

Keweenaw Bay Ojibwa Community College



Annual Security Report

January 1, 2013 through December 31, 2013

Prepared by: Elizabeth Veker King

Institutions of higher education that administer Title IV funds are mandated to comply with the Higher Education Act of 1965, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), and the Higher Education Opportunity Act.

Part of the compliance with these regulations is to provide an Annual Security Report to the campus community. This report consists of two basic parts, disclosure of the College's crime statistics for the past three years and disclosures regarding the College's current campus safety and security policies.

The annual security report will be compiled, published and distributed annually to the campus community by Oct. 1. The notice will be mailed through U.S. mail or e-mailed to all students; interoffice mail will be used to distribute the report to employees.

The report will be posted on the KBOCC website, posted at the Niiwin Akeaa, Library/Science Building, and Student Lounge at the Wabanung Building. A copy is also retained in the Dean of Student Services office.

Notice of the availability of the Annual Security Report is posted in both the College Catalog and the Student Handbook.

KBOCC will not charge staff or students for copies of the Annual Security Report.

Geography of the KBOCC Campus

The KBOCC President is responsible for building information. Building paperwork, plans, etc. are kept in the President's office.

Crime statistics are reported for KBOCC buildings and property, public property within or adjacent to the campus, and any other locations in which a class or other college activity is regularly held. KBOCC does not have on-campus student housing.

KBOCC has several buildings, including the *Niiwin Akeaa Center* (campus building) and five non-campus buildings (any building or property owned or controlled by the College that is used in direct support of, or in relation to, the College's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution). These buildings include:

KBOCC Niiwin Akeaa Center (Main Building)

111 Beartown Rd.

Baraga, MI 49908

Note: Public property includes the parking lot on the east end of the building between Niiwin Akeaa and the Keweenaw Bay Indian Community Day Care Building and the stretch of Beartown Road in front of the Niiwin Akeaa Center.

KBOCC Library/Science Center

409 Superior Avenue

Baraga, MI 49908

KBOCC Annex

325 Superior Avenue

Baraga, MI 49908

KBOCC Woodworking Shop

16364 Ojibwa Industrial Park Road

Baraga, MI 49908

L'Anse Area Schools

Industrial Education Building

201 N. Fourth Street

L'Anse, MI 49946

Keweenaw Bay Indian Community

Community Building

105 Acre Trail

Marquette, MI 49855

Collection of Crime Statistics

Crime Statistics are collected by the Dean of Student Services. Crime Statistics reports originate from and are kept in the Dean's office. The statistics are posted on KBOCC's website each year by October 1. KBOCC is required to provide crime statistics for the past three calendar years. The Dean of Student Services requests and collects statistics from local police agencies and from the Dean of Student Services log of reported campus crimes investigated by the Keweenaw Bay Indian Community (KBIC) Tribal Police. The crime statistic report has been incorporated into this document (pages 4-6) and clarifies the types of crime that must be reported according to the Clery Act.

Crime Statistics for KBOCC

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act require college and universities that participate in Title IV student financial aid programs to disclose campus crime statistics and security information. Crime definitions can be found in the FBI Uniform Crimes Reporting Handbook 2004 at the following URL: http://www.fbi.gov/about-us/cjis/ucr/additional-ucr-publications/ucr_handbook.pdf

The Clery Act mandates that crime statistics be made available for the past three years. KBOCC began participating in Title IV student financial aid programs in Fall 2010. The College has coordinated with law enforcement agencies to obtain some crime statistics for the past calendar years of 2010–2012. The statistics provided, and the organizations that the statistics originated from are reported in the tables below. Because KBOCC does not have its own campus security, the college works with local police organizations to handle campus crime.

Report to the Department of Education

KBOCC will report crime statistics in compliance with the Clery Act via designated web site each fall as stipulated by the Department of Education's Office of Postsecondary Education. The U.S. Department of Education Handbook for Campus Crime Reporting identifies public property as "...thoroughfares, streets, sidewalks, and parking facilities that is within the campus, or immediately adjacent to and accessible from the campus." It does not include surrounding property that is not owned or controlled by the institution, including private residences and businesses. Addresses for the buildings identified in the crime statistic tables are:

BARAGA, MICHIGAN

KBOCC Niiwin Akeaa Center
(Main Building)
111 Beartown Road
Baraga, MI 49908

KBOCC Woodworking Shop
16364 Ojibwa Industrial Park Rd.
Baraga, MI 49908

KBOCC Annex/Student Center
409 Superior Avenue
Baraga, MI 49908

KBOCC Science Center
325 Superior Avenue
Baraga, MI 49908

L'ANSE, MICHIGAN

KBOCC Wabanung Campus
770 N. Main Street
L'Anse, MI 49946

L'Anse Area Schools Industrial Building
Welding Shop
201 N. Fourth Street
L'Anse, MI 49946

MARQUETTE, MICHIGAN

KBIC Community Building
105 Acre Trail
Marquette, MI 49958

Report to the Education Department**Crime Statistics for Calendar Year 2013***

Type of Offenses	On-Campus Niiwin Akeaa Center	Non-Campus Library/ Science Center	Non-Campus Annex/ Student Center	Non-Campus Woodwork Shop	Non-Campus Welding Shop	Non-Campus KBIC Community Bldg., Harvey	Adjacent Public Property	Hate Crime Category
Aggravated Assault	0	0	0	0	0	0	0	None
Arson	0	0	0	0	0	0	0	None
Burglary	0	0	0	0	0	0	0	None
Motor Vehicle Theft	0	0	0	0	0	0	0	None
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	None
Negligent Manslaughter	0	0	0	0	0	0	0	None
Robbery	0	0	0	0	0	0	0	None
Sex offenses-forcible	0	0	0	0	0	0	0	None
Sex offenses-non-forcible	0	0	0	0	0	0	0	None
Domestic Violence	0	0	0	0	0	0	0	None
Dating Violence	0	0	0	0	0	0	0	None
Stalking	0	0	0	0	0	0	0	None
Larceny-Theft***	0	0	0	0	0	0	0	None
Simple Assault***	0	0	0	0	0	0	0	None
Intimidation***	0	0	0	0	0	0	0	None
Vandalism, Damage, Destruction of Property ****	0	0	0	0	0	0	0	None
Liquor Law Violation – Arrest	0	0	0	0	0	0	0	n/a
Liquor Law Violation–Campus Disciplinary	0	0	0	0	0	0	0	n/a
Drug Abuse Violation – Arrest	0	0	0	0	0	0	0	n/a
Drug Abuse Violation – Campus Disciplinary Action	0	0	0	0	0	0	0	n/a
Weapon Possession – Arrest	0	0	0	0	0	0	0	n/a
Weapon Possession – Campus Disciplinary Action	0	0	0	0	0	0	0	n/a

*Compiled from Michigan State Police, Baraga Village Police Department, L'Anse Police Department, KBOCC Student Services
Crime Log – incidents reported to Keweenaw Bay Indian Community Tribal Police

**Hate Crime categories: race, gender, religion, sexual orientation, ethnicity/national origin, disability

***Reported only if considered a "hate crime"

Crime Statistics for Calendar Year 2012*

CAVEAT: The Keweenaw Bay Indian Community's Community Building in the Harvey area of Marquette was added in 2011 due to the fact that KBOCC courses are now provided in this building.

