

1. **Student Rights and Responsibilities**

[ACADEMIC FREEDOM](#)

[ACADEMIC PROBATION/SUSPENSION POLICY](#)

[BULLETIN BOARD POSTING POLICY](#)

[DRUG FREE SCHOOL POLICY](#)

[FREEDOM OF ASSEMBLY](#)

2. **Student Policies**

[STUDENT COMPLAINT PROCESS](#)

[GRADE APPEAL PROCESS](#)

[ACADEMIC DISHONESTY PROCESS](#)

[STUDENT CODE OF CONDUCT](#)

[FORMS OF MISCONDUCT](#)

[PROCEDURE FOR STUDENT CODE OF CONDUCT VIOLATIONS](#)

[STUDENT RIGHT TO DUE PROCESS](#)

[DISCIPLINARY ACTIONS](#)

[INTERIM SUSPENSION](#)

3. **Laws, Regulations and College Policies**

[NON-DISCRIMINATION POLICY](#)

[DISCRIMINATION GRIEVANCE PROCEDURES](#)

[TOBACCO-FREE POLICY](#)

CHILDREN ON CAMPUS

[PARKING AND TRAFFIC REGULATIONS](#)

[SECURITY](#)

[ANNUAL SECURITY REPORT AND FIRE SAFETY REPORT](#)

[SEXUAL OFFENDER INFORMATION](#)

[SEXUAL MISCONDUCT POLICY AND PROCEDURES](#)

[MISSING STUDENT NOTIFICATION POLICY](#)

[SEXUAL HARASSMENT POLICY](#)

[SOCIAL SECURITY PRIVACY POLICY](#)

Student Rights and Responsibilities

Academic Freedom

The student in the classroom and in conference should enjoy free discussion, inquiry and expression. Student performance shall be evaluated on an academic basis, as defined in the syllabus for each course.

A. Protection of Freedom of Expression:

Students shall be free, and encouraged, to offer opinions and insights in any course of study and be allowed to reserve judgment about matters of opinion expressed by the faculty member or other students. Also, students are responsible for learning the content of any course of study for which they are enrolled.

B. Protection Against Improper Academic Evaluation

Students shall have protection through due process against prejudiced or capricious academic evaluation. At the same time, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled. Students may use the procedures outlined under "Grade Appeal Process" when a dispute over final grades occurs.

Academic Probation/Suspension Policy

A student is placed on academic probation when his/her cumulative grade point average (GPA) after enrolling for 6 semester credit hours falls below 2.0, the minimum level considered to be in good academic standing. A student placed on academic probation will have two consecutive semesters of enrollment during which to bring his/her cumulative grade point average to 2.0 or above. Failure to do so may result in academic suspension (denial of continued enrollment) for one full semester. A student readmitted after suspension will have an additional two semesters in which to achieve a 2.0 cumulative grade point average. Failure to do so will result in suspension for one calendar year. This policy does not supersede more rigorous probation policies required for financial aid, veteran's benefits, or for continuance in selective programs, e.g., Nursing or Medical Assistant.

Students placed on academic probation are urged to contact an advisor or counselor to develop a plan of action that results in greater success.

Bulletin Board Posting Policy

Anyone wishing to post advertisements or announcements must take these to the Student Services Office for approval of content and purpose. Any advertisements/ announcements without a stamp of approval are subject to immediate removal. All advertisements/ announcements may be posted for a maximum of thirty (30) days and will be removed.

Acceptable areas of posting are the designated bulletin boards in all campus buildings. Postings that have not been approved or are not posted in acceptable areas may be removed by the College. Posting on the glass doors and windows is prohibited.

