sexual Misconduct/Sexual Harassment**

Either party involved in a sexual misconduct/sexual harassment grievance process may appeal either after a mandatory or discretionary dismissal, or after the conclusion of the formal hearing process.

### **A. Appeals**

1. Either party or parties may appeal the outcome of the grievance process by submitting a Petition for Appeal no more than five (5) business days after receipt of the written final determination of responsibility, or dismissal. Petitions for Appeal are to be delivered in person to the Title IX Coordinator or designee.
  - a. The grounds for appeal are:
    - i. Procedural irregularity affected the outcome of the matter.
    - ii. New evidence has been discovered that was not reasonably available at the time of the determination on responsibility or when the dismissal was entered, and that could affect the outcome of the matter.
    - iii. A conflict of interest or bias on the part of the Title IX Coordinator, an investigator who compiled evidence, or a decision-maker, and the conflict of interest or bias affected the outcome.
2. *Sanctions Status During the Appeal:* Any sanctions imposed as a result of the formal hearing/informal resolution are stayed/suspended during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures listed above.

3. Any and all appeal decision-maker(s) shall be fully trained, free of conflict of interest and will have had no conflicting involvement with earlier parts of the grievance process.

#### B. Appeals Process

1. Upon receipt of the written appeal, the Title IX Coordinator or designee shall serve the Petition for Appeal to the other party(s) and their advisors along with information detailing each party's rights and the appeals process.
2. Parties wishing to file a response to the Petition for Appeal must do so in writing to the Title IX Coordinator or designee within three (3) regular business days from the date they receive notification of the pending appeal. This response shall be shared with the other party(s).
3. After applicable documentation is submitted according to the time frames indicated, the Title IX Coordinator or designee shall write a response indicating receipt of the materials within three (3) business days and shall send that response to the involved parties.
4. The appeal petition, responses, and applicable documentation shall be forwarded to the appeals decision-makers for review to determine if the Petition for Appeal and any response meets the limited grounds and time considerations. Within ten (10) business days of receipt, the appeal decision-maker(s) shall render a written decision on the appeal based on the written request, responses, or on any interviews deemed necessary.

#### C. Appeals Procedures

1. All parties shall be provided with the appeals petition, responses, the status of the appeal consideration, and the results of the appeal decision.
2. Every opportunity to return the appeal to the original hearing decision-maker(s) for reconsideration (remand) shall be pursued.
3. Appeals are not intended to be full re-hearings of the allegation. In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal.
4. Appeal decisions are to be deferential to the original live hearing body, making changes to the findings only where there is clear error and to the sanctions only if there is a compelling justification to do so.
5. An appeal is not an opportunity for appeal decision-maker(s) to substitute their judgment for that of the original hearing decision-maker(s) merely because they disagree with its finding and/or sanctions.
6. The appeal decision-maker(s) shall render a written decision on the appeal to all the parties within ten (10) business days from receipt of all appeal material necessary to render the decision.

#### D. Appeals Decision-Maker(s) Ruling

The appeals decision-maker(s) shall serve a written decision of outcome on both parties and their advisors simultaneously. The written decision of outcome must document the rationale and shall be based on one of the following actions:

1. The original findings and any sanction(s) shall stand if it is determined that the appeal was not submitted within the time frame required or that the appeal is ineligible because it did not meet the requirements stated in the "grounds for appeal" mentioned above. This decision made by the appeals decision-maker(s) is final.
2. If the appeal has merit, the appeals decision-maker shall grant the appeal and remand the findings for further investigation and/or reconsideration at the formal live hearing level.

