



NUETA HIDATSA SAHNISH COLLEGE¹

Annual Security and Fire Safety Report 2019

The Annual Security and Fire Safety Report can be accessed on the Nueta Hidatsa Sahnish College website: www.nhsc.edu

(REV SEPT 2017)

(REV SEPT 2017)

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NUETA HIDATSA SAHNISH COLLEGE

Annual Security and Fire Safety Report 2019

INTRODUCTION

The following is the 2019 Annual Security and Fire Safety Report for the 2018 calendar year for Nueta Hidatsa Sahnish College.

NHSC places a high priority on the safety and security of its students, faculty, staff, families, guests and visitors. A campus community relies on a peaceful, safe and secure environment. Preserving this environment is a responsibility everyone on campus must share.

This document is submitted and available in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Official copies may be obtained in the Vice President for Student Services office on campus. Instructions on how to access this information will be distributed on an annual basis to all faculty, staff and students, and to any applicant for enrollment or employment. This report is descriptive only and is not intended to serve as a contract between the Institution (NHSC) and any other party. Security policies and procedures are subject to change at any time without notice. Any inquiries concerning information presented in this report may be directed to the VP for Campus Services 701.627.8028.

The Campus Services establishes and enforces standards of conduct at Nueta Hidatsa Sahnish College. Students charged with law violations may expect to have the matter handled both through county law enforcement as well as the Vice President of Campus Services.

The Clery Act

Choosing a postsecondary institution is a major decision for students and their families. Along with academic, financial, and geographic considerations, the issue of campus safety is a vital concern.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is a federal mandate requiring all institutions of higher education (IHE) that participate in the federal student financial aid program to disclose information about crime on their campuses and in the surrounding communities. The Clery Act affects virtually all public and private IHEs and is enforced by the U.S. Department of Education. Campuses that fail to comply with the act can be penalized with large fines and may be suspended from participating in the federal financial aid program.

The Clery Act, formerly known as the Crime Awareness and Campus Security Act, was signed in 1990 and is named after 19-year-old Jeanne Clery, who was raped and murdered in her Lehigh University residence hall in 1986. Clery's parents lobbied Congress to enact the law when they discovered students at Lehigh hadn't been notified about 38 violent crimes that had occurred on campus in the three years prior to Clery's murder.

Compliance with the Clery Act

The Clery Act requires Nueta Hidatsa Sahnish College (NHSC) to provide timely warnings of crimes that represent a threat to the safety of students or employees and to make their campus security policies available to the public. The act also requires NHSC to collect, report, and disseminate crime data to everyone on-campus and to the Department of Education annually.

When the Higher Education Opportunity Act (HEOA) was signed into law in 2008, it amended the Clery Act by adding a number of safety- and security-related requirements to the Higher Education Act of 1965. To be in full compliance with the law, NHSC must do the following:

Publish and distribute an Annual Security Report to current and prospective students and employees by October 1 of each year. The report must provide crime statistics for the past three years, detail campus and community policies about safety and security measures, describe campus crime prevention programs, and list procedures to be followed in the investigation and prosecution of alleged sex offenses.

Provide students and employees with timely warnings of crimes that represent a threat to their safety. Nueta Hidatsa Sahnish College must also keep and make available to the public a detailed crime log of all crimes reported to them in the past 60 days. Crime logs must be kept for seven years, and logs older than 60 days must be made available within two business days upon request.

Keep the past three years of crime statistics detailing crimes that have occurred: on-campus; in university residential facilities; in public areas on or near campus; and in certain non-campus buildings, such as fraternities/sororities and remote classrooms. NHSC must also report liquor and drug law violations and illegal weapons possession if they result in a disciplinary referral or arrest.

Disclose missing student notification procedures that pertain to students residing in any on-campus student housing facilities.

Disclose fire safety information related to any on-campus student housing facilities. This includes maintaining a fire log that is open to public inspection and publishing an Annual Fire Safety Report containing policy statements and fire statistics associated with each on-campus student housing facility. These statistics must include the location, cause, injuries, deaths and property damage of each fire.

Submit the collected crime and fire statistics to the Department of Education each fall.

Inform prospective students and employees about the availability of the Annual Fire Safety Report.

NHSC has a vested interest in campus security and the personal safety of its students and employees. The following pages contain specific information, including crime prevention, fire safety, law enforcement authority, crime reporting policies, disciplinary procedures and other matters of importance related to security and safety on campus. This report also contains information about campus crime statistics.

Members of the campus community are encouraged to use this report as a guide for safe practices on and off campus. The report is available on the NHSC website at: www.nhsc.edu. Every employee and student at NHSC receives an email that describes the report and provides its website address. For a hard copy of the report, contact Nueta Hidatsa Sahnish College at (701) 627-4738.

Programs Encouraging Personal Safety and Security of Others

Each semester, new students are offered information regarding campus security procedures through the NHSC Student Handbook, New Student Orientation presentations, Housing Orientation specifically covering security procedures and practices in the dorms and family housing and dorm meetings. The Student Handbook provides a list of New Town resources which includes, but is not limited to, local hospitals, Indian Health Services, Guidance Counselor, Rape Crisis Center and phone numbers for Director of Security, Tribal Police and New Town City Police.

Once per academic year, a campus - wide gathering is held to familiarize faculty, staff, and students with Campus Security, their contact information, crime reporting protocol, active shooter training, policies, procedures, and services which include key service and policy violation incident support. In addition the Emergency Communication Intercom System is reviewed and the Emergency Management Team is introduced.

Communication about Campus Crime

Timely Warnings

Nueta Hidatsa Sahnish College (NHSC) will issue a timely warning when it receives a report of a crime that represents a serious or continuing threat to the safety of members of the campus community. NHSC may also issue a warning to the campus community when other instances pose a safety concern (see Emergency Response and Evacuation section).

Initiating Timely Warnings

In the event that a situation arises, either on or off campus, that in the judgment of the Director of Security or President, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued through NHSC website and e-mail systems to students, faculty and staff. Those responsible include, but are not limited to:

NHSC President
Vice President for Campus Services/Nueta Hidatsa Sahnish College
Office Campus Safety Officer or designee

The College in conjunction with various campus offices will distribute timely warning announcements when there appears to be a threat to the safety and security of persons on campus for the following crimes:

Aggravated assault
Arson
Burglary
Negligent manslaughter
Motor vehicle theft
Murder/non-negligent manslaughter
Robbery
Sexual offenses
Domestic violence, dating violence, and stalking
Violations of liquor law, drug law, or weapons possession law
Any other crime in which the victim was chosen on the basis of race, gender, gender identity, religion, disability, sexual orientation, ethnicity, or national origin.