Type of Offenses	On-Campus Niiwin Akeaa Center	Non-Campus Library/ Science Center	Non-Campus Annex/ Student Center	Non-Campus Woodwork Shop	Non-Campus Welding Shop	Non-Campus KBIC Community Bldg., Harvey	Adjacent Public Property	Hate Crime Category
Aggravated Assault	0	0	0	0	0	0	0	None
Arson	0	0	0	0	0	0	0	None
Burglary	0	0	0	0	0	0	0	None
Motor Vehicle Theft	0	0	0	0	0	0	0	None
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	None
Negligent Manslaughter	0	0	0	0	0	0	0	None
Robbery	0	0	0	0	0	0	0	None
Sex offenses-forcible	0	0	0	0	0	0	0	None
Sex offenses-non-forcible	0	0	0	0	0	0	0	None
Domestic Violence	0	0	0	0	0	0	0	None
Dating Violence	0	0	0	0	0	0	0	None
Stalking	0	0	0	0	0	0	0	None
Larceny-Theft***	0	0	0	0	0	0	0	None
Simple Assault***	0	0	0	0	0	0	0	None
Intimidation***	0	0	0	0	0	0	0	None
Vandalism, Damage, Destruction of Property ****	0	0	0	0	0	0	0	None
Liquor Law Violation – Arrest	0	0	0	0	0	0	0	n/a
Liquor Law Violation–Campus Disciplinary	0	0	0	0	0	0	0	n/a
Drug Abuse Violation – Arrest	0	0	0	0	0	0	0	n/a
Drug Abuse Violation – Campus Disciplinary Action	0	0	0	0	0	0	0	n/a
Weapon Possession – Arrest	0	0	0	0	0	0	0	n/a
Weapon Possession – Campus Disciplinary Action	0	0	0	0	0	0	0	n/a

*Compiled from Michigan State Police, Baraga Village Police Department, L'Anse Police Department, KBOCC Student Services Crime Log – incidents reported to Keweenaw Bay Indian Community Tribal Police

**Hate Crime categories: race, gender, religion, sexual orientation, ethnicity/national origin, disability

***Reported only if considered a "hate crime"

Crime Statistics for Calendar Year 2011*

Type of Offenses	On-Campus Niiwin Akeaa Center	Non-Campus Library/ Science Center	Non-Campus Annex/ Student Center	Non-Campus Woodwork Shop	Non-Campus Welding Shop	Non-Campus KBIC Community Bldg., Harvey	Adjacent Public Property	Hate Crime Category
Aggravated Assault	0	0	0	0	0	0	0	None
Arson	0	0	0	0	0	0	0	None
Burglary	0	0	0	0	0	0	0	None
Motor Vehicle Theft	0	0	0	0	0	0	0	None
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	None
Negligent Manslaughter	0	0	0	0	0	0	0	None
Robbery	0	0	0	0	0	0	0	None
Sex offenses-forcible	0	0	0	0	0	0	0	None
Sex offenses-non-forcible	0	0	0	0	0	0	0	None
Domestic Violence	0	0	0	0	0	0	0	None
Dating Violence	0	0	0	0	0	0	0	None
Stalking	0	0	0	0	0	0	0	None
Larceny-Theft***	0	0	0	0	0	0	0	None
Simple Assault***	0	0	0	0	0	0	0	None
Intimidation***	0	0	0	0	0	0	0	None
Vandalism, Damage, Destruction of Property ****	0	0	0	0	0	0	0	None
Liquor Law Violation – Arrest	0	0	0	0	0	0	0	n/a
Liquor Law Violation–Campus Disciplinary	0	0	0	0	0	0	0	n/a
Drug Abuse Violation – Arrest	0	0	0	0	0	0	0	n/a
Drug Abuse Violation – Campus Disciplinary Action	0	0	0	0	0	0	0	n/a
Weapon Possession – Arrest	0	0	0	0	0	0	0	n/a
Weapon Possession – Campus Disciplinary Action	0	0	0	0	0	0	0	n/a

*Compiled from Michigan State Police, Baraga Village Police Department, L'Anse Police Department, KBOCC Student Services
Crime Log – incidents reported to Keweenaw Bay Indian Community Tribal Police

**Hate Crime categories: race, gender, religion, sexual orientation, ethnicity/national origin, disability

***Reported only if considered a "hate crime"

CAMPUS SAFETY AND SECURITY POLICIES

Keweenaw Bay Ojibwa Community College complies with the Higher Education Act, Higher Education Opportunity Act, and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

The Dean of Student Services is designated as the Campus Security Authority for KBOCC. Students, staff, guests, and community members are encouraged to contact the Dean of Student Services at 906-524-8111 to report on-campus criminal offenses, to assist KBOCC in accurately assessing and reflecting campus crime. Individuals also retain the right to contact law enforcement, especially in an emergency situation.

1. Provide a statement of current campus policies regarding procedures for students and others to report criminal actions or other emergencies occurring on campus.

a. Policies for making timely warning reports to members of the campus community regarding the occurrence of Clery Act crimes.

In the event that a situation arises, either on or off campus, that in the judgment of the emergency contact constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued. The Dean of Student Services, or other designated emergency contact is responsible for coordinating Timely Warnings.

Timely warnings will be disseminated via e-mail, posted in campus buildings frequented by students and staff, and posted on the KBOCC website.

To ensure the safety of the campus community, a timely warning will be issued to the campus community for on-campus alleged offenses covered under the Clery Act if:

- The allegation is reported to the campus security authority or a law enforcement agency;
- It occurs in the designated campus area per Clery Act; and
- It is considered to represent a serious threat to students and staff.

Factors considered in determining if a crime is considered to be a serious threat include:

- Reviewing the nature of the crime – does this appear to be a one-time, isolated incident, vs. a potential recurring crime; and
- If the perpetrator was apprehended.

The CSA may consult with local law enforcement when issuing timely warnings and updated warnings as warranted.

Timely warnings will include the following:

- Date of the warning
- Summary of type of crime reported and where it occurred to warrant the warning. This information is generated from a “Security Office” report and is not a violation of FERPA
- Recommended strategies to stay safe

Documentation of Timely Warnings is kept in the Dean of Student Services Office.

b. Policies for preparing the annual disclosure of crime statistics.

The Dean of Student Services compiles the Clery crime statistics information for the campus. The Dean contacts local law enforcement officials in the Baraga County area, Marquette and Negaunee to access statistics on reported offenses, and includes apparently valid offenses that are reported to the Dean as the Campus Security Authority as well. These statistics are summarized and disseminated on campus. The Dean also requests notification if law enforcement are contacted about a crime on campus, especially if the crime poses a threat to students.

Documentation of phone calls and letters sent are kept to show contact has been made with law enforcement authorities.

The Dean of Student Services also makes contact with other staff in the college to ensure that no reported offenses go uncouncted.

KBOCC is not required to keep a daily crime log as the campus does not have campus police or security personnel. The Dean of Student Services, as the CSA, does keep a log documenting Clery-reportable offenses that are reported to her office.

Crime statistics are reported for the offenses identified below. The definitions of these crimes are identified by the Federal Bureau of Investigation’s Uniform Crime Reporting List.

- Murder/Non-negligent Manslaughter
- Negligent Manslaughter
- Forcible Sex Offenses
- Non-forcible Sex Offenses
- Robbery
- Aggravated Assault
- Motor Vehicle Theft
- Arson

The statistics will also show if any of the above crimes were considered a “hate crime” - the victim was targeted because of race, gender, religion, sexual orientation, ethnicity/national origin, or disability.

Additional “hate crime” statistics will be compiled for the following offenses:

- Larceny-Theft
- Simple Assault
- Intimidation
- Vandalism, Damage, Destruction of Property
- Dating Violence
- Stalking
- Domestic Violence

Statistics will also be compiled for campus arrests and referrals due to liquor law violations, drug abuse violations, and weapons violations.

If two or more offenses are committed during a single incident, KBOCC will utilize the FBI’s UCR hierarchy rule and reflect the most serious offense in the crime statistics. The exception to this rule is arson – this offense must be counted each time, and all hate crime offenses must be counted.

For purposes of reporting crime statistics, KBOCC will not distinguish between a crime and an attempted crime.

No personal identifiers will be used in statistical reports – only the type of offense that was committed or attempted.

c. A list of title of each person or organization that the students and employees should report criminal offenses as described in the law for the purpose of making timely warning reports and the annual statistical disclosure. This statement must also disclose whether the institution has any institutional policies or procedures that allow victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual security report.

To report a crime dial Keweenaw Bay Indian Community Tribal Police at (906) 353-6626.