Drug Free School Policy

1. Any student, full-time or part-time, of North Central Michigan College who engages in the unlawful or unauthorized sale, possession, use, or distribution of illicit drugs, hallucinogens, controlled substances, or alcohol on College property or designated College property or, as any part of the College's activities, is in violation of school policy regarding standards of student conduct.
2. Any such violation by a student as described above will result in disciplinary action up to and including immediate expulsion from the College and referral to appropriate authorities for prosecution.
3. Local law enforcement agencies will be notified if State underage drinking laws are violated.
4. All students are advised that conviction for illegal possession, misuse, sale, manufacture, distribution, and related actions with respect to illicit drugs and alcohol under local, state and federal statutes can result in extensive fines, forfeitures of property, and imprisonment.
5. Students interested in seeking alcohol/substance abuse counseling should contact one of the following agencies/sources, or check their local telephone directory for other counseling services in their area.

North Country Community
Mental Health Services
231-347-6701

Bay Area Substance Abuse Program
B.A.S.E.S.
231-547-1144

Harbor Hall 231-347-5511

Northern Michigan Substance Abuse Services: 989-732-1791

Northern Michigan Substance Abuse Services Access Line: 800.686.0749

Freedom of Assembly

No person or persons shall assemble in a manner which obstructs the free movement of persons about the College or the free normal use of College buildings and facilities, or prevent or obstruct normal operations of the College.

Student Policies

- Students with a general concern with a faculty/ staff member should follow the Student Complaint Process.
- Students with concerns about final course grade(s) should follow the Grade Appeals Process.
- NCMC faculty/staff with concerns about academic dishonesty, e.g. plagiarism should follow the Academic Dishonesty Procedure.
- NCMC faculty/staff & students with concerns about adherence to Student Code of Conduct should follow the Procedure for Student Code of Conduct Violation.
- Students appealing decisions made in selective programs, e.g. Nursing or Medical Assistant, should follow department-specific policies outlined in department handbooks, or consult with the appropriate Associate Dean.

Student Complaint Process – initiated by student

Step One: Student communicates with faculty/ staff member(s) in an attempt to mutually resolve the matter. This communication must take place within ten (10) days of the alleged incident.

Step Two: If the matter is not resolved at Step One, the student may proceed to Step Two. Within fifteen (15) days of the alleged incident, file a Student Complaint Form from your portal. The matter will be investigated by the appropriate party. If a hearing is determined to be necessary, the student has two options:

1. The student may proceed to a Judicial Committee, which will be responsible for making a decision and forwarding it to the Vice President for implementation;
2. The student may request that the appropriate Vice President or Associate Dean handle the case. The Vice President/Associate Dean shall decide the case within ten (10) days of the Student Complaint Form being filed.

The Judicial Committee will be composed of three full-time college employees and two students and will be appointed by the Vice President/Associate Dean. The Vice President/Associate Dean will appoint one of the employees to chair the hearing. The members of this committee must have no vested interest in the matter. The Vice President/Associate Dean shall not sit on this committee. The Judicial Committee shall meet within ten (10) days of the Vice President's or Associate Dean's appointment.

Grade Appeal Process – initiated by student

If a student believes that a final course grade received is incorrect or unfair, the student may follow this appeal process:

1. The student must notify the instructor in writing no later than ten (10) working days from the release of semester grades. Email submissions are also acceptable. The student and instructor should discuss all the factors that were instrumental in determining the grade. If the instructor is not available, the student may meet with the appropriate Associate Dean. A written response to the appeal will be made within ten (10) working days.
2. If a student wishes to appeal the decision of the instructor, he/she may do so by submitting an appeal, in writing, to the appropriate Associate Dean within ten (10) working days after the instructor's decision. The Associate Dean will have ten (10) working days to consider and respond to the appeal. If the Associate Dean assigned the grade, the student's appeal will move from step 1 to step 3.
3. If a student wishes to take further action, he/she may appeal the previous decision, in writing, to the Vice President of Academic Affairs & Student Success. The appeal must be delivered to the Vice President within ten (10) working days of the previous decision. The Vice President will consider the appeal and may request additional information from the student and/or the instructor. The Vice President will have ten (10) working days to consider and respond to the appeal.
4. If the student wishes to take further action, a written appeal may be made to the President of the College within ten (10) working days of receiving the previous decision. The President will have ten (10) working days to consider and respond in writing to the appeal. The President's decision will be the final determination and the conclusion of the appeal process.