Decisions concerning whether to issue a timely warning will be made on a case-by-case basis using the following criteria:

Nature of the crime
Continuing danger to the campus community
Possible risk of compromising law enforcement efforts

If the threat is sudden and serious, a warning will be issued immediately and will be continually updated until the threat is contained or neutralized. If a threat is less immediate, the warning will be fully developed and distributed after that point in time.

Crimes that could constitute a continuing threat include, but are not limited to:

Serial crimes that target certain campus populations such as sex crimes or race-based crimes in which the perpetrator has not been apprehended, and
Ongoing criminal activity in which there is no apparent connection between perpetrator and victim.
Crimes that would not constitute a continuing threat include, but are not limited to:
Crimes in which the perpetrator has been apprehended, thereby eliminating the threat, and
Crimes in which an identified perpetrator targets specific individuals to the exclusion of others, such as domestic violence.

Warning Content

The warning contains sufficient information about the nature of the threat to allow members of the campus to take protective action:

A succinct statement of the incident

Possible connection to previous incidents if applicable

Date, time, and location of the warning

Description and drawing of the suspect, if available

Risk reduction and safety tips

Other relevant and important information

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediately threat to the community and individuals. Security and maintenance/ security may also post notices on campus. Anyone with information warranting a timely warning should report the circumstances to the campus safety department.

VP Campus Services -Jen Janecek-Hartman 701.426.6399

Maintenance Director/Campus Safety Designee -Wes Davidson 701-421-1523

Campus Housing Missing Student Policy

This policy outlines the official notification procedures of Nueta Hidatsa Sahnish College for missing students who reside in on-campus housing, in accordance with the requirements of the Higher Education Opportunity Act of 2008 (HEOA). The purpose of this policy is to promote the safety and welfare of members of the College Community through compliance with the requirements of the HEOA.

Definition of missing person:

Nueta Hidatsa Sahnish College defines a missing student as a person enrolled at NHSC, living on campus, whose whereabouts have not been accounted for by local law enforcement, and the absence is contrary to the usual pattern of behavior of the student and/or unusual circumstances may have caused the absence of the student. Circumstances may include, but are not limited to the following: a report or suspicion that the missing person may be the victim of foul play, a report the missing student has expressed suicidal thoughts, a report the missing student is drug dependent, a report the missing student is in a life threatening situation, or a report the missing student has been with or is in the company of persons who may endanger the student's welfare.

Procedures - Missing Person(s):

If a member of the college community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify TAT Police Department at 701-627-3617, then VP for Campus Services Jen Janecek-Hartman at 701-426-6399. Upon receiving information that a student cannot be located and may be missing, TAT Police officers in conjunction with the VP for Campus Services will initiate an investigation which will include the following:

Conduct a welfare check into the student's unit.

Call known contacts (parents, guardians, roommates, and friends).

Contact employers and associates, if known.

Contact the student's professor to ascertain the student's recent attendance in class.

If the student has a vehicle, NHSC Security will attempt to locate the vehicle.

If the student cannot be located after reasonable efforts, TAT Police will then contact the student's emergency contacts no later than 24 hours after the student has been determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, TAT Police will notify the student's parents or legal guardian.

The VP for Campus Services will file a Missing Person's Report with the TAT Police Department to initiate an investigation. This report must be filed in person at the TAT Police Department located in New Town, North Dakota.

Clery Geography

On-Campus

The Clery Regulations found in 34 CFR 668.46 defines Campus ("On-Campus") property in the following manner:

"Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor)."

NHSC has on-campus housing for students with family and faculty and staff. The residences are located on the Southeast end of the New Town campus. There are currently one student family and 7 faculty/staff residing in the residences.

Non-Campus Property

The Clery regulations found in 34 CFR 668.46 defines Non-Campus property in the following manner:

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

NHSC Mentor Sites

NHSC operates satellite academic mentor sites in the following tribal communities; the sites are staffed by one NHSC employee; the sites are located within community centers and are owned and maintained by the Three Affiliated Tribes whose headquarters are in New Town, ND.

Mandaree, ND

Twin Buttes, ND
White Shield, ND
Parshall, ND

Northern Lights Wellness Center

NHSC hosts athletic events and holds regular athletic practices for men's and women's basketball teams at the Northern Lights Wellness Center located in New Town, ND. The facility also hosts the NHSC Graduation in May as well as other events sponsored by NHSC.

Sandhill or Straw Bale Housing

NHSC provides off-campus housing for male students and faculty and staff. Location of these units are two blocks North West of the main campus or one block South of the main campus.

Public Property

The Clery regulations found in 34 CFR 668.46 defines public property in the following manner:

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

CAMPUS SECURITY INFORMATION

Campus Security

The President of the College, Maintenance Director, Campus Safety Officer/CERT Chairperson are responsible for campus security. The President's office is located in the Nueta Hallway of the NHSC Campus in New Town. Office hours are Monday – Friday from 8:00 A.M. to 5:00 P.M. and office phone is (701) 627-8095.

Uniformed security officers from the North Segment Security Department (NSSD) of the North Segment Community which is where the college is located, visit the NHSC campus as part of their rounds, seven days per week. The security office is located at: Northern Lights Community Center, 710 East Ave, Northern Lights. Phone for Northern Lights Security: (701) 627-3456.

NHSC Campus Safety personnel have the authority to ask persons for identification and to determine whether individuals have lawful business at NHSC. NHSC Campus Safety has the authority to issue parking tickets, which are billed to financial accounts of students, faculty, and staff. NHSC Campus Safety personnel do not arrest. Criminal incidents are referred to the local police who have jurisdiction on the campus. All crime victims and witnesses are strongly encouraged to immediately report the crime to NHSC Security and to local police. Prompt reporting will assure timely warning notices on campus and timely disclosure of crime statistics.

Students, faculty and staff should promptly report thefts and other incidents and suspicious behavior or activity to security for investigation.

How to Report an Emergency

FOR IMMEDIATE ASSISTANCE, CALL 911

Nueta Hidatsa Sahnish College encourages and needs your help reporting emergencies on campus. Please report any situation that threatens the safety of people and/or property on our college campus. Reporting a crime or notifying campus security of suspicious activity helps to protect the campus property and the campus community. To report a crime, contact any of the numbers listed below:

To Report a Crime

Crimes in Progress-

If you see a crime in progress, contact Campus Safety/Housing/Police immediately

NHSC Campus Safety Designee- Wes Davidson (701) 421-1523

NHSC VP for Campus Services – Jennifer Janecek-Hartman (701) 426-6399

MHA Tribal Police - (701) 627-3617

New Town City Police - (701) 627-3314

Crimes that have already occurred-

Report all crimes to Nueta Hidatsa Sahnish College Maintenance/Campus Safety staff as soon as possible. Provide as much information as possible when reporting. **Do not touch anything that may have been used in or during the crime.**

To Report a Fire

In case of a fire activate the fire alarm as soon as possible and evacuate the facility then call 911 to alert emergency personnel. Fire alarm pull stations are easily located throughout the facility in the halls and other common areas. Avoid personal injury and risk. Call campus maintenance/security and advise them of the location of the fire. Do not attempt to re-enter the building until advised to do so by the local Fire Department or campus maintenance/security staff.