In addition to notifying law enforcement, any person who becomes aware of an emergency situation on campus should contact Elizabeth Veker King, Dean of Student Services, immediately at 906-524-8111, or Lynn Aho, Dean of Instruction, at (906) 353-4618. In the event of extreme situations, Debra Parrish, President should be notified. A list of emergency contacts will be maintained on the campus directory.

If there is an immediate life-threatening danger to the campus community, the emergency contact number for Baraga County is 911.

KBOCC does not have an anonymous reporting policy for crime statistics.

2. Provide a statement of current policies concerning:

- a. Security of and access to campus facilities, including campus residences; and**
- b. Security considerations used in the maintenance of campus facilities.**

Business hours for campus buildings vary, depending on course schedules. Typically, KBOCC buildings are closed and locked by the last employee leaving the building. There should always be at least one employee present if a building is open.

If a student has a safety concern, he or she can bring this to the attention of any KBOCC employee on site. Employees are to immediately call the tribal police as needed to assist students and employees whose safety is a concern.

KBOCC has security cameras at the Niiwin Akeaa Center and postings to inform the public that the premises are monitored to minimize potential threats against others or property.

3. Provide a statement of current policies concerning campus law enforcement, including:

a. The law enforcement authority of campus security personnel.

KBOCC does not have a campus security office. The Dean of Student Services is designated as the Campus Security Authority for the college and coordinates services in conjunction with KBIC Tribal Police and other local law enforcement agencies.

b. The working relationship of campus security personnel with state and local law enforcement agencies, including whether the institution has agreements with such agencies, such as written memoranda of understanding, for the investigation of alleged criminal offenses.

KBOCC does not have a memorandum of understanding with any law enforcement agency, but the Dean of Student Services consults with the Tribal Police Chief on crime reporting, policies, and coordinating emergency situations. KBOCC relies primarily on the Keweenaw Bay Indian Community Tribal Police to patrol the KBOCC campus as a part of their routine patrol of tribal buildings, programs, and facilities on the L'Anse Reservation. Other law enforcement agencies may also be contacted as well, including the 911 dispatch, which is administered by the Michigan State Police, and dispatches to the local law enforcement agencies, including the Tribal Police. KBOCC staff will work with local law enforcement when a campus crime is being investigated.

c. Policies which encourage accurate and prompt reporting of all crimes to campus police and the appropriate law enforcement agencies.

Students and employees are encouraged to report all criminal acts on campus promptly to Tribal Police.

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

KBOCC does not employ either pastoral or professional counselors who are bound by confidentiality.

4. Provide a statement that describes the type and frequency of programs designed to inform students and employees about campus security procedures and practices to encourage students and employees to be responsible for their own security and the security of others.

KBOCC conducts a fire drill once per semester. Fire drills provide an opportunity for students, staff and faculty to practice evacuating and identifying deficiencies and opportunities for improvement. All drills are supervised by the Fire Drill Coordinator and documented on the College's Fire Drill Report form.

During the required orientation for all new students, students are provided information on safety and security, crime statistics, how to contact Tribal Police and how to respond during an emergency.

The KBOCC Resource Guide is a publication made available to all students. The emergency number (911) for Baraga County is provided in the KBOCC Student Resource guide.

Safety and security workshops can be arranged upon request by calling the Dean of Student Services at 906-524-8111.

5. Provide a description of programs designed to inform students and employees about the prevention of crimes.

Student Services offers crime prevention programs and brochures to faculty, staff and students concerning such topics as theft prevention, sexual assault awareness, alcohol abuse and drug abuse.

Student Services works with tribal police in securing appropriate written material and presenting programs.

Students and employees are provided crime awareness and prevention tips through brochures and handouts that are distributed in packets at orientation sessions.

The Keweenaw Bay Indian Community's OVW program provides presentations each Fall and Spring semester to students and employees on the following topics: Domestic Violence, Sexual Assault, Dating Violence and Stalking, Impact of Violence on Children, Services to Victims of Crime, and Violent Crime Defined.

Crime prevention presentations are also available upon request by calling the Dean of Student Services at 906-524-8111.

6. Provide a statement of policy concerning the monitoring and recording, through local police agencies, of criminal activity in which students engaged at off-campus locations of student organizations officially recognized by the institution, including student organization with off-campus housing facilities.

Coordination with local law enforcement is not applicable since no student organizations have off-campus facilities.

7. Provide a statement of policy regarding the possession, use and sale of alcoholic beverages and enforcement of state underage drinking laws and;

8. Provide a statement of policy regarding the possession, use and sale of illegal drugs and enforcement of federal and state drug laws.

KBOCC complies with the Drug Free Workplace Act of 1988 and the Drug Free Schools and Communities Act Amendments of 1991.

It is the policy of Keweenaw Bay Ojibwa Community College that students, staff, and visitors on campus or participating at a college sanctioned event are alcohol and drug free. The following behaviors constitute a violation of this policy:

- Use, possession or distribution of alcohol.
- Use or possession of any controlled substance without a prescription.
- Distribution of any controlled substance or drugs.
- Reporting to campus or to a campus-sponsored activity while under the influence of alcohol or drugs.
- Use of tobacco, other than for ceremonial purposes, in campus buildings or in no-smoking zones outdoors.

Any violation of this policy will result in disciplinary action (consistent with Tribal, State, and Federal law), and may include expulsion or termination of employment and/or referral for prosecution. Visitors who violate this policy may be mandated to leave the premises. Law enforcement may also be contacted, if warranted.

KBOCC reserves the right to contact parents of any student under the age of 21 who violates the KBOCC Drug Free Environment Policy per October 1998 reauthorization of the Higher Education Act.

9. Provide a description of any drug or alcohol abuse education programs as required under Section 120(a) through (d) of HEA. For the purpose of meeting this requirement, an institution may cross-reference the materials it uses to comply with Section 120(a) through (d) of HEA.

Each year during the fall semester, the College distributes to all enrolled students and employees, a notice of the availability of KBOCC's Drug and Alcohol Abuse Prevention Program policy. Information about alcohol and drug prevention is available on the student services information table and is also incorporated into some student activities. Information about drug / alcohol prevention and intervention programs is available in the KBOCC Student Resource Guide and is also available in the Dean of Student Services office.

10. Provide a statement that the institution will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime

of offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

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

11. Provide a statement of policy regarding your institution's emergency response and evacuation procedures.

Emergency Contacts and Procedures

If there is an immediate life-threatening danger to the campus community, the emergency contact number for Baraga County is 911.

The Dean of Student Services, or other designated emergency contact is responsible for coordinating Emergency Notifications.

If there is an immediate threat to the health or safety of students or employees on campus, both staff and the student body will be contacted via telephone or e-mail address for emergencies. It is recommended that students and staff check their e-mail daily for this purpose. Emergency warnings will also be made available at the Dean of Student Services office, located at 770 N. Main Street, L'Anse, Michigan. If students or employees cannot access e-mail from home, those individuals can register a phone number with the Dean of Student Services office for use in case of emergency.

Other potential threats to the campus community will be posted throughout the campus and disseminated to students and staff as well.

If a campus threat may endanger the larger community, KBOCC staff will work with the KBIC Tribal Police to disseminate information accordingly.

Emergency Contacts for KBOCC

Any person who becomes aware of an emergency situation on campus should contact the primary emergency contact person immediately:

- Elizabeth Veker King, Dean of Student Services, 906-524-8111 or 906-201-0702
- Charlie Gauthier, Operations Supervisor, 906-395-0656
- Lynn Aho, Dean of Instruction, (906) 353-4618

In the event of extreme situations, the President should be notified:

- Debra Parrish, President, 906-524-8414 or 906-395-4601

Emergency Contacts for Emergency Situations

EMERGENCY CALLS	911
AMBULANCE – non-emergency	353-6196
ELECTRICAL	1-800-562-7128
FIRE	911
GAS	1-800-562-9734
	1-800-624-2019 EXT 18
HOSPITAL	524-3300
KBIC MAINTENANCE	353-4617
	353-2626

Emergency Contacts for Law Enforcement Agencies

Regional Dispatch	(906) 337-2211
Keweenaw Bay Indian Community Tribal Police	(906) 353-6626
Baraga County Sheriff	(906) 524-6177
Baraga Village Police	(906) 353-7181
L’Anse Village Police	(906) 524-6950
Michigan State Police	(906) 524-6162

Evacuations

An evacuation may involve only one room or the entire College complex. The authority to evacuate the entire complex for an immediate emergency rests with the Dean of Student Services or President. Any employee observing or having knowledge of a situation which poses immediate danger to patrons and employees must take steps to remove persons from the danger.

