
Keweenaw Bay Ojibwa Community College



Annual Security Report

January 1, 2016 through December 31, 2016

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 of the report, which will include the direct URL, will be e-mailed to all students and employees.

The report will be posted on the KBOCC website, posted at the Niiwin Akeaa Center, Ojibwa Community Library, and Student Lounge at the Wabanung Building. A copy is also retained in the Dean of Student Service's 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.

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 3-5) 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 crime statistics for the past calendar years of 2013– 2015. 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. 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. 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
Building)
111 Beartown Road
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

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

L’ANSE, MICHIGAN

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

KBOCC Wabanung Center
770 N. Main St.
L’Anse, MI 49946

OCC Child Care Center
615 N. Main St.
L’Anse, MI 49946 Center.

Ojibwa Community Library
325 Superior Avenue
Baraga, MI 49908

Crime Statistics for Calendar Year 2016*

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	Adjacent Public Property	Hate Crime Category
Aggravated Assault	0	0	0	0	0	0	None
Arson	0	0	0	0	0	0	None
Burglary	0	0	0	0	0	0	None
Motor Vehicle Theft	0	0	0	0	0	0	None
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	None
Negligent Manslaughter	0	0	0	0	0	0	None
Robbery	0	0	0	0	0	0	None
Sex offenses-forcible	0	0	0	0	0	0	None
Sex offenses-non-forcible	0	0	0	0	0	0	None
Domestic Violence	0	0	0	0	0	0	None
Dating Violence	0	0	0	0	0	0	None
Stalking	0	0	0	0	0	0	None
Larceny-Theft***	0	0	0	0	0	0	None
Simple Assault***	0	0	0	0	0	0	None
Intimidation***	0	0	0	0	0	0	None
Vandalism, Damage, Destruction of Property ****	0	0	0	0	0	0	None
Liquor Law Violation – Arrest	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	N/A
Drug Abuse Violation – Campus Disciplinary Action	0	0	0	0	0	0	N/A
Weapon Possession – Arrest	0	0	0	0	0	0	N/A
Weapon Possession – Campus Disciplinary Action	0	0	0	0	0	0	N/A

*Compiled from Michigan State Police, Baraga Village Police Department, L'Anse Village Police Department, Baraga County Sheriff's Department, KBIC Police Department, MI State Police, Marquette County Sheriff's Department, and KBOCC Student Services Crime Log.

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

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

Crime Statistics for Calendar Year 2015*

NOTE: The OCC Child Care Building located in the L'Anse was added in 2015 due to the fact that KBOCC has now incorporated a child care facility for staff and students to facilitate for their needs.

Type of Offenses	On-Campus Niiwin Akeaa Center	Off-Campus Ojibwa Community Library	Off-Campus Woodwork Shop	On-Campus Wabanung Campus	Off-Campus L'Anse Schools Industrial Bldg.	Off-Campus OCC Childcare Center	Adjacent Public Property	Hate Crime Category
Aggravated Assault	0	0	0	0	0	N/A	0	None
Arson	0	0	0	0	0	N/A	0	None
Burglary	0	0	0	0	0	N/A	0	None
Motor Vehicle Theft	0	0	0	0	0	N/A	0	None
Murder/Non-negligent Manslaughter	0	0	0	0	0	N/A	0	None
Negligent Manslaughter	0	0	0	0	0	N/A	0	None
Robbery	0	0	0	0	0	N/A	0	None
Sex offenses- forcible	0	0	0	0	0	N/A	0	None
Sex offenses-non- forcible	0	0	0	0	0	N/A	0	None
Domestic Violence	0	0	0	0	0	N/A	0	None
Dating Violence	0	0	0	0	0	N/A	0	None
Stalking	0	0	0	0	0	N/A	0	None
Larceny-Theft***	0	0	0	0	0	N/A	0	None
Simple Assault***	0	0	0	0	0	N/A	0	None
Intimidation***	0	0	0	0	0	N/A	0	None
Vandalism, Damage, Destruction	0	0	0	0	0	1	0	None
Liquor Law	0	0	0	1	0	N/A	0	N/A
Liquor Law Violation–Campus	0	0	0	0	0	N/A	0	N/A
Drug Abuse Violation –Arrest	0	0	0	0	0	N/A	0	N/A
Drug Abuse Violation – Campus Disciplinary Action	0	0	0	0	0	N/A	0	N/A
Weapon Possession– Arrest	0	0	0	0	0	N/A	0	N/A
Weapon Possession – Campus Disciplinary Action	0	0	0	0	0	N/A	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"

Table does not indicate Harvey location as we did not have distance learning 2015 year.