To Report a Medical Emergency

Call 911 immediately and follow their prompts. Provide you name, phone number and the nature and location of the medical emergency. Provide as much information as possible and stay on the line until advised by the 911 dispatch or medical emergency personnel arrive. After disconnect with the 911 dispatch call campus maintenance/security staff for follow up on campus reporting.

To Report a Non-Medical Emergency

Call on campus maintenance/safety staff or campus faculty/staff for assistance.

The Importance of Reporting Criminal Activity

Nueta Hidatsa Sahnish College does not have its own police department. Students, faculty, staff and guests are strongly encouraged to promptly report criminal or suspicious activity to both the local law enforcement and North Segment Security.

Prompt reporting of criminal activity enables the college and local law enforcement officials to more effectively protect the safety of the entire community. No matter how insignificant an incident might seem the information you provide may be helpful to the college and/or local law enforcement officials.

Campus Safety personnel periodically patrols parking lots, building, and faculty and student housing. Outside of residence doors are locked all the time. With key entry only. Students have the responsibility to assist in maintaining their safety by keeping doors closed at all times. Students are encouraged to report unsafe conditions or maintenance repairs, if needed. Campus Safety staff patrol all residence facilities.

The housing staff and Campus Safety staff generally will not enter an occupant's room/apartment unless accompanied by occupant, the authorized Representative.

However NHSC reserves the right to enter any dorm/apartment for the purpose of inspection when authorized officials have reason to believe the following may exist, which include but are not limited to:

Illegal activities are taking place.

The physical well-being, health or safety of person is being violated.

NHSC is being violated.

NHSC property is being damaged.

Maintenance repairs may be necessary

How to Report a Crime to Local Law Enforcement Agencies

The college's main campus is located in the city limits of New Town in Mountrail County on the Fort Berthold Indian Reservation.

Three Affiliated Tribes (TAT) Law Enforcement has jurisdiction over tribally enrolled students and employees on the NHSC campus. The New Town Police Department serves as the New Town City Law Enforcement.

Three Affiliated Tribes Law Enforcement (TAT)

404 Frontage Road
New Town, ND, 58763
(701) 627-3617

New Town Police Department (NTPD)

101 East Ave
New Town, ND, 58763
(701) 627-5222

After a report of criminal activity, TAT and/or NTPD will assign investigative staff to the case. TAT and/or NTPD will notify the college when it is investigating an incident on the campus. At the end of each calendar year, TAT and/or NTPD provides the college with statistical information about crimes occurring on campus and reported to them. The information is included in the college's annual disclosure of crime statistics.

How to Report a Crime to the College

If you are a victim of a crime, or if you feel threatened by suspicious activity, your first priority should be to get to a safe place. If you encounter a crime scene (as in the case when your car or your dormitory room has been broken into) you may be in danger because the perpetrator may still be in close proximity. Do not enter the crime scene! Instead, go to a safe place and call either the Three Affiliated Law Enforcement Department or the New Town Police Department.

Suspicious activity or strangers observed on the grounds of the college, in the parking lots, inside buildings, in or around the residence halls should be reported to campus administration and North Segment Security.

Pastoral and Professional Counselors

As a result of the negotiated rule making process which followed the signing into law, the 1998 amendments to the Clery Act, 20 U.S.C. Section 1092 (f) clarification was given to those considered to be campus security authorities. Campus "Pastoral Counselors" and Campus "Professional Counselors", when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged; if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary confidential basis for inclusion into the annual crime statistics.

The rule making committee defines counselors as:

Pastoral Counselor

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

Professional Counselor

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

Legally Mandated Reporting

There are instances when the college official taking a report of a crime may be legally mandated to report the incident to law enforcement officials. Examples include:

Health care practitioners are legally mandated to report any incident where they provide treatment to an individual suffering from wounds inflicted by a firearm or resulting from an assault or abuse.

Educational administrators, teachers, counselors and clergy are required by law to make a report anytime they become aware of any abuse being perpetrated on a minor child.

If during the course of receiving a criminal report, the college officials become aware that there is an imminent threat to someone's safety, he/she must take appropriate steps to protect that person which may include making a report to appropriate law enforcement officials.

Limited Voluntary Confidence Reporting

If you are the victim of a crime and do not want to pursue action within the NHSC system or criminal justice system, you may still want to consider making a confidential report. With your permission, VP of Campus Services or a designee can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure to future safety of yourself and others.

The college can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with to a particular location, method, or an assailant and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the college.

To the greatest extent possible, all reports will remain confidential. NHSC reserves the right to take reasonable action in response to any crime report and information may be shared with appropriate departments and agencies under a need-to-know basis when it pertains to investigative needs and safety concerns of the campus community or issuing a campus wide "time warning".

Off-Campus Safety Risks and Criminal Activity

NHSC cooperates with law enforcement agencies to monitor any off-campus criminal activity that may jeopardize the safety and security of the college community. Campus officials meet and communicate regularly with officials from both TAT and the NTPD. Both of these agencies provide timely notification to college officials of safety or security risks in the community and when appropriate, the college will employ its emergency notification and security advisory procedures to alert students, faculty and staff to the risk that exists. Both agencies also inform college officials of any criminal activity occurring in the community that involves NHSC students.

How to Contact Local Fire Services

When a fire is discovered

Activate the nearest fire alarm

Notify the local Fire Department immediately by calling 701-627-3903

If location is unknown, locate and identify those involved

Secure Facility

Alert Facilities Management

If the fire alarm is not available, notify the site personnel about the fire emergency by following means (as available):

Voice Communication

Phone Paging

Radio

Other (Specify)

Fight the fire ONLY if:

The Fire Department has been notified.

The fire is small and is not spreading to other areas.

Escaping the area is possible by backing up to the nearest exit.

The fire extinguisher is in working condition and personnel are trained to use it.

Upon being notified about the fire emergency, occupants must:

Leave the building using the designated escape routes.

Assemble in the designated area

Remain outside until the competent authority (Designated Official or Designee) announces that it is safe to reenter.

Designated Official, Emergency Coordinator or supervisors must:

Disconnect utilities and equipment unless doing so jeopardizes his/her safety.

Coordinate an orderly evacuation of personnel.

Perform an accurate head count of personnel reported to the designated area.

Determine a rescue method to locate missing personnel.

Provide the Fire Department personnel with the necessary information about the facility.

Perform assessment and coordinate weather forecast office emergency closing procedures.

Area/Floor Monitors must:

Check Bathrooms and normally vacant rooms

Ensure that all employees have evacuated the area/floor.