The area to evacuate is determined by the nature of the event and the level of danger. Notification to evacuate is one of the most critical parts of a successful evacuation.

Once evacuation is required, all department chairs will be notified and will provide assistance for the evacuation. Cooperation of all employees in directing egress will be coordinated by the emergency contact person.

The emergency contact person will:

1. Confirm that there is a dangerous situation or legitimate emergency. This will include assessing information from the reporter, and possibly consulting with local law enforcement.
2. Declare the emergent situation and notify all department chairs if the situation requires a notification, or an evacuation..

If the emergency requires evacuation:

3. The Emergency Contact Person will secure assistance from outside support as needed, i.e. law enforcement or fire assistance.
4. The Emergency Contact Person will inform department chairs if there are any unsafe exits to avoid in the evacuation process.
5. Department chairs will contact the staff in their respective departments that are currently on-site and facilitate evacuation through the nearest, safe emergency exit. One of the Deans or a designated staff member will contact classes in session and inform instructors of any unsafe exits.
6. Each instructor will secure the class roster and escort students from their respective classes to the nearest, safe emergency exit to evacuate.
7. Above mentioned staff will secure assistance for any injured or special needs persons.
8. The post evacuation meeting places are as follows:
 - 8.1 Niiwin Akeaa and the KBIC Day Care: southeast side of the parking lot between these buildings
 - 8.2 Wabanung: Student Services parking lot & maintenance parking lot
9. Each staff member will ensure that all persons in their departments are accounted for; instructors will ensure that all students that were in attendance during class are accounted for.
10. The Emergency Contact Person will enlist the assistance of other staff to assist with emergency notification procedures as warranted.
11. The administrator who initiated the evacuation will be responsible for completing the incident report after order is restored.

Practice Evacuations

Practice evacuations will be conducted at least twice a year. Employees and students should report to the designated post evacuation meeting places. Each evacuation team leader will account for their assigned personnel. The Dean of Students, Student Services staff, and Maintenance Supervisor will facilitate the evacuation drills. The drills will be documented and recorded in the Emergency Safety Drills binder and retained in the Dean of Student Services office.

1. Documentation of the test will include:
 - a. The location of the drill.
 - b. The date that the drill was held.
 - c. The beginning and ending time of the drill
 - d. A description of the exercise.
 - e. Statement if the drill was announced or unannounced.
 - f. Documentation of the drill will be kept for seven years.

Sex Offense Policy, Procedures and Programs

- a. A description of educational programs to promote the awareness of rape, acquaintance rape, and other forcible and nonforcible sex offenses;**

Keweenaw Bay Indian Community's Office of Violence Against Women, OVW, provides annual presentations on stalking, domestic violence, dating violence, rape, rape acquaintance, sexual assault and other sex offenses. OVW provides brochures and other printed material during new student orientation. Printed materials are always available at the Student Services publication display.

Sex offense awareness and prevention presentations are also available upon request by calling the Dean of Student Services at

Procedures students should follow if a sex offense occurs, including:

- Procedures concerning who should be contacted;
 - The importance of preserving evidence for the proof of a criminal offense; and
 - To whom the alleged offense should be reported.
- b. Information on a student's option to notify appropriate law enforcement authorities, including:**
- On-campus and local police; and
 - A statement that institutional personnel *will* assist the student in notifying these authorities, if the student requests the assistance of these personnel.

For *b* & *c* see Sexual Assault, Domestic & Dating and Stalking Policy below.

- c. Notification to students of existing on- and off-campus counseling, mental health or other student services for victims of sex offenses.**

KBOCC does not currently provide counseling. Off-campus counselors for mental health or victims of sex offenses can be found in the Student Resource Guide under the heading "Counseling."

- d. Notification to students that the institution will change a victim's academic, living, transportation and working situations after an alleged sex offense, and the options for those changes if those changes are requested by the victim and are reasonably available.**

Academic Schedule

The Dean of Instruction will adjust class schedules for students after alleged incidents of sexual

assault, domestic or dating violence or stalking.

Living Situation

At the present time, KBOCC does not administer a campus housing program, so staff cannot assist with altering living arrangements, but the Dean of Student Services can provide housing resources to the student.

Transportation

Student Services will provide transportation to and from classes for students after alleged incidents of sexual assault, domestic or dating violence or stalking.

Working Situation

The Dean of Student Services will assist students with finding alternative employment after alleged incidents of sexual assault, domestic or dating violence or stalking.

Housing, counseling services, emergency services, and domestic violence programs are listed in the KBOCC Student Resource Guide.

Campus Disciplinary Procedure

Procedures for campus disciplinary action in cases of an alleged sex offense, *including a clear statement that:*

- i. The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and**
- ii. Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding that is brought alleging a sex offense. Compliance with this paragraph does not constitute a violation of the *Family Educational Rights and Privacy Act (FERPA)*. For the purpose of this paragraph, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.**

Informal resolution is not an option to address allegations of, sexual assault, domestic violence, dating violence, stalking or other acts of violence or abuse. Students can expect to have complaints taken seriously and responded to quickly.

Complaints Against Students

Complaints against students will be investigated and properly resolved through the formal procedures as described in the Student Code of Conduct process (for more information, see Student Code of Conduct policy above). A student who wishes to file a complaint to be addressed by the College's Student Code of Conduct process should contact the Dean of Students at 906-524-8111. A student may choose to file a formal complaint with the dean whether or not the student chooses to file criminal charges. Complaints should be reported with 10 day working days of the incident.

Both the accused and the accuser are entitled to the same opportunities to have others present during a disciplinary proceeding and both must be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offense (see "Disciplinary Hearing" and "Hearing Decision" sections of the Student Code of Conduct).

Complaints Against Staff and Faculty

Complaints against faculty or staff member will be investigated and properly resolved through a hearing process. A student who wishes to file a complaint should contact the Dean of Students at 906-524-8111. A student may choose to file a formal complaint with the dean whether or not the student chooses to file criminal charges. Complaints should be reported with 10 day working days of the incident.

Hearings to address complaints of sexual assault shall be conducted by the Sexual Assault Hearing Board. The Hearing Board shall be comprised of three members from the faculty or staff. All Hearing Board members will receive annually training regarding, the dynamics of sexual misconduct, the factors relevant to a determination of credibility, the appropriate manner in which to receive and evaluate sensitive information, the manner of deliberation, and the application of the preponderance of the evidence standard, as well as the College's policies and procedures. The Dean of Students or designee will serve as the non-voting Chairperson and as an advisor to the Hearing Board.

Both the accused and the accuser are entitled to the same opportunities to have others present during a disciplinary proceeding and both must be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offense.

e. Sanctions the institution may impose following a final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape or other forcible or non-forcible sex offenses.

Sanctions for a student who has been found to have violated KBOCC's sexual assault policy may range from a mandated intervention (part B under sanctions in Student Code of Conduct policy) to expulsion (part F under sanctions in Student Code of Conduct policy) and/or report to law enforcement (part G under sanctions in Student Code of Conduct policy).

Sanctions for a staff or faculty member who has been found to have violated KBOCC's sexual assault policy may range from a range from formal reprimand to termination.

Sex Offenders Registry Information

The State of Michigan and the Keweenaw Bay Indian Community both maintain Sex Offender Registry Systems which monitor the whereabouts of sex offenders who have been convicted of serious offenses.

Information on accessing either the Michigan Sex Offender's Registry or the KBIC Tribe and Territory Sex Offender Registry System (TTSORS) is available in the Dean of Student Services Office. Inquiries are confidential.