3. If remanded to re-open the investigation, the results of a revised investigation can be subsequently forwarded for reconsideration at the hearing level, at the discretion of the Title IX Coordinator. If the appeal remands to the live hearing decision-maker(s), the reconsideration of the hearing decision-maker(s) is not appealable.
4. Where a procedural error cannot be cured by the original hearing decision-maker(s), as in the case of a bias or conflict of interest, the appeal decision-maker(s) may order a new hearing with a new body of hearing officers. The results of a reconvened hearing cannot be appealed

### **IX. Release of Information**

Every effort is made to keep information regarding sexual misconduct/sexual harassment cases confidential; however, once the case has been adjudicated, and if media sources are aware of a sexual misconduct/sexual harassment incident, the College may release summary details of the name, nature of the violation, and sanctions for any Respondent who is found in violation of the College's policy. In doing so, the College shall not release any information that could lead to the identification of the Complainant. Access to student disciplinary files is governed by FERPA (Family Educational Rights and Privacy Act). Access to the file of the student or employee sanctioned for a sexual misconduct/sexual harassment act is limited to the student or employee and to College officials who have a legitimate educational interest in disciplinary information regarding these persons. Results of grievance proceedings and any appeals proceedings in cases of sexual misconduct/sexual harassment shall be shared with both the Complainant and Respondent. Upon request, the College shall disclose to the alleged victim or to the victim's next of kin, if the victim is deceased, the results of any disciplinary proceeding conducted by the College against a student who is the alleged perpetrator of any crime of sexual violence or a non-forcible sex offense (e.g., statutory rape, incest).

### **X. Record Keeping**

The College shall create, retain, and make available to the parties the following documentation of any sexual misconduct/sexual harassment incident for a period of seven (7) years:

- Every allegation of sexual misconduct/sexual harassment, even if no formal complaint was filed, and the College's response, including documentation of supportive measures offered and implemented to both parties.
- All documentation of every formal complaint, all investigative documents, including informal resolution, appeals and live hearing documents, all responsibility determinations, and any sanctions imposed, as well as remedies implemented.
- All documents indicating the measures the College took to preserve and restore access to its educational programs or activity.

Records of sanctions and any other resolutions to the case shall be placed in a student's conduct file. Records of sanctions and other resolutions to the case for employees shall be placed in their personnel file.

The College shall protect the confidentiality of victims/Complainants and other necessary parties by not including personally-identifiable information about them when completing publicly available record-keeping including Clery Act reporting and disclosures.

**XI. Training of All Personnel Implementing these Policy and Procedures**

All individuals tasked with implementing this policy and procedures, including the Title IX Coordinator, Investigators, Hearing decision-maker(s), Informal Resolution decision-maker(s), and Appellate decision-maker(s) shall be trained at least annually. This training shall include, but not be limited to: how to appropriately remedy, investigate, render findings and determine appropriate sanctions in reference to sexual misconduct/sexual harassment and discrimination allegations; the College's Sexual Misconduct Policy, including definitions of applicable terms; confidentiality and privacy; conflicts of interests and bias; and applicable laws, regulations and federal regulatory guidance.

All training materials, used to train these individuals mentioned above, shall be maintained for seven (7) years and the training shall be listed each year on the College's Title IX webpage for inspection by members of the public.

**XII. Complaints Against Title IX Coordinator**

Complaints against the Title IX Coordinator, including retaliation, may be made to the Compliance Officer at Northwest College:

Lisa Watson, Compliance Officer

Email: [lisa.watson@nwc.edu](mailto:lisa.watson@nwc.edu)

Phone: 307-754-6098

Location: Orendorff Building

Office: ORB106K

What to do if you have been a victim of sexual assault, dating violence, domestic violence, or stalking

Acts of sexual violence are traumatic and can have a lasting impact on a person. Studies show that an individual's response to an act of sexual violence can dramatically impact the short term and long-term effects on mental and emotional recovery. NWC recommends that the following items be carefully considered should you find yourself a victim of sexual violence.