Report any problems to the Emergency Coordinator at the assembly area.

Assistants to Physically Challenged should:

Assist all physically challenged employees in emergency evacuation to nearest exit.

CRIME DEFINITIONS AND STATISTICS TABLE

Definitions

Aggravated Assault - An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed).

Arson - Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

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

Drug Law Violations - Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include but are not limited

to: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone), methamphetamine; and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Hate Crimes - Crimes that manifest evidence of prejudice based on race, religion, sexual orientation, disability and gender or ethnicity.

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

Manslaughter - Manslaughter is defined as “the reckless or grossly negligent killing of a human being, excluding traffic fatalities.”

Motor Vehicle Theft - The theft or attempted theft of a motor vehicle. Motor vehicle theft is classified as all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned. This includes joy riding.

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

Robbery - The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

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

Sex Offenses - There are two categories of sex offenses, forcible sex offenses and non-forcible sex offenses:

Forcible Sexual Offenses - Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent.

Forcible rape is the carnal knowledge of a person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

Forcible sodomy is oral or anal sexual intercourse with another person forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Forcible fondling is the touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will; or, not forcibly or against the person’s will where the

victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Sexual assault with an object is the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Non-Forcible Sex Offenses – Any act of unlawful, non-forcible sexual intercourse.

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

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

The **Clery Act** stipulates that statistical information for offenses reported by the college must be broken down into specific categories indicating where the crime was reported to have occurred. The Clery Act defines these locations as follows:

On Campus - Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including the residence hall. Any property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as food or other retail vendors).

Student Residences - A subset of "on campus" crime statistics, which includes only those crimes that were reported to have occurred in the dormitories or other residential facilities. Reports of crimes or suspected crimes occurring in the residence halls are indicated in the On-Campus column in parenthesis.

Non Campus - Any building or property owned by a student organization. Any building property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area.

Public Property - All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used in direct support of or in a manner related to the institution's purpose.

NHSC TABLE OF CRIME STATISTICS FOR 2013, 2014, 2015, 2016, 2017, 2018 (JANUARY – AUGUST)

	On-Campus					
Criminal Offense	2014	2015	2016	2017	2018	2019
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Forcible Sex Offense (Including non-forcible)	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Burglary	0	0	1	0	0	0
Aggravated Assault	0	0	1	0	0	0
Motor Vehicle Theft	0	0	1	0	0	0
Arson	0	0	0	0	0	0

**On-Campus
Housing**

Criminal Offense	2014	2015	2016	2017	2018	2019
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Forcible Sex Offense (Including non-forcible)	0	0	1	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Burglary	2	0	2	0	0	0
Aggravated Assault	0	0	2	0	0	0
Motor Vehicle Theft	0	1	0	0	0	0
Arson	0	0	0	0	0	0

**Non-Campus/
 Mentor Sites:
 Parshall
 White Shield
 Mandaree
 Twin Buttes**

Criminal Offense	2014	2015	2016	2017	2018	2019
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Forcible Sex Offense (Including forcible rape)	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Robbery	0	1	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Aggravated Assault	0	1	1	0	0	0
Burglary	0	0	1	0	0	0
Motor Vehicle Theft	0	1	0	0	0	0
Arson	0	0	0	0	0	0

Public Property

Criminal Offense	2014	2015	2016	2017	2018	2019
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Forcible Sex Offense (Including forcible rape)	0	0	2	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0		0
Incest	0	0	0	0	0	0
Robbery	2	0	0	0		0
Statutory Rape	0	0	0	0	0	0
Burglary	1	0	0	0		0
Aggravated Assault	1	1	3	0	0	0
Motor Vehicle Theft	0	2	1	0		0
Arson	0	0	0	0	0	0

Arrest for liquor, drug & weapons law violations Clery Act categories 2014-2018

		Weapons; Carrying possessing, etc.	Drug Violations	Liquor Law Violations
Arrest				
On-Campus	2014	0	0	0
	2015	0	0	1
	2016	0	1	1
	2017	0	0	0
	2018	0	0	0
On-Campus Student Housing Facilities	2014	0	0	1
	2015	0	0	0
	2016	0	0	1
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Non-Campus-Mentor Sites Parshall, White Shield, Mandaree & Twin Buttes	2014	0	0	0
	2015	0	1	3
	2016	0	1	4
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Public Property	2014	0	4	5

	2015	0	0	1
	2016	1	4	5
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

Disciplinary Actions for Hate Crime violations Clery Act categories 2014-2018

	Larceny/Theft		Simple Assault	Intimidation	Damage/Vandalism
Arrest					
On-Campus	2014	0	0	0	0
	2015	0	0	1	0
	2016	0	0	1	1
	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
On-Campus Student Housing Facilities	2014	0	0	0	0
	2015	0	0	1	0
	2016	1	2	1	1
	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Non-Campus-Mentor Sites Parshall, White Shield, Mandaree & Twin Buttes	2014	0	0	0	0
	2015	0	2	1	0
	2016	1	1	3	0

	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Public Property	2014	0	6	3	0
	2015	0	1	0	1
	2016	0	0	0	1
	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0

Disciplinary Actions for VAWA violations Clery Act categories 2014-2018

		Domestic Violence	Dating Violence	Stalking
Arrest				
On-Campus	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
On-Campus Student Housing Facilities	2014	0	0	0
	2015	0	1	0
	2016	0	1	0
	2017	0	0	0
	2018	0	0	0

	2019	0	0	0
Non-Campus-Mentor Sites Parshall, White Shield, Mandaree & Twin Buttes	2014	0	0	0
	2015	0	0	0
	2016	0	1	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Public Property	2014	2	3	1
	2015	0	1	0
	2016	1	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

NHSC FIRE SUMMARY

Fires – On-Campus	2014	2015	2016	2017	2018	2019
Fires	0	0	0	0	0	0
Injuries	0	0	0	0	0	0
Deaths	0	0	0	0	0	0

Fires – On-Campus Student Housing Facility	2014	2015	2016	2017	2018	2019
Fires	0	0	0	0	0	0
Injuries	0	0	0	0	0	0
Deaths	0	0	0	0	0	0

NHSC FIRE SAFETY POLICY

Fire Drill Policy

Be advised the Nueta Hidatsa Sahnish College will be conducting unannounced monthly fire drills throughout the school year. This is a requirement under Title III and other funding agencies and must be reported to the funding agencies on an ongoing basis and accordingly the college will conduct such drills and log them monthly.

The college has established procedures for evacuation of the college and it will be your responsibility to know these procedures so we can evacuate the building in an orderly manner. The college has also organized a team of “Fire Marshall’s” whose responsibility it is to ensure procedures are followed and the college is fully vacated during these drills. You are expected to follow the directions of the Marshall’s if you meet them in the hall during the fire drill.