The URL to access the Michigan Sex Offenders Registry is:

<http://www.mipsor.state.mi.us/>

The URL to access the Keweenaw Bay Indian Community's TTSORS system is:

<http://kbic.nsopw.gov/>

Smoking Policy

Keweenaw Bay Ojibwa Community College complies with all applicable Federal, State, and local regulations regarding smoking in either the workplace or academic buildings in order to provide an environment that promotes the well-being of its students and employees.

SMOKING IS PROHIBITED INSIDE ALL TRIBAL COLLEGE FACILITIES. The NO SMOKING POLICY applies to students, employees, and visitors while on the premises. Everyone is expected to exercise common courtesy and respect the needs and sensitivities of others with regard to the smoking policy. Smoking is prohibited in all areas except for designated smoking areas:

- Niiwin Akeaa Center – at the gazebo
- Wabanung – at the north exit under the canopy

Violation of this policy will result in disciplinary action.

Missing Student Notification Procedures

Although not mandated for KBOCC due to the lack of on-campus housing, KBOCC does have a missing student notification procedure.

If it appears that a student is “missing”, the Dean of Student Services or another staff member will attempt to contact the emergency contact on the student's application. (It is recommended that students be aware of their emergency contacts and update as necessary.)

If it is determined that a student is “missing”, KBOCC staff will contact local law enforcement within 24 hours. KBOCC staff is also mandated to contact the parent or guardian within 24 hours if the missing student is an unemancipated minor. KBOCC staff will also attempt to contact parents of a missing student under the age of 21 unless the student directly opts out of this contact.

KBOCC staff will work with local law enforcement in attempts to locate any missing student.

Annual Fire Safety Report

Because KBOCC provides no on-campus housing for students, we are not required to distribute an annual fire safety report and maintain a fire log.

SEXUAL ASSAULT, DOMESTIC & DATING VIOLENCE, AND STALKING POLICY

KBOCC prohibits sexual assault, domestic violence, dating violence and stalking. Anyone can be a victim regardless of age, sex, race or sexual orientation. According to The Higher Education Amendments of 1992 and 1998, a sex offense is defined as “either a forcible or non-forcible sexual act directed against another person, against that person’s will, or where the survivor is incapable of giving consent, and may include rape or acquaintance rape.” Additionally, the Higher Education Act (HEA) defined new crime categories of domestic violence, dating violence, and stalking in accordance with section 40002(a) of the Violence Against Women Act of 1994 as follows:

“Domestic Violence” means a “felony or misdemeanor crime of violence committed by:

- a current or former spouse or intimate partner of the victim,
- a person with whom the victim shares a child in common,
- a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- a person similarly situated to a spouse of the victim under domestic or family violence laws of the jurisdiction receiving grant monies (under VAWA), or
- any other person against an adult or youth victim who is protected from that person’s act under the domestic or family violence laws of the jurisdiction.”

“Dating Violence” means “violence committed by a person-

- who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- where the existence of such a relationship shall be determined based on consideration of the following factors:
 - the length of the relationship;
 - the type of relationship; and
 - the frequency of interaction between persons involved in the relationship.”

“Stalking” means “engaging in a course of conduct directed at a specific person that would cause a reasonable person to-

- fear his or her safety or the threat or the safety of others; or
- suffer substantial emotional distress.”

Recommended Procedures for Violence Against Women: Any individual who experiences of sexual assault, domestic violence, dating violence, or stalking should seek help as follows:

1. Contact the Tribal Police

The Tribal Police can be reached by calling 906-353-6626. Tribal Police officers will make all efforts to investigate campus crime within the scope of the law and will provide support and referral options. Persons who have experienced violence should be encouraged to preserve all physical evidence regardless of whether or not they will press charges. Choosing not to press charges immediately does not prohibit one from doing so in the future, and physical evidence will be important to their case. Tribal Police will honor all protection and no contact orders as directed by law. A copy of the order is to be provided to University Police, to be kept on file. Students not residing on campus may need to work with Slippery In off-campus cases requiring urgent measures individuals should contact the local emergency operating center at 911.

2. Seek medical attention

Medical attention is important for someone who has experienced physical or sexual assault. Students should seek medical attention at the Baraga County Memorial Hospital located at 18341 U.S. Highway 41. L'Anse, Michigan 49946. The hospital's phone number is (906) 524-3300.

3. Seek emotional support

A strong support system, including family, friends, advocates, and counselors, is beneficial to students who experienced sexual assault, dating & domestic violence and/or stalking.. The Dean of Student Services will provide referrals to the appropriate off campus services, assist with safety planning, and follow up to see if there are any additional questions/concerns. The Keweenaw Bay Indian Community's OVW Programs and Services are available to victim-survivors of domestic violence, dating violence, sexual assault and stalking and are available to both male and female Native American victims. Students can contact OVW. The Keweenaw Bay Indian Community's VOCA (Victims of Crime Assistance) program provides services to both male and female Native Americans who have been victims of sexual assault, domestic violence and other crimes. VOCA's crisis line often serves as the first point of contact for individuals who are seeking help, support, and information. The Baraga County Shelter Home, Inc. provides services free of charge to victims of domestic violence and sexual assault. Services include 24 hour crisis line, (906) 524-7078, victims advocate, emergency shelter, legal advocacy, housing advocacy, transportation, counseling, and support groups.

CONTACT NUMBERS FOR DOMESTIC ABUSE & SEXUAL ASSULT:

KBIC OVW	1-855-202-8375
KBIC VOCA	906-524-7078
BARAGA COUNTY SHELTER HOME, INC.	906-524-7078

4. Consider on-campus disciplinary action.

A student who experiences sexual assault, domestic violence and dating violence and/or stalking may request that the College's disciplinary procedures are initiated against the charged student. Complaints procedures are set out below.

Standard of Evidence Statement

The College will use the preponderance of evidence standard of evidence in cases of sexual assault, domestic violence and dating violence and/or stalking. Preponderance of evidence is defined as evidence that would convince a reasonable person that more likely than not the violation occurred.

SEXUAL ASSAULT, DOMESTIC & DATING, VIOLENCE AND STALKING COMPLAINT PROCEDURE FOR ALLEGATIONS AGAINST STUDENTS

Informal resolution is not an option to address allegations of, sexual assault, and domestic violence, dating violence, stalking or other acts of violence or abuse. Students can expect to have complaints taken seriously and responded to quickly. Complaints against students will be investigated and properly resolved through the formal procedures as described in the Student Code of Conduct process (for more information, see Student Code of Conduct policy). A student who wishes to file a complaint to be addressed by the College's Student Code of Conduct process should contact the Dean of Students. A student may choose to file a formal complaint with the dean whether or not the student chooses to file criminal charges. Complaints should be reported with 10 day working days of the incident.

Student complaints, summaries and sanctions from Student Code of Conduct Violation Proceedings are housed in the Dean of Student Services Office

Sanctions will be applied according to the severity of the violation. (See Sanctions section of Student Code of Conduct policy).

Sanctions for an alleged perpetrator who has been found to have violated KBOCC's sexual assault may range from a mandated intervention (part B under sanctions) to expulsion (part F under

sanctions) and/or report to law enforcement (part G under sanctions).

Both the complainant and the alleged perpetrator have the right to be informed of the outcome of any disciplinary proceedings. In the event that the complainant is deceased as a result of the offense, the next of kin shall be given the outcome of the disciplinary proceeding, if requested.

FREEDOM FROM REPRAISAL

Persons who harass or intimidate another person for making a complaint will be in violation of the Student Code of Conduct or Staff Handbook and may be sanctioned for this behavior.

CONFIDENTIALITY

The confidentiality of both the complainant and the alleged offender will be respected insofar as it doesn't interfere with KBOCC's legal obligations or ability to investigate the charge and sanction violators.

COOPERATION

All members of the campus community are expected to provide full and truthful cooperation during an investigative procedure to ensure the safety and well-being of the whole campus community.