- A. Get to an area of safety. An area that you feel safe from the immediate threat, where you will be listened to and cared for.
- B. If there was any sexual contact or physical injury, get to an emergency room as soon as you can. Under most circumstances, the state of WY will cover the cost of these procedures out of their victim compensation fund. Responding to an emergency room does not mean that you have to report the crime to Law Enforcement or NWC, unless state law dictates the report. However, this will provide an opportunity to have evidence collected and preserved by trained professionals for possible future reporting, as well as provide treatment of your injuries and begin testing for pregnancy and disease.
- C. Report the offense. NWC recognizes that reporting is not an easy thing and will assist in the reporting, even if to law enforcement, in any way that is possible. While reporting is not required, and is a personal decision that is to be respected, the reporting option can start off small by selecting a very close and confidential friend, and then filing official reports with NWC's Title IX coordinator or law enforcement authorities. If you are unsure of how to file a report with law enforcement, NWC will assist in helping you connect with them. Confidential reporting can also be done on campus by talking to an NWC counselor, who are NWC's only confidential advisors. Regardless of your choice, it is important to know your options and find out what is best for you.
- D. Seek Counseling and support resources. Counseling is provided by NWC as a part of your student fees, however, there are many other options available to you. Counseling can come through licensed professionals within the community, through your local church, or through online resources. The important part is to start talking about it and working through the issues that are going to impact you and your education. Off campus resources may also need to be considered for protected living environment or possible restraining order. NWC can assist in accessing these resources.
- E. Get educational assistance. When applicable, NWC will assist in making changes to your educational and living environments to minimize the impact and allow you the best opportunity to achieve your educational goals. Examples of these may include, but are not limited to:
  - a. Escorts;
  - b. Having students change residence halls;
  - c. Reschedule exams and assignments;
  - d. Provide alternative course completion options;
  - e. Change in work schedules/job assignments/class schedules;
  - f. Voluntary leave of absence
  - g. Limiting an individual's or group's access to certain campus facilities/functions;
  - h. No-contact orders or criminal trespasses

Confidentiality of those involved in sexual assault, dating violence, domestic violence, and stalking

All NWC employees are obligated to report known or divulged acts of potential sexual violence that they know about. The only NWC employees that are allowed to take a report confidentially are those identified as confidential advisors. Confidential advisors are designated individuals who have been trained to aid an individual in a sexual misconduct complaint in the resolution process as a confidential resource. As suggested by the term "confidential advisor," confidential communications with the advisor will be kept confidential in all circumstances except where NWC or advisor may be required to disclose the communication under state and

federal laws. NWC designates licensed professional counselors employed by NWC as confidential advisors. All reports to a confidential advisor will be accounted for in NWC crime stats by the confidential advisor informing campus security of the report, along with enough details to properly classify it without giving personally identifiable information. Campus security will then document the information on an official report form, the daily crime log for tracking purposes, as well as make sure that the Title IX coordinator is informed of the report. Campus security will also work with the confidential advisor to make sure that the victim is aware of all available protective measures and accommodations that the school may be able to offer, and which can be done in a manner or way that maintains the confidentiality.

1. **Confidential Support Resources—College/Community:** Includes confidential advisors such as licensed professional counselors, attorneys, health care professionals and other people who have a legally protected confidential client/professional relationship. They may offer services and explain various options to be considered in dealing with the situation. The individual may choose, at a later time, to file a report after considering options presented in the discussion with the confidential resource person.
  - a. **Disclosure Reporting:** An individual may choose to discuss a sexual misconduct situation with a licensed professional counselor in NWC Counseling Center in order to access help/services. *Confidentiality can only be guaranteed by disclosure to a person designated by NWC as a confidential advisor.* Confidential advisors are designated individuals who have been trained to aid an individual involved in a sexual misconduct complaint in the resolution process as a confidential resource. As suggested by the term “confidential advisor,” confidential communications with the advisor will be kept confidential in all circumstances except where NWC or advisor may be required to disclose the communications under state and federal laws. NWC designates licensed professional counselors employed by NWC as confidential advisors. A disclosure is kept confidential and does not result in action by NWC. *Any other College employee made aware of a sexual violation is required to report the violation to the Title IX Coordinator.*
2. **Non-Confidential College Personnel:** Includes Campus Security, Coaches, Faculty, Administrators, Resident Hall Directors and Assistants and any other College employees involved with students/employees in a responsible capacity. These people may receive information about an incident of sexual misconduct and must report information to the Title IX Coordinator.