Fire Drill Coordinators	Wes Davidson	701.421.1523
Library/Nueta Hallway	Alex Teran	701.421.5738
Sahnish Hall/ Voc. Ed	Brandon Laughery	701.421.5632
Bookstore/Cafeteria/1st floor	Brandon Laughery	701.421.5632
1st and 2nd Floor	Isiah Hale	701.421.0302

Reminder: Do NOT use the elevator in any emergency situation, evacuate through the nearest exit and know the staging areas for each wing. Don't bother trying to grab all your class assignments but only your personal items, purses, phones, coats, just the basics. Procedures are as follows:

Fire/Fire Drill Procedures

- Sound Alarm
- Immediately evacuate the building following the evacuation routes posted in each room.
- Each room will proceed to the exit posted in their room and stage in their assigned area. People moving about the halls/restrooms proceeds to the nearest exit.
- Evacuation and staging areas are as follows:
 - Nueta Hall “east” exit will stage in the south parking lot away from the building at the south parking lot curb.
 - Neuta Hall “west” exit will stage in the south parking lot away from the building at the south parking lot curb.
 - Nuxbaga hall will exit at the main lobby entrance and stage in the south parking lot at the south parking lot curb.
 - Sahnish hall from rooms 35 thru 42 will exit the main entrance and stage in the south parking lot at the south parking lot curb.
 - Sahnish hall from rooms 43 thru 47 will exit at the mid-south entrance and stage in the south parking lot at the south parking lot curb.
 - Sahnish hall from rooms 50 thru 53 will exit at the north entrance and stage on the side walk on 4th Street north.
 - The vocational shops and classrooms will exit the east entrances and stage at the cemetery fence line.
 - Student Union 1st floor will exit the south entrance and stage in the south parking lot at the south parking lot curb by the 4-plex.
 - Science & Technology 2nd floor will exit the south entrance and stage in the south parking lot at the south parking lot curb by the 4-plex.

As mentioned each Fire Marshall is assigned a wing and will ensure his/her area of responsibility is evacuated in a safe and timely manner. The Fire Marshall will also make a final sweep of the area and exit the building last at their respective assigned exit. All Fire Marshalls will communicate via two-way radio and after all occupants have been evacuated the “All Clear” will be called and everyone may return to their area.

Zero Tolerance Policy

Nueta Hidatsa Sahnish College (NHSC) will promote an environment free from threats and acts of violence, whether perceived or real. NHSC will not tolerate violence of any type or from any source, including threatening or violent action by employees, students or visitors against anyone on campus or during school related activities despite location. Offenders may be subject to appropriate campus adjudication processes, disciplinary action, and/or criminal proceedings. NHSC utilizes procedures that provide prompt, fair, and impartial investigation and resolution in cases threatening or violent action. These procedures are carried out by officials who receive specific annual training.

It is the policy of NHSC and the responsibility of its employees, students, and visitors to maintain a campus free from threats and acts of violence.

All employees, students, and visitors on campus deserve to be treated with courtesy and respect. This will be accomplished by encouraging mutual respect, establishing open and honest communication, and preventing and prohibiting violent behavior, specifically.

The policy of NHSC includes these items:

1. NHSC will respond promptly to any acts of violence. That response will include timely involvement of law enforcement agencies when appropriate.
2. NHSC hereby adopts, and will work to enforce a policy prohibiting possession of firearms and other dangerous weapons in and on college property.
3. NHSC will treat incidents of campus-related threats or acts of violence as serious. Reports of such acts will be promptly investigated and appropriate and necessary action will be taken.
4. NHSC will take strong disciplinary action, up to and including discharge expulsion.
5. NHSC will support criminal prosecution of those who threaten or commit campus related violence against its employees, students, or visitors.
6. NHSC will provide information and training for employees, students, and visitors to ensure a safe environment that is respectful, proactive, and responsive to threats or acts of violence.
7. NHSC will work to prevent and eliminate acts of campus related violence.

Campus Violence Prevention Measures

- ***Safe Campus***
 - The physical security requirements are assessed including the procedures for appropriate response to threats and acts of violence. Facilities maintenance/ Security will assess annually and make recommendations for security needs.
- ***Violence Prevention***
 - Emphasis will be placed on treating all people with respect and dignity, and on maintaining a calm attitude and demeanor towards others. Attempts will be made to limit violence from all sources by positively affecting the attitudes and behavior of employees, students, and visitors. College operations will be conducted in a fair, efficient, reliable, and understandable manner.
 - Conduct Codes and Discipline Standards of conduct at NHSC will be clearly communicated and consistently enforced and discipline will be used fairly, consistently, and appropriately to deal with instances of unacceptable behavior.
- ***Language and Behavior***
 - Nueta Hidatsa Sahnish College will not tolerate rude, offensive, insulting, derogatory, hateful, threatening, or violent language or behavior among its employees, students, or visitors, including, but not limited to, such things as name-calling, heated arguments, obscene language or gestures, throwing things, harassment, pushing, stalking, insulting or slighting comments, bullying, hazing, unjust or unwarranted exercise of power, negative racial or sexual comments, assault, inappropriate touching, carrying weapons, making “fun of” or showing disrespect for others, offensive, derogatory or inappropriate reference to others, or any other form of language or behavior which intimidates, is offensive to , or manifests hostility toward another whether that language or behavior occurs on campus or at NHSC functions away from the campus.
- ***Active Shooter/Violence Procedures***
 - Close your door and immediately lock down in place. If in the parking lot take cover.
 - Call 911
 - Give details of assailant if known.
 - Barricade yourself or take cover.

Zero Tolerance Enforcement

Administrators and faculty have the primary responsibility for ensuring a safe environment. They are specifically empowered to take immediate action to resolve or stabilize violent situations and to protect people on campus. They will make sure that the appropriate response resources are notified immediately when a threat is made or a violent incident occurs. They will ensure appropriate disciplinary responses to workplace violence.

VAWA POLICY

VIOLENCE AGAINST WOMEN ACT OF 1994

In a good faith effort to comply with federal regulations, Nueta Hidatsa Sahnish College has developed the following policies to acknowledge and protect its faculty, staff, and students from any form of violence against women. As a community, we look to the future and the potential to further develop this policy in accordance with the Department of Education's established regulations.

The mission of the Office of Violence Against Women (OVW), a component of the U.S. Department of Justice, is to provide federal leadership in developing the national capacity to reduce violence against women and administer justice for and strengthen services to victims of domestic violence, dating violence, sexual assault, and stalking.

Nueta Hidatsa Sahnish College supports the OVW in their mission to protect women against violence and prohibits any form of VAWA crimes or sexual assault on our property, non-property currently in use by NHSC, and public property immediately surrounding these defined properties. Any person in violation of this policy will be disciplined in a fair and prompt manner in accordance to Nueta Hidatsa Sahnish College's policy.