Sexual Assault, DOMESTIC & DATING VIOLENCE, and STALKING Complaint Procedure for Allegations Against Staff and Faculty

Informal resolution is not an option to address allegations of, sexual assault, and domestic violence, dating violence, stalking or other acts of violence or abuse. Students can expect to have complaints taken seriously and responded to quickly. Complaints against a faculty or staff member will be investigated and properly resolved through a hearing process. A student who wishes to file a formal complaint should contact the Dean of Students. A student may choose to file a formal complaint with the Dean whether or not the student chooses to file criminal charges. Complaints should be reported with 10 day working days of the incident.

Hearings to address complaints of sexual assault shall be conducted by the Sexual Assault Hearing Board. The Hearing Board shall be comprised of three members from the faculty or staff. All Hearing Board members will receive annually training regarding, the dynamics of sexual misconduct, the factors relevant to a determination of credibility, the appropriate manner in which to receive and evaluate sensitive information, the manner of deliberation, and the application of the preponderance of the evidence standard, as well as the College's policies and procedures. The Dean of Students or designee will serve as the non-voting Chairperson and as an advisor to the Hearing Board.

Both the accused and the accuser are entitled to the same opportunities to have others present

during a disciplinary proceeding and both must be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offense.

After a hearing, each party has the right to appeal the outcome.

SEXUAL HARASSMENT POLICY

Keweenaw Bay Ojibwa Community College will not tolerate sexual harassment of any nature. Anyone who sexually harasses others on-campus or acting in the capacity of a student or employee representative of KBOCC will be subject to disciplinary action which may include up to expulsion for a student, up to dismissal for an employee and may include a report to law enforcement.

DEFINITION OF SEXUAL HARASSMENT

Sexual harassment is defined as: inappropriate comments about a person's gender, clothing, or body; sexist comments of a general or individual nature; physical conduct such as inappropriate touching; unwelcome sexual advances; requests for sexual favors; verbal abuse disguised as humor; obscene gestures; exposure to obscene media which do not contribute to work or education; or solicitation of sex through implicit or explicit promises of rewards or threats of punishment by an employee, faculty member or student when:

- Submission to such conduct or communication is made a condition, explicitly or implicitly, to obtain educational services.
- Submission to or rejection of such conduct is used as a factor in decisions affecting the student's grades.
- Such conduct has the purpose or effect of creating an intimidating, hostile or offensive educational environment.

The following behaviors are deemed to be harassment without the complainant communicating that the behavior is unwelcome:

- physical conduct such as inappropriate touching
- unwelcome sexual advances
- requests for sexual favors
- solicitation of sex through implicit or explicit promises of rewards or threats of punishment

The following behaviors are deemed to be harassment if a complainant has communicated verbally or in writing to an alleged harasser that the following behaviors are unwelcome, and the alleged harasser continues with the unwanted behavior:

- inappropriate comments about a person's gender, clothing, or body
- sexist comments of a general or individual nature
- verbal abuse disguised as humor

- obscene gestures
- exposure to obscene media which do not contribute to work or education
- any other behavior directed towards the complainant that he or she finds offensive

IF A STUDENT IS UNCOMFORTABLE ADDRESSING UNWELCOME BEHAVIOR, HE OR SHE CAN CONSULT WITH THE DEAN OF STUDENT SERVICES FOR GUIDANCE.

SEXUAL HARASSMENT COMPLAINT PROCEDURE *FOR ALLEGATIONS AGAINST STUDENTS*

Students who believe they are victims of sexual harassment by another student have the option of proceeding informally or formally. Sexual harassment complaints against students are resolved through the College's Student Code of Conduct process which provides both informal and formal complaint procedures (for more information about the Student Conduct Code Process, please see the Student Code of Conduct policy above). The student may find informal resolution particularly appropriate if the conduct is isolated and of the following nature: sexual innuendo; display or distribution of drawings, pictures or other materials with a sexual content; sexual or "dirty" jokes; or comments with sexual content. Please note that the formal process is available for harassment of any nature, and that these examples are not intended to discourage use of the formal report process. If student chooses to make a formal complaint, complaints should be reported within 10 working days of the most recent incident.

Informal resolution is not an option for cases of sexual misconduct or sexual assault, including sexual or inappropriate touching of any kind. For information on how to formally report sexual misconduct and sexual assault, please see Sexual Assault policy below.

Formal procedures will be invoked when, (1) an informal resolution is not achieved or not appropriate (the Dean feels the gravity of the situation warrants formal procedures); (2) when informal resolution is rejected by one or both parties; (3) when a student does not respond to notice of need for an Informal Resolution meeting or fails to attend the meeting. Formal procedures are required to impose institutional sanctions.

SEXUAL HARASSMENT COMPLAINT PROCEDURE FOR ALLEGATIONS AGAINST STAFF AND FACULTY

Students who believe they are victims of sexual harassment by a faculty or staff member have the option of proceeding informally or formally. The student may find informal resolution particularly appropriate if the conduct is isolated and of the following nature: sexual innuendo; display or distribution of drawings, pictures or other materials with a sexual content; sexual or "dirty" jokes; or comments with sexual content. Please note that the formal process is available for harassment of any nature, and that these examples are not intended to discourage use of the formal report process. If student chooses to make a formal complaint, complaints should be reported within 10 working days of the most recent incident.

Informal resolution is not an option for cases of sexual misconduct or sexual assault, including sexual or inappropriate touching of any kind. For information on how to formally report sexual misconduct and sexual assault, please see Sexual Assault policy below.

Formal procedures will be invoked when, (1) an informal resolution is not achieved or not appropriate (the Dean feels the gravity of the situation warrants formal procedures); (2) when informal resolution is rejected by one or both parties; (3) when a student does not respond to notice of need for an Informal Resolution meeting or fails to attend the meeting. Formal procedures are required to impose disciplinary action against a faculty or staff member.

How to File a Formal Complaint

1. The complainant completes KBOCC's official Student Complaint Form. Forms are available in the office of the Dean of Student Services.
2. The complainant submits the Student Complaint Form to the immediate supervisor of the staff or faculty member involved in the alleged violation. The complaint should be filed within 10 working days of the failure of the informal resolution. Alternatively, if a student elects to bypass an informal resolution or the Dean feels the gravity of the situation warrants formal procedures, the complaint should be filed within 10 working days of the most recent incident that gave rise to the complaint.
3. The supervisor will conduct an investigation.
4. The supervisor will notify the complainant and all staff or faculty members involved of the findings. Notification of findings will be sent within 20 working days of the complaint being filed. The complainant will review the findings and decide if he or she is satisfied with the results. If the complainant is not satisfied with the results, he or she may proceed to Step 5.
5. The complainant may appeal the decision by notifying the Dean of Student Services in writing within ten days of the date on the notification letter. The Dean of Student Services reviews the investigation and findings. If the Dean of Student Services was the original decision maker in the complaint, the appeal will go to the Dean of the Instruction.
6. The Dean of Student Services will make the final decision on the appeal and notify the complainant and all staff and faculty members involved of the appeal decision in writing within 10 working days of the decision.

Sanctions against KBOCC faculty and staff for violations of this sexual harassment policy may range from formal reprimand to termination.

Student complaints, summaries and sanctions are housed in the Dean of Student Services Office.

THIRD PARTY HARRASSMENT

If a KBOCC student or employee is harassed by a third-party alleged offender, meaning the individual is not an employee or student of the school, i.e. a visitor or contractor, he or she are encouraged to bring the complaint to the Dean of Student Services office. The third-party individual is not governed by KBOCC policies and regulations, but the Dean can take corrective action to alleviate the harassment situation.

FREEDOM FROM REPRISAL

Persons who harass or intimidate another person for making a complaint will be in violation of the Student Code of Conduct or Staff Handbook and may be sanctioned for this behavior.

CONFIDENTIALITY

The confidentiality of both the complainant and the alleged offender will be respected insofar as it doesn't interfere with KBOCC's legal obligations or ability to investigate the charge and sanction violators.

COOPERATION

All members of the campus community are expected to provide full and truthful cooperation during an investigative procedure to ensure the safety and well-being of the whole campus community.