Reporting and disciplinary process in cases of sexual assault, dating violence, domestic violence, and stalking  
Sexual misconduct may in some instances constitute both a violation of NWC policy and criminal activity, and because NWC grievance process is not a substitute for instituting legal action NWC encourages individuals to report alleged sexual misconduct promptly to campus officials **and** to law enforcement authorities. Individuals may, however, choose not to report sexual misconduct to such campus officials and/or law enforcement authorities. NWC respects and supports the individual’s decision with respect to reporting; nevertheless, NWC may notify appropriate law enforcement authorities if required or warranted by the nature of the allegations at issue. Individuals may file a Complaint at any time, but NWC strongly encourages individuals to file Complaints promptly in order to preserve evidence for a potential legal or disciplinary proceeding. It is important that evidence is preserved from the assault by:

- A. going immediately (within 24 hours) to a hospital emergency room and requesting a sexual assault exam or accessing another facility which can perform a sexual assault exam, and
- B. not taking a shower, changing clothes or in any way destroying physical evidence relative to the sexual assault until after one has talked with a professional resource person—listed under the Reporting Sexual Assault section of this policy

## **OTHER SEX OFFENSE POLICY AREAS**

### Notice of Wyoming Sexual Offenders Registry

The Campus Sex Crimes Prevention Act requires institutions of higher education to advise the campus community of where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. This act also requires sex offenders already required to register in a state to provide notice of each: 1) institution of higher education in that State at which the person is employed, carries on a vocation, or is a student; and 2) change of enrollment or employment status of such person at such an institution ([Victims of Trafficking and Violence Prevention Act of 2000](#)).

### Wyoming Sex Offender Registry

To obtain information about registered sex offenders in Wyoming, visit the [Wyoming Sex Offender Registry](#). This public website can be searched by last name, address, city, county, zip code, or radius map from an address. According to the [Wyoming Division of Criminal Investigation](#), the sheriff's office in each county is responsible for tracking sex offenders who are required to register. That information is electronically provided to the Wyoming Division of Criminal Investigation, reviewed for accuracy, and then entered into the state's Sexual Offender Registration (SOR) database and into the National Crime Information Center operated by the FBI. The National Crime Information Center allows law enforcement agencies nationwide to have access to registered sex offender information from all states. The Wyoming Sex Offender Registry is populated from the information in the state Sexual Offender Registration database, which is a real-time system ([Wyoming Division of Criminal Investigation](#)).

### More Information

For more information about the Wyoming Sex Offender Registry, visit the [Sex Offender Frequently Asked Questions](#) site or contact the Wyoming Division of Criminal Investigation:

Wyoming Division of Criminal Investigation  
Division of Criminal Investigation  
208 South College Drive  
Cheyenne, WY 82002

Telephone: (307) 777-7181  
Email: [wysors@wyo.gov](mailto:wysors@wyo.gov)

### Campus Reporting

Registered sex offenders must report to the Campus Security Manager.

## MISSING STUDENTS

### Missing Student Notification Policy

NWC takes student safety seriously. It is the [policy](#) of NWC to actively investigate any report of a missing student living in on-campus housing as either a part-time or full-time student. The following policy and procedure have been established to assist in locating NWC students living in College owned on-campus housing, who based on the facts and circumstances known to NWC, NWC has determined to be missing.

A. All students living in on-campus housing (Ashley Hall, Colter Hall, Lewis and Clark Hall, Simpson Hall, Trapper Village Main Apartments and Trapper Village West Apartments) must identify and provide confidential contact information. Students must register this confidential contact information at the beginning of each semester by completing the **Emergency Notification Card** when checking in to your assigned residence hall or apartment. This policy will also be available online by going to the [Student Handbook](#). Each student will be responsible for keeping the confidential contact information updated and current. A student living in on-campus housing will not be considered missing if they have provided information about their intended whereabouts. A student living in on campus housing will not be considered missing if they are gone during recognized College holidays and/or breaks. The security of the contact information will be maintained by the Residence Life Office.