Domestic Violence is 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.

Sexual Assault is 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, forcible 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.

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; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship

- The type of relationship

- The frequency of interaction between the persons involved in the relationship

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.

Consent is affirmative, informed, voluntary, and active permission to engage in a mutually agreed-upon sexual act or contact. Consent is expressed by clear and unambiguous words or actions that a reasonable person in the circumstances would believe to communicate a willingness to participate in a sexual act or contact.

Who to report to: Police, Guidance Counselor, Security, Staff or Faculty, Resident Assistant, any college official a person feels comfortable sharing the incident with.

NHSC VAWA CAMPUS POLICY 2018-2019

Preventing and Responding to Domestic Violence, Dating Violence, Sexual Assault, and Stalking

Nueta Hidatsa Sahnish College will not tolerate domestic violence, dating violence, sexual assault, stalking, or other forms of sexual misconduct. Offenders may be subject to appropriate campus adjudication processes, disciplinary action, and/or criminal proceedings. NHSC utilizes procedures that provide prompt, fair, and impartial investigation and resolution in cases involving domestic violence, dating violence, sexual assault, and stalking. These procedures are carried out by officials who receive specific annual training.

Sexual violence is a form of sexual harassment and services are available to students, faculty, and staff who experience sexual violence, domestic violence, dating violence, and instances of stalking.

In these situations, NHSC is committed to providing crisis intervention measures for students, faculty, and staff, as well as appropriate administrative response for the complainant and respondent; referring individuals to criminal authorities; and educating and promoting discussion on interpersonal abuse and violence issues.

The institution's process does not preclude adjudication under state law. Nueta Hidatsa Sahnish College prohibits retaliation by its officers, employees, students, or agents against a person who exercises his or her rights or responsibilities under any provision federal or state law, including Title IX and the Violence Against Women Reauthorization Act (VAWA), or this policy.

Prevention Efforts

NHSC attempts to foster a safe living, learning, and working environment for all members of the campus community. To accomplish this, NHSC considers the educational programming that addresses all aspects of domestic violence, dating violence, sexual assault, and stalking (safety precautions and prevention, crisis management, reporting, medical and counseling services, academic schedules, living arrangement, etc.), the campus response to sexual violence, domestic violence, dating violence, and instances of stalking, and physical surroundings throughout the campus community.

NHSC develops educational programs concerning domestic violence, dating violence, sexual assault, and stalking. Involved students, faculty, staff, and community members provide information and promote discussion on interpersonal abuse and violence issues. For additional information about campus educational programs concerning domestic violence, dating violence, sexual assault, and stalking, contact the Title IX coordinator, the Housing Office, Human Resources, VP of Student Services and the Social Sciences Department Head.

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 9-1-1. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

(Bystander intervention strategies adapted from Stanford University)

Risk Reduction Tips

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault or harassment.

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

If you need to get out of an uncomfortable or scary situation here are some things that you can try:

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

Reporting

A guiding principle in the reporting of domestic violence, dating violence, sexual assault, and stalking is to avoid possible re-victimization of the complainant by forcing the individual into any plan of action. It is recommended that a person who has experienced domestic violence, dating violence, sexual assault, or stalking consider each of the following:

1. Getting to a safe place.
2. Avoiding the destruction of evidence by bathing, douching, changing clothes, or cleaning up in any way. Preserve evidence in a paper bag for possible future action. Also, keep copies of emails, text messages, and voice messages.
3. Pursuing medical treatment. Post-assault medical care can be performed at a local emergency room. Many hospitals have a specialized examiner who can complete an exam for victims of sexual violence. Such an exam can help the victim receive an appropriate medical assessment and treatment, and can preserve evidence for possible future action.
4. Pursuing counseling services with appropriate agencies. Calling someone that is known and trusted, such as a friend or counselor, and discussing with this person the assault can help to evaluate the trauma to sort out next steps.
5. Making a police report. You can initiate a campus and/or criminal complaint. You may obtain assistance from campus authorities in this notification.
6. Making a report to a campus security authority (CSA), Title IX coordinator, deputy Title IX coordinator or other responsible employee under Title IX.
7. Making an anonymous report. An anonymous report to the police notifies them that an act of sexual violence has occurred but gives no names or identification.

Defining Acts Involved with Sex Offenses The following state definitions are informational and are not used to classify crime statistics in the NHSC Annual Security Report.

Coercion is the exploitation of fear or anxiety through intimidation, compulsion, domination, or control with the intent to compel conduct or compliance.

Consent is affirmative, informed, voluntary, and active permission to engage in a mutually agreed-upon sexual act or contact. Consent is expressed by clear and unambiguous words or actions that a reasonable person in the circumstances would believe to communicate a willingness to participate in a sexual act or contact.

A **deviate sexual act** is any form of sexual contact with an animal, bird, or dead person.

An **object** is anything used in commission of a sexual act other than the person of the actor.

A **sexual act** is the sexual contact between human beings consisting of contact between the penis and the vulva, the penis and the anus, the mouth and the penis, the mouth and the vulva, or any other portion of the human body and the penis, anus, or vulva; or the use of an object which comes in contact with the victim's anus, vulva, or penis. For the purposes of this subsection, sexual contact between the penis and the vulva, the penis and the anus, any other portion of the human body and the anus or vulva, or an object and the anus, vulva, or penis of the victim, occurs upon penetration, however slight. Emission is not required.

Sexual contact is any touching, whether or not through the clothing or other covering, of the sexual or other intimate parts of the person, or the penile ejaculation or ejaculate or emission of urine or feces upon any part of the person, for the purpose of arousing or satisfying sexual or aggressive desires.

A person who engages in a sexual act with another, or who causes another to engage in a sexual act, is guilty of **gross sexual imposition** if:

1. That person compels the victim to submit by force or by threat of imminent death, serious bodily injury, or kidnapping, to be inflicted on any human being;
2. That person or someone with that person's knowledge has substantially impaired the victim's power to appraise or control the victim's conduct by administering or employing without the victim's knowledge intoxicants, a controlled substance as defined in North Dakota Century Code (NDCC) chapter 19-03.1, or other means with intent to prevent resistance;
3. That person knows or has reasonable cause to believe that the victim is unaware that a sexual act is being committed upon him or her;
4. The victim is less than fifteen years old; or
5. That person knows or has reasonable cause to believe that the other person suffers from a mental disease or defect which renders him or her incapable of understanding the nature of his or her conduct.

Additionally, when a person who engages in sexual contact with another, or who causes another to engage in sexual contact, is guilty of **gross sexual imposition** if:

1. The victim is less than fifteen years old;
2. That person compels the victim to submit by force or by threat of imminent death, serious bodily injury, or kidnapping, to be inflicted on any human being; or
3. That person knows or has reasonable cause to believe that the victim is unaware that sexual contact is being committed on the victim.