Academic Dishonesty Process – initiated by faculty member

Academic dishonesty includes plagiarism and cheating on assignments, cheating on laboratory work or examinations, having another person take an exam in one's place, substituting another's work as one's own, falsifying records or providing misinformation regarding one's credentials; unauthorized collaboration on computer assignments and unauthorized access to and use of computer programs, including modifying computer files created by others and representing that work as one's own. All students are expected to adhere to the standards of documentation as outlined by the instructors. Individual faculty members may determine appropriate consequences for proven academic dishonesty cases (refer to instructor syllabi). If a faculty member believes a student has committed an academic violation, these steps should be followed:

1. The faculty member should communicate with the student to discuss the allegation and provide evidence thereof. If the faculty member is unavailable to the student, the student will communicate with the Associate Dean who will review all available, official documentation. A determination shall be made and given to the student in writing.
2. The student may appeal the decision to the Associate Dean within ten (10) working days. The Associate Dean will communicate with the student and present the student with two options:
 - a) The student may proceed directly to a Judicial Committee, which will be responsible for making a decision and forwarding the decision to the Associate Dean for implementation.
 - b) The student may waive the right of a Judicial Committee hearing and decision and have the Associate Dean handle the case. If the student waives the right to a Judicial Committee hearing and decision, then the decision of the Associate Dean will be final.
3. If the student does waive the right to a Judicial Committee hearing and decision, the Associate Dean will communicate with the student, the faculty member(s) and any other relevant people. The Associate Dean will notify the student of the outcome of the hearing within three (3) working days from the hearing.
4. If the student chooses a Judicial Committee hearing, the Associate Dean shall appoint one administrator, two faculty members, and two students to serve on the Committee. The Associate Dean will appoint one of the employees to chair the hearing. The members of this committee must have no vested interest in the matter and the Associate Dean shall not serve on the Judicial Committee. The Committee will notify the student of the outcome within three (3) working days from the hearing.
5. Appeal Procedure: The accused student has the right to appeal the decision of the Judicial Committee. The written appeal must be received by the Vice President of Academic Affairs & Student Success within 10 (ten) working days of the written notification.

Student Code of Conduct

Students are responsible for obeying municipal, state and federal laws which govern the community, as well as the rules and regulations of the College. If a student participates individually or as a member of a group in any violation of Conduct Standards (listed below), he or she can be subject to disciplinary action. Further, sanctions may be imposed upon student groups or organizations, including the sanction of deactivation which entails the loss of all the privileges and/or College recognition for a specified period of time. The Student Conduct Standards also apply to off-campus activities, such as field trips, off-campus classes and College-sponsored events. On a case-by-case basis, the Vice President of Student Affairs or other appropriate Vice Presidents will determine if a hearing is necessary.

Enrollment carries with it obligations relative to conduct both within and outside the classroom. If a student is accused of less than acceptable behavior, College procedures provide for due process to insure that the student receives fair and equitable treatment.

Student Right to Due Process

Due process rights extend to the procedures for "Student Code of Conduct Violations" and "Academic Dishonesty." Due process at NCMC means that a student has the following rights:

- A. To be informed in writing of the specific charges and the grounds for such charges.
- B. To have a chosen advisor or counselor or lawyer (at the student's own expense) present for advice before, during and/or after any judicial hearing. The role of this individual is limited to an advisory capacity with no right of cross-examination.
- C. To be present at such hearing, if desired.
- D. To exercise a privilege against self-incrimination.
- E. To hear or examine evidence presented to the committee reviewing the case and to present evidence by witnesses or affidavit of any defense the student desires. Further, the student shall be given the opportunity to cross-examine witnesses.
- F. To be informed in writing of the Vice President's or the Committee's final decision.
- G. To waive the right of a formal hearing before the Committee and to have the case heard by the appropriate Vice President.
- H. To appeal the decision of the Vice President or Judicial Committee to the President for review of disciplinary due process.