Crime Statistics for Calendar Year 2014*

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	N/A	0	None
Arson	0	0	0	0	0	N/A	0	None
Burglary	0	0	0	0	0	N/A	0	None
Motor Vehicle Theft	0	0	0	0	0	N/A	0	None
Murder/Non- negligent Manslaughter	0	0	0	0	0	N/A	0	None
Negligent Manslaughter	0	0	0	0	0	N/A	0	None
Robbery	0	0	0	0	0	N/A	0	None
Sex offenses- forcible	0	0	0	0	0	N/A	0	None
Sex offenses-non- forcible	0	0	0	0	0	N/A	0	None
Domestic Violence	0	0	0	0	0	N/A	0	None
Dating Violence	0	0	0	0	0	N/A	0	None
Stalking	0	0	0	0	0	N/A	0	None
Larceny-Theft***	0	0	0	0	0	N/A	0	None
Simple Assault***	0	0	0	0	0	N/A	0	None
Intimidation***	0	0	0	0	0	N/A	0	None
Vandalism, Damage, Destruction	0	0	0	0	0	N/A	0	None
Liquor Law	0	0	0	0	0	N/A	0	N/A
Liquor Law Violation–Campus	0	0	0	0	0	N/A	0	N/A
Drug Abuse Violation – Arrest	0	0	0	0	0	N/A	0	N/A
Drug Abuse Violation – Campus Disciplinary Action	0	0	0	0	0	N/A	0	N/A
Weapon Possession– Arrest	0	0	0	0	0	N/A	0	N/A
Weapon Possession – Campus Disciplinary Action	0	0	0	0	0	N/A	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 (CSA) 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 Service’s Office.

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

Student Services contacts local law enforcement officials and compiles the Clery crime statistics information for the campus. These statistics are summarized and disseminated on campus. The Dean also requests notification if law enforcement is contacted about a crime on campus, especially if the crime poses a threat to students.

Documentation of phone calls, letters and emails sent are kept to show contact has been made with law enforcement authorities. Documentation of any nonresponses will be kept on file. The Dean of Student Services also makes contact with other staff in the college to ensure that no reported offenses go uncounted.

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 his/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
- Domestic Violence
- Dating Violence
- Stalking

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.

KBOCC will issue timely warnings to the campus community in the event of violent crimes or emergencies which represent a serious or continuing threat to the campus. The authority to issue a notification rests with KBOCC's CSA's:

- KBOCC President—Debra Parrish
- KBOCC Vice-President – Cherie Dakota
- A member of the Board of Regents in acting capacity as KBOCC President
- Dean of Student Services—Liz Julio
- Dean of Instruction—Lynn Aho
- Maintenance Supervisor—Charlie Gauthier

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

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 the Wabanung Center with 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 Keweenaw Bay 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. (KBOCC now employs (2) Behavioral Health Coordinators who can help students with any problem that may involve any type of substance abuse with need of counseling or services that could be provided.)

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 the Keweenaw Bay Indian Community Tribal Police and what to do 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 the Keweenaw Bay Indian Community 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.

During the Fall 2016 and Spring 2017 semester, the Keweenaw Bay Indian Community's OVW program provided presentations 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. To ensure the policy is distributed to all enrolled students, new students are identified each Spring and Summer semester and distributed a notice of the availability of KBOCC's DAAPP policy. Newly employed employees will receive a copy of the policy as part of orientation.

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 or 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.