STUDENT CODE OF CONDUCT POLICY

Keweenaw Bay Ojibwa Community College (KBOCC) integrates traditional Ojibwa values into all its programs. The Student Code of Conduct finds its foundation in the seven sacred grandfather teachings which are wisdom, love, respect, bravery, honesty, humility, and truth. Students are expected to behave in a manner that demonstrates behavior consistent with these teachings in all interactions with the College and broader communities and strive to include them in their daily lives.

The Student Code of Conduct exists to help KBOCC maintain a safe and positive environment conducive to learning and to help promote student growth.

While at the College or any college-sponsored activity, all members of the college community have the right to be treated with respect and consideration. Threatening or insulting behavior will not be tolerated. Threatening behavior should be reported to an instructor or administrator as soon as possible.

CODE VIOLATIONS

Academic Conduct

Problems with conduct in specific courses are usually addressed by instructors in accordance with the course syllabus. More serious or repeated violations may also result in a disciplinary referral.

Academic Integrity

Cheating, or the unauthorized use or exchange of information by students in meeting academic standards, will include, but are not limited to the following:

- Plagiarism.*
- Copying another's work during an examination.
- Using unauthorized notes or aids during an examination.
- Taking an examination for another student.
- Collaboration with any other person during a test without instructor authorization.
- Obtaining or attempting to obtain an unreleased test
- Submitting research and assignments prepared by others or with unauthorized aid.
- A student who intentionally assists another in the act of cheating or plagiarism may be subject to disciplinary action as well.

* Plagiarism is representing another person's words or ideas as one's own without proper attribution or credit. Other people's words or ideas must be given adequate documentation. Plagiarizing is considered a form of cheating.

Classroom Conduct

Conduct that undermines the academic success of students during classroom or other instruction is prohibited and includes, but is not limited to, the following:

- Initiating or participating in inappropriate conduct that disrupts classroom activities.
- Using any device that causes disturbance inside or outside the classroom during instruction, i.e. cell phones, texting, etc.
- Continuing to engage in inappropriate interaction with the instructor and/or to classmates after student has been directed to stop adverse behavior.

Student Conduct

In any college facility or while participating in any college activity, the following behaviors are considered violations and will result in disciplinary action:

General Code of Conduct Violations

- Failure to comply with the directives of college officials including, but not limited to, faculty or administrators acting in the performance of their duties.
- Violation of published college policies, rules or regulations.
- Violation or attempted violation of local ordinances, federal or state laws.
- Attempts to commit acts prohibited by this code, or encouraging others to commit acts prohibited by this code will be punished to the same extent as if one had committed the prohibited act.
- Intentionally or recklessly interfering with college or college-sponsored activities.
- Gambling at college-sponsored activities except as permitted by law.

Alcohol & Drug Use

- Use, possession or distribution of alcohol or drugs.
- Use or possession of any controlled substance without a prescription; distribution of any controlled substance.
- Reporting to campus or to a campus-sponsored activity while under the influence of alcohol or drugs.
- Use of tobacco, other than for ceremonial purposes, in campus buildings or in no-smoking zones outdoors.

Building Safety

- Unauthorized presence in or use of college premises, facilities or property or refusing to depart upon direction by authorized persons.
- Unauthorized or fraudulent use of college facilities, telephone system, mail system, or computer system.
- Intentionally or recklessly activating a fire alarm without cause; damaging fire safety equipment or initiating a false report of fire or other emergency.
- Unauthorized possession or copying of KBOCC keys.
- Theft, attempted theft, unauthorized borrowing or use of college public, or private property; unauthorized use of a college service.
- Deliberate damage to college, public, or private property.

Copyright Infringement

Students are subject to civil and criminal liabilities for these actions.

- Unauthorized distribution of copyrighted material.
- Unauthorized file sharing that results in copyright infringement.

Fraudulent Behavior

- Knowingly furnishing false information to college personnel.

- Intentionally passing of an insufficient funds check or fraudulent money order in payment of any financial obligation to the college.
- Forgery, unauthorized alteration or unauthorized use of any college document or instrument of identification.
- Falsely claiming to represent the college or a student organization of the college.

Threatening Behavior

- Intentionally, recklessly or negligently causing physical harm or mental duress through verbal abuse or harassment to another.
- Criminal sexual behavior (see Sexual Harassment and Sexual Assault Policies in this Handbook).
- Use or possession of weapons unless authorized by the college.

Sanctions

The College may impose the following sanctions for Code of Conduct Violations:

A. Warning

Written notice to the offender that continuation or repetition of the wrongful conduct, within a period of time stated in the warning, may be cause for more severe disciplinary action.

B. Intervention/Corrective Action

An intervention or corrective action may be required of the student to improve the student's behavior and/or to re-establish positive relationships within the college community.

C. Disciplinary Probation

Exclusion from participation in privileges or extracurricular university activities as set forth in the notice of disciplinary probation for a specified period of time.

D. Restitution

for or replacement of damaged or stolen goods.

Payment

E. Suspension

Exclusion from classes and/or other privileges or activities as set forth in the notice of suspension for a definite period of time.

F. Expulsion

Termination of student status for an indefinite period. The conditions for readmission, if any is permitted, shall be stated in the order of expulsion.

G. Referral to Law Enforcement

Criminal offenses will be reported to the appropriate police agency, as will serious or persistent threatening or harassing behavior.

Serious Violations

Suspension or expulsion may be applied as sanctions for repeated lesser offenses or for the following types of serious Code of Conduct violations:

- Intentional or reckless disruption of college functions and processes
- Violence or credible threat of violence
- Sexual misconduct
- Theft
- Fraud
- Flagrant cheating
- Deliberate damage to property
- Possession of unauthorized weapons on campus
- Possession of alcohol or illegal drugs on campus
- Other criminal activity

STUDENT CODE OF CONDUCT VIOLATION PROCEDURES

In an emergency or for criminal activity, call 911 Emergency Services or Keweenaw Bay Indian Community Tribal Police, 353-6626, immediately!

Filing Procedures

Code of Conduct violations should be reported to the Dean of Student Services. Notify the Dean of Student Services as soon as possible. This notification need not be in writing. Notification should be within five working days of the incident or misconduct. Later reports may be acted upon or not at the Dean's discretion.

Disciplinary Action

Informal Resolution: Because of the cultural values of our close-knit community, informal resolution is the most desirable route. However, when institutional sanctions may be appropriate, a formal procedure is required. The goal of disciplinary action is to guide students toward self-correction of their behavior. Sanctions will be applied toward that goal as well as to maintain a safe and positive learning environment. Informal resolution will consist of a meeting between the Dean of Student Services (or the Dean's designee) and the student or students involved. The Dean of Student Services (or designee) will attempt to reach a mutual resolution with appropriate parties within five (5) days of notification. If an informal resolution is not achieved or not appropriate, then the Dean will carry out formal procedures. Formal procedures are required to impose institutional sanctions. A student always has the right to refuse the informal process and proceed with formal procedures.

If informal resolution is rejected by one or both parties or if a student does not respond to notice of need for an Informal Resolution meeting or fails to attend the meeting, formal procedures will be initiated.

Informal resolutions are not part of a student's permanent record.

Formal Procedures:

If informal resolution is not achieved, formal written charges indicating the specific violations are presented by the Dean of Student Services to the student charged with a Code of Conduct violation within 10 working days after the receipt of the complaint. All procedures for serious violations will begin with formal written charges. Along with the specific violations, the formal charges will include potential disciplinary sanctions or corrective actions and a date for either a Conduct Meeting or a Disciplinary Hearing. A Disciplinary Hearing will be held when suspension or expulsion may be appropriate sanctions. The date will be set no sooner than five working days after the charges are delivered to the student.

The Dean of Student Services will determine which type of meeting is appropriate. Students may waive a Disciplinary Hearing if they prefer to resolve the matter in a Conduct Meeting; however, they may not reverse the waiver after the Conduct Meeting has been held.

All formal complaints by students must be submitted in writing using KBOCC's official Student Complaint Form.

All disciplinary reports by faculty and staff must be submitted in writing using KBOCC's official Disciplinary Report Form. Disciplinary Reports will be maintained in the Dean of Student Services file.