A. Forms of Misconduct:

The following forms of misconduct will not be tolerated by the College:

1. **Academic Dishonesty**, misconduct, cheating or plagiarism or other forms of academic dishonesty including acquisition without permission of tests or other academic materials. Included are those students who aid and abet, as well as those who attempt such behavior. Plagiarism includes, but is not limited to, the use whether by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear attribution. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.
Incidents of academic dishonesty shall be dealt with according to the procedures outlined in Academic Dishonesty Process.
2. **Any form of harassment** toward an individual or group of individuals. **NOTE:** The Elliott-Larsen Civil Rights Act defines sexual harassment as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature" when such "conduct or communication has the purpose or effect of substantially interfering with an individual's ...education... or creating an intimidating, hostile or offensive... educational...environment."
3. **Conduct** or expressions of a disorderly, obscene or sexually offensive nature contrary to generally recognized community standards of propriety or good taste.
4. **Dating Violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: length of the relationship; type of the relationship; and the frequency of interaction between the persons involved in the relationship.

5. **Dishonesty**, including knowingly furnishing false information to the College or a College officer whether verbally, in writing or by completing required forms. If a student is seeking a degree at NCMC and fails to disclose that he/she has attended other academic institutions prior to his/her enrollment at NCMC, he/she is violating the Student Code of Conduct standards and is jeopardizing his/her continued enrollment at NCMC.
6. **Disobedience** of College officials or designated agents acting in the performance of their duty.
7. **Disruption** or unauthorized interruption of college activities.
8. **Domestic Violence.** A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies (under VAWA), or any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
9. **Forgery**, alteration or misuse of College documents, records or identification, or forging a College staff person's name or initials.
10. **Gambling.** Gambling of any kind is not permitted on the campus or at College sponsored events.
11. **Soliciting.** Soliciting in campus buildings or on campus grounds is prohibited. Exceptions are made for ticket sales for campus functions only when approved by the Vice President of Student Affairs. Students are not allowed to use their residence hall rooms for any commercial purpose.
12. **Stalking or Cyberstalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear of his or her safety or the safety of others; or suffer substantial emotional distress.
13. **Tampering with Fire Fighting Equipment and Fire Drills.** Pulling false fire alarms, tampering with or misusing fire alarm systems, interfering with firemen and tampering with or removing fire-fighting equipment are prohibited. All persons are expected to follow posted building evacuation procedures in the event of fires or fire drills.
14. **The distribution**, use, possession or being under the influence of alcoholic beverages or illegal drugs or controlled substances on campus. Federal/State laws related to underage drinking/drug laws will be enforced with the assistance of appropriate authorities.
15. **The possession** or use of explosives, weapons, firearms, knives or fireworks.
16. **Theft of, or damage to**, property of the College or a member of the College community or campus visitor.
17. **Unauthorized entry** to and/or use of College facilities and equipment. Also, possession of keys or duplication of College keys without proper authorization.
18. **Use and/or misuse of the College computer system**, facilities, hardware, software and all computerized information is prohibited in the following circumstance, including but not to be limited to:
 - a. Unauthorized entry into a file, whether to use, read, change or for any other purpose.
 - b. Unauthorized transfer of a file, including peer-to-peer file sharing.
 - c. Unauthorized use of another individual's identification and password.
 - d. Use of computing facilities to interfere with the work of another student, faculty member or College official.
 - e. Use of computing facilities to send obscene or abusive messages.
 - f. Use of computing facilities to interfere with normal operation of the College's computing system.
 - g. Use of computing facilities in a manner which violates state or federal copyright laws, e.g., unauthorized duplication of copyrighted or licensed software.
19. **Verbal or physical conduct** of a sexual nature that unreasonably interferes with another and creates an intimidating, hostile or offensive environment.
20. **Violation of Tobacco-Free Policy**; see page 10.