B. Any report of a missing student, from any source, should immediately be directed to Campus Security (754.6067) and the Director of Residence and Campus Life (899.9119). Once reported, the Vice President for Student Services (754.6102) will be notified immediately and will implement the following steps:

1. The Campus Security Officer and/or Director of Residence and Campus Life will initiate an investigation to determine the validity of the missing student report.
2. Determine the status of the missing student.
3. Notify the individual identified by the missing student as their emergency contact within 24 hours of making the determination that the student is missing (this applies to students that are emancipated or eighteen (18) years of age or older).
4. If the missing student is under the age of eighteen (18), notify the student's custodial parent(s) or guardian(s) as contained in the records of NWC within 24 hours of the determination that the student is missing.
5. Notify the Powell Police Department, or appropriate law enforcement agency within 24 hours after determining that the student is missing.
6. During this initial process, the Vice President for Student Services will notify NWC President and the other two (2) Vice Presidents. Upon notification from any entity that a student may be missing, NWC may use any of the following resources to assist in locating the student. These resources may be used in any order and combination.
7. Through the Residence Life Office, the Resident Director (RD) or Resident Assistants (RA) may be asked to assist in physically locating the student by keying into the student's assigned room or apartment (following the procedures outlined in the housing and apartment guides) and talking with known associates.
8. Security may search on campus public locations to find the student (library, dining hall, etc.).
9. The Vice President for Student Services may issue an ID picture to assist in identifying the missing student.
10. The Vice President for Student Services (or Vice President's designee) may try to contact known family, friends, or faculty/staff members for last sighting or additional contact information.
11. Student Services or academic departments may be contacted to seek information on last sighting or other contact information.

12. Campus security may access vehicle registration information for vehicle location and distribution to authorities.
13. Computing Services Department may be asked to look up e-mail logs for last login and use of NWC e-mail system.
14. If there is any indication of foul play, the Campus Security Officer will notify the Powell Police Department, or the appropriate law enforcement agency for immediate assistance.

**NWC STATISTICS****Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**

*Under the Clery Act, Northwest College is required to report annual crime statistics showing reported occurrences of specific types of crime for the benefit of current/prospective students and employees*

<b>CAMPUS CRIME REPORT</b>			
<b>Offense</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Aggravated Assault	0	0	0
Robbery	0	0	0
Burglary	2	0	0
Arson	0	1	0
Motor Vehicle Theft	0	0	0
Hate Crimes	0	0	0
Dating Violence	0	0	1
Domestic Violence	0	1	0
Rape	1	0	1
Fondling	0	1	0
Incest	0	0	0
Statutory Rape	0	0	0
Stalking	0	1	0
Unfounded	0	0	0

<b>ARRESTS</b>			
<b>Offense</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Liquor Law Violations	8	0	0
Drug Law Violations	5	2	1
Illegal Weapons Possession	0	0	0
Dating/Domestic Violence	0	0	0

<b>Locations for Reportable Offenses 2020</b>				
<b>NWC Powell Campus</b>	Campus	Non-	Public	Residence
Offense	Property	Campus	Property	Halls/Apts
Murder/Non-negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Aggravated Assault	0	0	0	0
Robbery	0	0	0	0
Burglary	0	0	0	0
Arson	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Hate Crimes	0	0	0	0
Dating Violence	0	0	0	1
Domestic Violence	0	0	0	0
Rape	1	0	0	0
Fondling	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Stalking	0	0	0	0
Hate Crimes	0	0	0	0

<b>Locations for Arrests 2020</b>				
<b>NWC Powell Campus</b>	Campus	Non-	Public	Residence
Offense	Property	Campus	Property	Halls/Apts
Liquor Law Violations	0	0	0	0
Drug Law Violations	0	0	1	0
Illegal Weapons Possession	0	0	0	0
Dating/Domestic Violence	0	0	0	0

**NOTE:** Arrest data includes those incidents in which a person was given a citation to appear before the Justice of the Peace in lieu of physical arrests and/or arrests made. Liquor law violations do not include arrests for Driving Under the Influence (DUI). Liquor law violations do include arrests made where the offender was charged for Minor in Possession of Alcohol and in physical control of a motor vehicle.