A person who engages in a sexual act or sexual contact with another, or who causes another to engage in a sexual act or sexual contact, is guilty of **sexual imposition** and a class B felony if the actor:

1. Compels the other person to submit by any threat or coercion that would render a person reasonably incapable of resisting; or
2. Engages in a sexual act or sexual contact with another, whether consensual or not, as part of an induction, initiation, ceremony, pledge, hazing, or qualification to become a member or an associate of any criminal street gang as defined in NDCC section 12.1-06.2-01.

A person who knowingly has sexual contact with another person, or who causes another person to have sexual contact with that person, is guilty of **sexual assault** if:

1. That person knows or has reasonable cause to believe that the contact is offensive to the other person;
2. That person knows or has reasonable cause to believe that the other person suffers from a mental disease or defect which renders that other person incapable of understanding the nature of that other person's conduct;
3. That person or someone with that person's knowledge has substantially impaired the victim's power to appraise or control the victim's conduct, by administering or employing without the victim's knowledge intoxicants, a controlled substance as defined in chapter 19-03.1, or other means for the purpose of preventing resistance;
4. The other person is in official custody or detained in a hospital, prison, or other institution and the actor has supervisory or disciplinary authority over that other person;
5. The other person is a minor, fifteen years of age or older, and the actor is the other person's parent, guardian, or is otherwise responsible for general supervision of the other person's welfare; or
6. The other person is a minor, fifteen years of age or older, and the actor is an adult.

Incest occurs when a person intermarries, cohabits, or engages in a sexual act with another person related to him within a degree of consanguinity within which marriages are declared incestuous and void by NDCC section 14-03-03, knowing such other person to be within said degree of relationship. Incest is a class C felony

Domestic Violence includes physical harm, bodily injury, sexual activity compelled by physical force, assault, or the infliction of fear of imminent physical harm, bodily injury, sexual activity compelled by physical force, or assault, not committed in self-defense, on the complaining family or household members.

Stalking, as used in NDCC section 12.1-17-07.1:

1. "Course of conduct" means a pattern of conduct consisting of two or more acts evidencing a continuity of purpose. The term does not include constitutionally protected activity.
2. "Immediate family" means a spouse, parent, child, or sibling. The term also includes any other individual who regularly resides in the household or who within the prior six months regularly resided in the household.
3. "Stalk" means to engage in an intentional course of conduct directed at a specific person which frightens, intimidates, or harasses that person, and that serves no legitimate purpose. The course of conduct may be directed toward that person or a member of that person's immediate family and must cause a reasonable person to experience fear, intimidation, or harassment.
4. No person may intentionally stalk another person.

5. In any prosecution under this section, it is not a defense that the actor was not given actual notice that the person did not want the actor to contact or follow the person; nor is it a defense that the actor did not intend to frighten, intimidate, or harass the person. An attempt to contact or follow a person after being given actual notice that the person does not want to be contacted or followed is prima facie evidence that the actor intends to stalk that person.
6. In any prosecution under this section, it is a defense that a private investigator licensed under NDCC chapter 43-30 or a peace officer licensed under chapter NDCC 12-63 was acting within the scope of employment.
7. If a person claims to have been engaged in a constitutionally protected activity, the court shall determine the validity of the claim as a matter of law and, if found valid, shall exclude evidence of the activity.
 - a. A person who violates this section is guilty of a class C felony if:
 - i. The person previously has been convicted of violating NDCC sections 12.1-17-01, 12.1-17-01.1, 12.1-17-02, 12.1-17-04, 12.1-17-05, or 12.1-17-07, or a similar offense from another court in North Dakota, a court of record in the United States, or a tribal court, involving the victim of the stalking;
 - ii. The stalking violates a court order issued under NDCC chapter 14-07.1 protecting the victim of the stalking, if the person had notice of the court order; or
 - iii. The person previously has been convicted of violating this section.
 - b. If subdivision a does not apply, a person who violates this section is guilty of a class A misdemeanor.

As used in NDCC section 12.1-17-07.1, assent does not constitute consent as a defense, within the meaning, if:

1. It is given by a person who is legally incompetent to authorize the conduct charged to constitute the offense and such incompetence is manifest or known to the actor;
2. It is given by a person who by reason of youth, mental disease or defect, or intoxication is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or
3. It is induced by force, duress, or deception.

Privacy and Respect of Information

Respecting one's right to privacy is important to NHSC. Students can be assured that when they share information with medical, police, and/or NHSC officials, such information will be handled professionally and within the framework of each agency's governing body privacy limitations (e.g., state law, licensing, FERPA, etc.).

NHSC employees who have the authority to take action to redress sexual violence; who have been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX coordinator or appropriate school designee; or whom a student could reasonably believe has this authority or duty shall report all complaints of sexual violence to the Title IX coordinator.

A student's privacy concerns are weighed against the needs of NHSC to respond to acts of harassment, including domestic violence, dating violence, sexual assault, and stalking. To the greatest extent possible, all reports will remain private. However, information may be shared with

appropriate departments and agencies under a need-to-know basis when it pertains to investigative needs and safety concerns of the campus community. If a complainant requests that his or her name not be revealed to the respondent or asks NHSC not to investigate or seek administrative action against the respondent, NHSC will be limited in its ability to respond fully to the incident. Title IX and the Violence Against Women Reauthorization Act include protections against retaliation. NHSC officials will not only take steps to prevent retaliation but will also take strong responsive action if it occurs.

All information received is subject to inclusion, in statistical form, in annual NHSC-published reports.

VAWA/Domestic Violence/Sexual Assault Resources/Help Centers

Fort Berthold Coalition Against Domestic Violence, 372 Main St, New Town
(701) 627-4171 or Crisis Line (701) 627-3617.
Sadie Young Bird, Director

TAT Victim Services, MHA Nation, New Town ND.

Domestic Violence Crisis Center, 3900 11th Ave SE, Minot, ND
(701) 852-2258

Domestic Violence Program, 101 S Main St. #2, Stanley, ND
(701) 628-3233

Abused Adult Resource Center, Bismarck, ND
(701) 222-8370 or 24 Crisis Line (866) 341-7009

Domestic Violence & Rape Crisis Center, Dickinson, ND
(701) 225-4506 or (888) 225-4506

Family Crisis Shelter of North Dakota (Williston)
(701) 572-0757 or Crisis Line (800) 627-3659

Sex Offender Registration

All registered sex offenders are required to self-report their status to the New Town City Police, Three Affiliated Tribal Police or Sheriff's Department upon employment or enrollment. Some limitations and restrictions may apply to that employment and/ or enrollment.

Convicted sex offenders must register with the local law enforcement agency in the jurisdiction where the offender resides. Out-of-state sex offenders are required to register with the local North Dakota law enforcement agency if they work or attend school in North Dakota. Each time the offender moves or changes jobs, the offender must notify the local law enforcement agency.