Keweenaw Bay Ojibwa Community College maintains emergency procedures for each of its buildings. The procedures are reviewed and updated at least every three years or as needed to accommodate changes in buildings, personnel, or regulations. The policy is summarized in the *Student Handbook*, page 23:

EMERGENCY PROCEDURES

Emergency procedures are essential to maintain a safe environment for students, employees, community, and property. The Dean of Student Services is responsible for coordinating emergency procedures that are essential.

1. Emergency Drills
2. Emergency Notification and Evacuation

Emergency Drills: Evacuations and lockdown drills provide an opportunity to test emergency systems and to allow students, staff, and faculty to practice evacuation and lockdown procedures.

- Emergency evacuation and lockdown drills will be scheduled by the Dean of Student

Services at least once per semester.

- The Emergency Response Coordinator and Emergency Response Team will assist with assigned duties to ensure the safety of students and staff.
- Students will report to the appropriate evacuation meeting location so that faculty can account for them using their class rosters.

Emergency Notification and Evacuation: If there is an immediate threat to the health or safety of students on campus, staff, faculty, and students will be contacted via the emergency alert system. Emergency warnings will also be made available on the KBOCC homepage.

1. Timely warnings will be issued for on-campus offenses and other potential threats.
2. In the event of an emergency closure, all students will be notified.
3. Once the nature of the event and the level of danger has been determined, students will go to the appropriate meeting locations listed below.

EVACUATION MEETING LOCATIONS FOR EACH BUILDING

Building	Evacuation Meeting Location
Niiwin Akeaa 111 Beartown Road, Baraga	Southeast parking lot towards the daycare building
Wabanung Campus 770 N. Main Street, L’Anse	Student Services parking lot on the east side. Downstairs parking lot on the north side
Ojibwa Community Library 409 Superior Avenue, Baraga	In front of the American Legion building
Woodwork Shop 16364 Ojibwa Industrial Park Road, Baraga	Main parking lot
LHS Welding Shop Industrial Building, 201 N. Fourth Street, L’Anse	Far side of the Industrial Building parking lot
KBOCC Daycare 615 North Main Street, L’Anse	Student Services parking lot across the street

Sex Offense Policy, Procedures and Programs

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

Keweenaw Bay Indian Community’s Office of Violence Against Women (OVW) provides presentations on stalking, domestic violence, dating violence, rape, rape acquaintance, sexual assault and other sex offenses accompanied by brochures and other printed material during new student orientation. New employee orientation includes the distribution of the OVW’s brochures and printed materials.

The OVW offers a presentation on stalking, domestic violence, dating violence, rape, rape acquaintance, sexual assault and other sex offenses annually to all members of the KBOCC community. In addition, the OVW has a table at the College that displays brochures, pamphlets and other materials on these topics.

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

b. 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.

c. 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 Harassment and Assault Policy below. *Student Handbook*, page 24.

SEXUAL HARASSMENT AND ASSAULT POLICY

Sexual Harassment: Keweenaw Bay Ojibwa Community College will not tolerate sexual harassment of any nature. Anyone who sexually harasses or assaults others on campus will be subject to disciplinary action.

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 or sexually offensive 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 with the following conditions:

- 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; or
- Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive educational environment.

Reporting Sexual Harassment: When a student is uncomfortable addressing unwelcome behavior, he or she is encouraged to meet immediately with the Dean of Student Services. Students may file a complaint of sexual harassment in the Dean of Student Services Office. Complaints should be reported within 5 business days of the incident. Reports may be filed in person, on the telephone, or in writing. The Dean will initiate an investigation and can also provide assistance, support, and resources for the student. Students also have the right to contact law enforcement to file a complaint when they feel threatened or harassed.

Responding to Sexual Assault: It is imperative that a victim of sexual assault understand that if he or she reports the assault, the information will be treated with the greatest confidentiality, sensitivity, and respect. At no time will the identity of the victim be released to the public or to the media. When there is an incident involving one of these crimes, an advocate at the local crisis center can help with treatment options and the criminal justice process.