<b>Disciplinary Actions / Judicial Referrals 2020</b>			
	Alcohol	Drugs	Weapons
Residence Halls / Apartments	30	1	0
Campus Property	1	0	0
Non-Campus Property	0	0	0
Public Property	0	0	0

<b>Disciplinary Actions / Judicial Referrals 2019</b>			
	Alcohol	Drugs	Weapons
Residence Halls / Apartments	40	5	0
Campus Property	9	0	0
Non-Campus Property	1	0	0
Public Property	0	0	0

<b>Disciplinary Actions / Judicial Referrals 2018</b>			
	Alcohol	Drugs	Weapons
Residence Halls / Apartments	49	2	0
Campus Property	9	2	0
Non-Campus Property	6	1	0
Public Property	0	0	0

<b>HATE CRIMES</b>				
	Location	Type	Offense	Number
2020	NA	NA	NA	0
2019	NA	NA	NA	0
2018	NA	NA	NA	0

## **FIRE SAFETY REPORT**

The Higher Education Opportunity Act enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an Annual Fire Safety Report that contains information about campus fire safety practices and standards of the institution. The following Report details all information required by this Act for NWC.

### *Definitions:*

The following terms are used within this report. Definitions have been obtained from the Higher Education Opportunity Act.

**On-Campus Student Housing** – A student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonable contiguous geographic area that makes up the campus.

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

### *Fire Safety*

NWC takes fire safety very seriously, having lost a building to fire in the spring of 2004, and encourage student and staff participation in educational opportunities, emergency preparedness, and fire drills that are conducted across campus each semester.

All buildings on campus have emergency evacuation plans posted within them and fire drills\* are conducted in each building once per academic year and twice per semester in the residence halls. These drills allow occupants to become familiar with emergency equipment, emergency procedures, evacuation routes, as well as allowing NWC staff to test equipment and practice emergency procedures. These drills are coordinated by Residential Life and/or Security staff. In addition, a fire safety program will be presented in each of the traditional style residence halls during the first half of each fall semester. All students are allowed and encouraged to attend this free information session. Fire Safety is also a part of each new employee orientation.

\*Not all fire drills were completed in 2019-2020 due to Covid-19.

All Northwest College Residence facilities are equipped with alarms, fire extinguishers, sprinkler systems, and evacuation plans are posted, showing evacuation routes for building occupants. All buildings on NWC Powell campus have fire alarm systems that are monitored by Simplex. Activation of the system sets off alarms and strobe lights within the building, as well as sending notification to Simplex, which is responsible for notifying emergency responders. All four of the traditional style residence halls are equipped with automatic closing fire doors, and alarms that include strobes and horns for visually and hearing impaired. NWC requires that all occupants of a building evacuate when the fire alarm system is activated. Failure to evacuate put lives in danger and will be dealt with through the disciplinary process.

### The Residence Halls

Ashley Hall, 960 North Beckman St, Powell WY

Colter Hall, 212 West 6<sup>th</sup> St., Powell WY

Lewis & Clark Hall, 803 North Division St., Powell, WY

Simpson Hall, 835 North Division St., Powell WY

Trapper Village Main Apts.,

Building A, 900 North Beckman St, Powell, WY

Building B, 903 North Beckman St, Powell WY

Building C, 905 North Beckman St, Powell WY

Building D, 902 North Beckman St, Powell WY

Building E, 904 North Beckman St, Powell WY

### Prohibited items in Residence Halls

The following items or activities are prohibited:

(Please refer to the [Residence Hall Guide and Owner's Manual](#) for more details.)

1. Smoking is prohibited in all NWC buildings, including Residence Halls. This includes vaping, e-cigarettes, and any other similar devices. Smoking of any kind is also prohibited within 25 feet of building entrances.
2. Items such as incense, potpourri, candles, cigars, clove cigarettes, sage and the like
3. All heat source odor emitting devices, such as oil warmers, candle warmers, heat-producing scented plugins, etc.
4. Flammable materials such as gasoline, kerosene, or motor oil
5. Christmas/twinkle lights, unless UL approved and only hung around the windows in a manner that does not cover or block the window and/or furnished blinds/drapes.
6. No coverings over room lights, windows, or furnished drapes/blinds
7. Certain room appliance/items

To reduce the risk of fire within our facilities, the following are also not allowed in any Residence Hall room: Space heaters, toasters, live Christmas trees, halogen or sun lamps, exterior antennas, ham radio sets, firearms, weapons, firecrackers, explosives, any open element cooking or heating appliance (e.g. hotplate) most electric cooking utensils, (frying pans, woks, griddles). Any open flame is strictly prohibited within the building.