All registered sex offenders are required to self-report their status to NTPD/TATP/Sheriff upon employment or enrollment. If designated as a registered sex offender after employment or enrollment, the self-reporting must occur within three working days of the designation. Failure to self-report may result in disciplinary action up to and including termination of employment or suspension.

Also visit mhanation.nsopw.gov

Employment and Enrollment of Sex Offenders

Registered sex offenders are barred from employment or enrollment at NHSC.

Employment

Registered sex offenders are prohibited from working in or being on the premises, without proper authority, of any area of the College that is designated to provide service/care to minors. This prohibition includes, but is not limited to, NHSC Campus Library, and Mentor sites, Northern Lights Wellness Center and/or NHSC Student/Family Housing. Other locations and/or events may be added at the discretion of NHSC administration.

Registered sex offenders are also prohibited from working in residence halls and apartments. Furthermore, registered sex offenders are prohibited from being within the living areas of NHSC residence halls, NHSC leased student apartments, or any other living facilities owned or operated by NHSC.

Supervisors of registered sex offenders should not assign the employee to an area from which they are prohibited if other employees are available to complete the assignment. If the assignment of the sex offender is essential, their immediate supervisor must escort them for the entire time that they are working in the prohibited location.

Enrollment

Registered sex offenders are prohibited from living in NHSC residence halls or Howard Estates Family Housing. Additionally, registered sex offenders are prohibited from being within the living areas of NHSC residence halls, apartments or any other living facilities owned or operated by NHSC. Other locations and/or events may be added at the discretion of NHSC Administration

Procedures for victims

- Extremely IMPORTANT to preserve any and all evidence and/or obtaining a protection order
- Victim has option to:
- Notify campus official (RA, campus security, faculty, staff)
- Notify Law Enforcement- campus security, local police department
- Receive assistance from any or all of the above officials
- Right to decline to notify authorities
- File orders of protection, including but not limited to:
- No contact orders
- Restraining orders
- Similar orders issued by a criminal, civil, or tribal court

Procedures for officials

- NHSC will provide information and training for employees, students, and visitors to ensure a safe environment that is respectful, proactive, and responsive to threats or acts of violence related to sexual assault and VAWA crimes.
- Accuser and accused are entitled to same opportunities:
 - Others may present on their behalf during institutional disciplinary proceeding
 - May be accompanied by an advisor (of their choice) to any related meeting or proceeding
- Both parties will be informed simultaneously in writing of:
 - Outcome of any institutional disciplinary proceeding from an allegation of sexual assault or VAWA crime
 - Institutions procedures for accused and victim to appeal results of proceeding
 - Any change in results that occurs prior to the time that such results became final
 - The results becoming final
- Provide possible sanctions and/or protective measures following a final determination
- CONFIDENTIALITY- how NHSC will protect victims
- How to make records public without identifying the victim (permissible by law)
- Notification to students and employees of available help/counseling (campus and community) in:
 - Health/ mental health
 - Victim advocacy
 - Legal assistance
- Must provide **written** notification to victims, whether they go to campus police or local law enforcement, of reasonably available assistance in changing:
 - Academic situations
 - Living situations
 - Transportation
 - Working situations
 - Possible sanctions and protective measures
 - Procedures victims should follow
 - Disciplinary procedures
 - Confidentiality
 - Existing resources for counseling

NHSC CERT TEAM

The NHSC CERT (Campus Emergency Response Team) meets on the first Tuesday of every calendar month.

The CERT team meetings are public meetings and open to all staff, students, and interested community members.

The CERT team publishes their meeting agenda in advance of each meeting. Upon the conclusion of the CERT meetings the CERT Chair person, publishes a newsletter with the most salient topics that were

discussed during the regular monthly meeting. The newsletter is called CERT Alert. It is distributed throughout campus and made available to the MHA Nation Community newspaper.

VAWA Offenses	Crime	2014	2015	2016	2017	2018	2019
On-Campus	Domestic Violence	0	0	0	0	0	0
	Dating Violence	0	0	0	0	0	0
	Stalking	0	0	0	0	0	0
On-Campus Student Housing Facilities	Domestic Violence	0	0	0	0	0	0
	Dating Violence	0	0	0	0	0	0
	Stalking	0	0	0	0	0	0
Non-Campus Mentor Sites	Domestic Violence	0	0	0	0	0	0
	Dating Violence	0	0	0	0	0	0
	Stalking	0	0	0	0	0	0
Public Property	Domestic Violence	0	0	0	0	0	0
	Dating Violence	0	0	0	0	0	0
	Stalking	0	0	0	0	0	0

Jen Janecek-Hartman, Chair Person 701.426.6399

Wes Davidson, Assistant 701.421.1523

Amy Solis, Secretary 701.627.8055

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220 College Drive/PO Box 490
New Town, ND 58763
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<http://www.nhsc.edu>

“Nueta Hidatsa Sahnish College will Provide Quality Cultural Academic Vocational Education and Services for the Mandan Hidatsa and Arikara Nation”



2019 Annual Security Report (ASR)

ACKNOWLEDGEMENT

I, _____, certify that I have been given a copy of the NHSC Annual Security Report, and have reviewed the policies to the best of my abilities. I understand that the ASR is available to me in electronic and paper form and is in place to promote the safety and welfare of all Staff, Faculty, and Students on the Nueta Hidatsa Sahnish College Campus.

(Signature)
















(Date)

(Print Name)



NHSC Main Campus

Nueta Hidatsa Sahnish College - Main Campus

-  Main Campus
-  NHSC Main Campus
-  NHSC Cultural Center
-  Admin Offices
-  Science Department
-  Cafeteria/Student Lounge/CLAN Rooms
-  Library
-  Women's Dorms
-  Family and Faculty Housing
-  IT Department
-  Main Entrance
-  Welding and Carpentry Classes
-  Security/Maintenance Office
-  Wellness Center
-  Classrooms

Bale House - NHSC

-  Bale House - NHSC
-  NHSC Bale House



NHSC Main Campus and Mentor Sites

NHSC Main Campus



Nueta Hidatsa Sahnish
College - Main Campus

NHSC Mandaree Mentor Site



Nueta Hidatsa Sahnish
College - Mandaree Mentor
Site



Mandaree Mentor Site

NHSC Parshall Mentor Site



Nueta Hidatsa Sahnish
College - Parshall Mentor Site



Parshall Mentor Site

NHSC White Shield Mentor Site



Nueta Hidatsa Sahnish
College - White Shield Mentor
Site



White Shield Mentor Site

NHSC Twin Buttes Mentor Site



Nueta Hidatsa Sahnish
College - Twin Buttes Mentor
Site



Twin Buttes Mentor Site