It is critical that the victim understand the importance of preserving evidence of the crime to assist with investigation and prosecution. When there is an incident involving one of these crimes, an advocate at the local crisis center can help with treatment options and the criminal justice process.

Bystander Invention: The idea that anyone can step in and stop a situation that may escalate into violence. Although there are certainly obstacles to acting as a prosocial bystander, there are strategies to empower us all to take action in

the face of a potentially dangerous situation:

1. Notice when a situation could lead to violence. It is really easy to disregard a racist joke or sexist comment as harmless. However, we risk tacitly endorsing subtle behaviors that harm others when we do not speak out against them.
2. Identify when it is appropriate to intervene. In order to effectively combat interpersonal violence, it is important to understand the forms that violence can take. When we can identify domestic violence, stalking, sexual harassment, dating violence, or sexual assault when we see it, we are more empowered to stop it.
3. Recognize personal responsibility for intervention. We must keep in mind that everyone who is in danger of being harmed is someone's loved one. We have to ask ourselves if we would want someone to intervene on behalf of our loved one.
4. Know how to intervene if it is safe to do so. Because every situation is different, it is important to know several intervention strategies. It is also important to find a strategy that suits your personality and keeps you safe.
 - a. *Direct*: Confront the harmful behavior so the potential victim is empowered to leave the situation or the perpetrator can make the choice to stop.
 - b. *Distract*: Create a distraction or redirect the focus of either party to ensure he or she can get out of the situation.
 - c. *Delegate*: Ask for help from others to take charge of the situation.
5. Take action to intervene. After preparing, it is important to step in to help if you see a situation that might escalate into violence if you can do so safely.

Bystander intervention is crucial to addressing interpersonal violence: not only does this strategy actually prevent specific incidents of violence, but it challenges us all to consider our role in a culture that allows violence to occur.

(Bystander intervention strategies adapted from National Network to End Domestic Violence <http://nnedv.org/>)

Reporting a Sexual Assault: Victims of sexual assault are encouraged to contact law enforcement to file a complaint when they feel threatened or harassed. Response staff and emergency services are made available through the Keweenaw Bay Indian Community Office on Violence against Women (**OVW**) at 353-4599 (a 24-hour Helpline) or call the Victims of Crime Assistance (**VOCA**) office at 353-4533. Services are available for victims of domestic violence, dating violence, sexual assault, and stalking. Student Services is also available as a resource for referrals.

Sanctions: Sanctions will be applied according to the severity of the violation. (Refer to the section on Sanctions.) In the case of a formal decision, an appeal of the Dean's decision can be made to the Appeals Committee. Any appeal under this section shall be made in writing within 20 working days after the delivery of the decision from the disciplinary conference. The Appeals Committee's decision is final.

Sex Offender and Notification Act (SORNA): Visiting the Keweenaw Bay Indian Community Sex Offender Registry is a good way to stay informed about the identities and locations of registered sex offenders in the area. Signing up for community notification allows the registry to contact you by e-mail when an offender moves into your area, or changes a home, work, or school address. For more information, please visit kbic.nsopw.gov (local) or the national site at www.nsopw.gov

Definitions: Keweenaw Bay Ojibwa Community College uses the U.S. Department of Justice definitions, which are:

What is Domestic Violence? Domestic violence can be defined as a pattern of abusive behavior that is used by an intimate partner to gain or maintain power and control over the other intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person.

This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

What is Sexual Assault? Sexual assault can be defined as any type of sexual contact or behavior that occurs by force or without consent of the recipient of the unwanted sexual activity. Falling under the definition of sexual assault is sexual activity such as forced sexual intercourse, sodomy, child molestation, incest, fondling, and attempted rape. It includes sexual acts against people who are unable to consent either due to age or lack of capacity.

What is Dating Violence? Dating violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

What is Stalking? Stalking can be defined as a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear.

d. 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."

e. 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.

f. 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, 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

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 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 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.

g. 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 (under sanctions in Student Code of Conduct policy) to expulsion (under sanctions in Student Code of Conduct policy) and/or report to law enforcement (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 formal reprimand to termination.

Prepared by the Student Services Department, September 29, 2017.