### Evacuation Procedures

Evacuation procedures can be found in the [Emergency Response Guide](#). Please review to this for understanding on how to best handle different emergencies on campus. For evacuating a building during a fire, please remember these important steps:

- If you discover a fire, immediately pull the nearest pull station and evacuate the building.
- Follow only given instructions from emergency personnel and broadcasts.
- Check doors for heat before opening. DO NOT OPEN a door if it feels hot.
- WALK — DO NOT RUN. Do not push or crowd.
- Keep noise to a minimum so you can hear emergency instructions.
- Use handrails in stairwells and keep to the right.
- Assist people with disabilities as you are able.
- If smoke is present, go to your hands and knees and continue to the nearest exit.
- Remember there is generally more than one way out. If you become trapped, consider breaking out a window and exiting in that manner.
- If you become trapped in a room:

- Stuff clothing or papers, preferably wet, under the door crack
- Make sure the door is unlocked
- Open a window and evacuate if possible—break the window if necessary
- CALL 911 if you can't evacuate via window—give your floor and room number/location.
- Keep low to the floor
- Cover your mouth with clothing, preferably wet
- Remain calm

### Fire Reporting Statistics

In order to report accurate statistics in the next Annual Security and Fire Safety Report, all fires in any Residence Hall should be reported to the Director of Residence Life/Housing. All other fires on campus should be reported to the Campus Security Office.

### **Training on campus**

Training on fire related procedures will be provided in each Residence Hall during the Fall Semester. This training includes information on:

- Fire prevention

Fire evacuation procedures are also discussed with students in First Year Seminar classes in which Emergency Procedures are discussed.

<b>2018 NWC Housing Fire Statistics</b>				
Residential Building	Number Fires	Fire Cause	Injured Deaths	Damage Value
Ashley Hall	0	n/a	0/0	\$0.00
Coulter Hall	0	n/a	0/0	\$0.00
Lewis & Clark Hall	0	n/a	0/0	\$0.00
Simpson Hall	0	n/a	0/0	\$0.00
Trapper Main	0	n/a	0/0	\$0.00
Trapper Village				
<b>TOTAL</b>	<b>0</b>	<b>n/a</b>	<b>0/0</b>	<b>\$0.00</b>

<b>2019 NWC Housing Fire Statistics</b>				
Residential Building	Number Fires	Fire Cause	Injured Deaths	Damage Value
Ashley Hall	0	n/a	0/0	\$0.00
Coulter Hall	0	n/a	0/0	\$0.00
Lewis & Clark Hall	0	n/a	0/0	\$0.00
Simpson Hall	0	n/a	0/0	\$0.00
Trapper Main	0	n/a	0/0	\$0.00
Trapper Village	0	n/a	0/0	\$0.00
<b>TOTAL</b>	<b>0</b>	<b>n/a</b>	<b>0/0</b>	<b>\$0.00</b>

<b>2020 NWC Housing Fire Statistics</b>				
Residential Building	Number Fires	Fire Cause	Injured Deaths	Damage Value
Ashley Hall	0	n/a	0/0	\$0.00
Coulter Hall	0	n/a	0/0	\$0.00
Lewis & Clark Hall	1	Cooking	0/0	\$0.00
Simpson Hall	0	n/a	0/0	\$0.00
Trapper Main	0	n/a	0/0	\$0.00
Trapper Village	0	n/a	0/0	\$0.00
<b>TOTAL</b>	<b>0</b>	<b>n/a</b>	<b>0/0</b>	<b>\$0.00</b>