Conduct Meeting: A Conduct Meeting consists of a formal discussion between the student who has been charged with a violation and the Dean of Student Services (or the Dean's designee) with the purpose of reaching an resolution on the charges. No witnesses are called and the meeting is private. At the conclusion of the meeting, the student may accept or deny responsibility for the violations stated in the written charges. If the student accepts responsibility for the charges, the Dean of Student Services imposes appropriate sanctions.

A student who cannot attend the Conduct Meeting scheduled for consideration of his/her case must submit a written statement to the Dean of Student Services stating the reasons for the conflict and requesting a new Conduct Meeting date. This statement must be presented to the Dean of Student Services within two working days before the beginning of the Conduct Meeting. Rescheduling requests will be granted at the discretion of the Dean of Student Services. Only one change of Conduct Meeting date and time may be granted.

If the student charged or complainant fails to appear at the Conduct Meeting without good cause, the Conduct Meeting shall nevertheless proceed. If a charged student fails to attend a scheduled Conduct Meeting or fails to request rescheduling of a Conduct Meeting the student shall be deemed to have denied responsibility for the alleged violation, but will have forfeited the opportunity to present any information on her/his behalf. No student shall be found to have violated the Code solely because the student failed to appear at his/her scheduled Conduct Meeting.

If the student denies responsibility, the Dean will determine whether to dismiss the case, acquit the student, impose sanctions for lesser charges, or proceed to a Disciplinary Hearing.

Disciplinary Hearing: A Disciplinary Hearing is a formal hearing of evidence on charges of a Code of Conduct violation by a panel convened by the Dean of Student Services and including at least one faculty member, one staff member, and one administrator. The Dean will preside over the hearing and present a summary of the charges and prior proceedings.

The parties involved may:

- Be present at the hearing
- Be accompanied by a hearing advisor of their choosing
- Call witnesses and question their own witnesses
- Present spoken, documentary, or physical evidence

The parties may not:

- Present information not directly relevant to the charges
- Call character witnesses
- Question witnesses they have not called
- Be represented by another person

The hearing advisor may confer and give advice to the student quietly and without disruption. The advisor may not participate directly in the hearing, for example, the advisor may not question witnesses or present evidence.

A student who cannot attend the Disciplinary Hearing scheduled for consideration of his/her case must submit a written statement to the Dean of Student Services stating the reasons for the conflict and requesting a new hearing date. This statement must be presented to the Dean of Student Services not fewer than two working days before the beginning of the hearing. Rescheduling requests will be granted at the discretion of the Dean of Student Services. Only one change of hearing date and time may be granted.

If the student charged or complainant fails to appear at the hearing without good cause, the hearing shall nevertheless proceed. If a charged student fails to attend a scheduled Disciplinary Hearing or fails to request rescheduling of the Disciplinary Hearing the student shall be deemed to have denied responsibility for the alleged violation, but will have forfeited the opportunity to present any information and/or witnesses on her/his behalf. No student shall be found to have violated the Code solely because the student failed to appear at his/her scheduled Disciplinary Hearing. If a student fails to appear at the hearing, the student may explain the failure to appear in writing within 10 days to the Dean of Students. Written documentation supporting the cause of absence must be

included. The Dean shall determine the validity of any excuse. The Dean will notify the student within 10 days whether the formal hearing may be rescheduled.

Hearing Decision

- A. The decision of the hearing panel will be based solely upon information introduced at the disciplinary hearing and must be based upon a preponderance of the evidence. Preponderance of evidence is defined as evidence that would convince a reasonable person that more likely than not the violation occurred.
- B. A decision will be made by majority vote during private deliberation after the close of the disciplinary hearing.
- C. If the hearing panel determines that the student has committed the violation(s), it shall, after a review of any disciplinary record the student may have, impose one, or a combination of, the disciplinary sanctions enumerated above.
- D. Within 10 working days of the Disciplinary Hearing, the Dean of Student Services will send notification of the decision to the charged student, including the sanction (s) imposed and the appeal process. The complainant will receive similar notification.
- E. At the conclusion of the disciplinary hearing, the hearing panel will submit the written decision including the reasons for the decisions and the reasons for sanctions imposed to the Dean of Student Services.

Appeals Process

Requesting an Appeal

- A. A decision reached by the hearing panel or a sanction imposed may be appealed by the charged student(s) or complainant(s) to the Appeals Committee within seven (7) working days of the decision. Such appeals shall be in writing and shall be delivered to the Dean of Students or designee.
- B. Appeals received from the complainant or the charged student will be forwarded to the other party involved within one working day of the appeal being received in order to allow the other party an opportunity to provide a written response.
- C. A request for an appeal must be submitted in writing using KBOCC's Student Appeal Form.

Grounds for Requesting an Appeal

Appeals must be based on the issue of substantive or procedural errors which were committed

during the disciplinary hearing process. The student must demonstrate that one or more of the following criteria has merit:

- a. New and relevant evidence not known at the time of the original hearing.
- b. A procedural error which substantially affected the outcome of the hearing.
- c. The sanction is excessive.

If there is adequate reason to believe that one or more of the grounds for appeal has merit, an appeal meeting may be scheduled with the Dean of Student Services.

The Dean of Student Services will review the appeal request and notify the student in writing if the appeal hearing will be held or not.

If a hearing will be held, the decision made by the Appeals Committee is final.

Failure to file an appeal or request an extension by the deadline stated in the decision letter constitutes a waiver of any right to appeal.

Appeals Committee

The appeals committee is the basic unit responsible for student conduct appeals in response to student disciplinary and academic dishonesty problems. The Appeals Committee is composed of the Dean of Instruction and two other members of faculty or staff, which will be chosen to ensure no conflicts of interest occur. If the Dean of Instruction was part of the Disciplinary Committee or has a conflict of Interest with the situation, the President will appoint the three members of the Appeals Committee.

Appeals Committee Procedures Regarding Appeals

1. The Dean of Student Services shall provide an appeals packet to the Appeals Committee. The packet must contain the following documents:

- a. the original complaint filed by the complainant;
- b. the documents accepted by the hearing panel at its hearing;
- c. the written request for an appeal explaining the grounds for appeal; and
- d. any written response by the non-appealing party.

2. The Appeals Committee shall base its findings and recommendations to uphold or overturn the result of a disciplinary hearing on the written statement of appeal, and the appeal packet prepared by the Dean of Student Services for the hearing panel.

At its discretion, the Appeals Committee may schedule a hearing and allow oral statements. The Appeals Committee may determine the presenters and the amount of time allowed for each statement.

3. Determination of Appeal

Within fifteen (15) days of the date of the receipt of the appeal packet from the Dean of Student Services, the Appeals Committee shall take one of the following actions:

- a. Dismissal or remand of the case because there were such procedural irregularities at the hearing that one or both parties were clearly denied a fair hearing;
- b. Dismissal or remand of the case because:
 - There were erroneous findings of fact; or
 - There were findings of fact clearly insufficient to support the complaint.
- c. Lowering or increasing the sanction imposed based on a finding that the recommended sanction is either unreasonably harsh or inadequate;
- d. If there is significant new information regarding the allegation(s) discovered between the conclusion of the original hearing decision and the time of the appeal, remanding the case to the original hearing panel.
- e. Upholding the findings and recommended sanctions, if any, of the hearing panel.

The Dean of Student Services shall notify the complainant and the charged student in writing of the Appeals Committee final decision.

Student's Disciplinary Records

A formal disciplinary report or complaint results in the creation of a disciplinary file in the name of the charged student. The outcome is kept in the Dean of Student Services student file.

Freedom From Reprisal

Persons who harass or intimidate another person for making a complaint will be in violation of the Student Code of Conduct or Staff Handbook and may be sanctioned for this behavior.

Confidentiality

The confidentiality of both the complainant and the alleged offender will be respected insofar as it doesn't interfere with KBOCC's legal obligations or ability to investigate the charge and sanction violators.

Cooperation

All members of the campus community are expected to provide full and truthful cooperation during an investigative procedure to ensure the safety and well-being of the whole campus community.