Procedure for Student Code of Conduct Violations

Any member of the College community may file charges against a student for an alleged violation of the Student Conduct Standards. These charges must be filed with an employee who will complete an electronic Incident Report Form. Once charges have been formally filed, the following procedure will be observed:

1. The Vice President of Student Affairs will investigate the allegation and determine if a hearing is necessary. Notification to the accused parties of the alleged violation will be made within 10 (ten) working days. The student may exercise one of two options.
 - a). The student may proceed directly to a Judicial Committee, which will be responsible for making a decision and forwarding the decision to the Vice President of Student Affairs for implementation. The Vice President of Student Affairs will appoint a Judicial Committee composed of three full-time college employees and two students. The Vice President will appoint one of the employees to chair the hearing. The members of this committee must have no vested interest in the matter. The Vice President of Student Affairs shall not serve on this committee.
 - b). If the student chooses not to contest the charge, he/she may waive the right of a Committee hearing and request the matter of penalty be determined by the Vice President of Student Affairs.
2. The Judicial Committee has the responsibility of hearing the charges against the student and reviewing the evidence. The hearing will take place within ten working days following the student's receipt of the written charges. A verbatim record, such as an audio recording will be made of all hearings. This record remains the property of the College. Within one working week following the hearing, the Committee will submit its final decision (in writing) to the Vice President of Student Affairs.
3. The Vice President of Student Affairs will implement the Committee's decision which may include sanctions imposed on the student. The Vice President will then inform the student of the decision within three working days of the receipt of the Judicial Committee's decision.
4. Appeal Procedure: The accused student shall receive written notification of the outcome of the hearing (or meeting with the Vice President of Student Affairs) as well as any sanctions or referrals if required. The accused student has the right to appeal. Written appeal must be received by the Vice President of Student Affairs within 10 (ten) working days of the date of the written notification of Judicial Committee hearing, or to the President of the College if the hearing was conducted by the Vice President of Student Affairs.

Disciplinary Actions:

Violations of the Student Code of Conduct Standards are subject to disciplinary action. After considering information presented at a hearing, the Vice President of Student Affairs or the Campus Judicial Committee will make a decision as to guilt or innocence. In the case of a "guilty" decision, the Vice President of Student Affairs or the Campus Judicial Committee will determine the appropriate sanction.

Appropriate action may include, but is not limited to:

1. **Warning:**
A "Warning" is an official reprimand which expresses College dissatisfaction with the student's conduct and which clarifies expected behavior in the future.
2. **Probation:**
"Probation" status indicates that any violation of Student Code of Conduct Standards within the probationary period shall result in more severe disciplinary action against the student that could include suspension from the institution. Probation in itself does not carry with it any restrictions; but, in addition to probation, it is possible for a student to be required to complete a work assignment, make restitution or be prohibited from holding an office or representing the College in any activity.
3. **Removal From a Course:**
If "Removal From a Course" occurs, a student may continue to attend other classes, but may not resume attendance in the course from which he or she has been removed. In the event a student is removed from a course, he or she will be given either a withdrawal or a failure in accordance with the College's course withdrawal policy.
4. **Suspension:**
"Suspension" is an action that separates the student from the institution for a definite period of time (days, weeks, semesters, etc.) Such action will specify the conditions required for readmission, as well as the date the student will be eligible to return.

5. Expulsion:

"Expulsion" is an action that permanently separates the student from the institution.

6. Specific Orders:

"Specific Orders" is an action which may stand-alone or be issued with another sanction. Specific orders may include, but are not limited to, performance or nonperformance of specific acts, loss of certain privileges, payment of fines and/or restitution.

Interim Suspension

In certain circumstances, the Vice President of Student Affairs or his/her designee, may impose a suspension prior to the hearing before a Judicial Committee.

A. Interim suspension may be imposed only:

1. To ensure the safety and well being of members of the college community or preservation of college property.
2. To ensure the student's own physical or emotional safety and well being.
3. If the student poses a definite threat of disruption or interference with the normal conduct of operations of the College.

B. During the period of interim suspension the student shall be denied access to the campus (including being barred from classes) and/or all other college activities or privileges for which he/she might otherwise be eligible as the Vice President of Student Affairs may determine to be appropriate.

C. The interim suspension shall continue until the student's due process procedures are complete. The hearing for this matter should be held as soon as is practicable.

Penalties for Copyright Infringement:

Copyright infringement is the act of exercising without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information, please see the website of the U.S. Copyright Office at www.copyright.gov.

Laws, Regulations and College Policy

Students shall obey the laws enacted by Federal, State and local governments, as well as the policies and regulations of NCMC. If a student is charged with a misdemeanor or felony, the College will fully cooperate with civil authorities while recognizing the student's rights under the Family Educational Rights to Privacy Act ("FERPA").

Under FERPA, an educational institution, including a community college, may not disclose personally identifiable information found in a student's education record to law enforcement officials, unless such disclosure is "to comply with a judicial order or lawfully issued subpoena." In such a situation, the College must make a reasonable effort to notify the student of the order or subpoena in advance of compliance.

Employees and students of North Central must comply with all Federal Copyright laws.

Non-Discrimination Policy

This policy has been established to ensure that all employees and students of North Central Michigan College are aware of our commitment to both Equal Employment Opportunity and equal opportunity and treatment to students.

It is our policy to offer admissions, housing, employment, and campus activities without regard to race, color, creed, national origin, religion, sex, sexual orientation, age, height, weight, marital status or disability. Inquiries regarding compliance with Executive Order 11246, Title VI of the Civil Rights Act of 1964, Title II of the

Americans with Disabilities Act of 1990 (ADA), Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and all other applicable federal, state, and local statutes and regulations may be directed to the Vice President of Finance and Facilities, North Central Michigan College, 1515 Howard Street, Petoskey, MI 49770 (231-348-6603). Inquiries by students with disabilities regarding academic support services should be directed to: Learning Support Services (231-348-6817).

Discrimination Grievance Procedures

1. Complaints

- a. All complaints of discrimination shall be in writing and filed by the Complainant with the North Central Michigan (NCMC) Vice President of Finance and Facilities (the Vice President), 1515 Howard Street, Petoskey, Michigan, 49770 in a sealed envelope marked "Confidential".
- b. Complaints shall contain:
 - (1) The name, address and telephone number of the person making the complaint (Complainant)
 - (2) A concise description of the alleged discriminatory act or action
 - (3) The date or dates of the alleged discriminatory action
 - (4) The name of the person or persons alleged to have engaged in the discriminatory act or actions
- c. The Complaint shall be filed within twenty-one (21) days after the Complainant becomes aware of the alleged discrimination.

2. Resolution of Complaints

- a. Informal Resolution:

The Vice President or his/her designee shall determine whether the Complaint may be promptly resolved informally. (Examples: simple miscommunication or where an accused party admits wrongdoing and agrees to the appropriate corrective action). Informal resolution, shall, if indicated, be attempted as soon as possible and need not await a written response from the accused party unless deemed necessary by the Vice President (or designee). When a Complaint is informally resolved, a written summary of the resolution shall be provided to the NCMC President.
- b. Formal Resolution:
 - (1) Response: An accused party shall be promptly provided with a copy of the Complaint and shall file a written Response with the Vice President within five (5) days thereafter. The Vice President may waive the requirement for a written response if the matter has been informally resolved.
 - (2) Investigation & Hearing: When it appears that a Complaint cannot be informally resolved, the Dean or his/her designee (Investigative Hearing Officer) shall conduct an appropriate investigation of the issues raised in the Complaint. The Investigative Hearing Officer may convene a formal administrative hearing at which the Complainant and the accused may submit sworn testimony and evidence relevant to the filed Complaint. All parties shall be advised of and entitled to the assistance of counsel at all times during the process and strict rules of evidence shall not apply. The Investigative Hearing Officer may also, in or outside of the context of a hearing, call upon and interview persons the Officer believes may have knowledge bearing on the matters raised in the Complaint and may require any party, at any time during the process, to provide additional documentation, information or evidence that the Officer may deem appropriate. The investigation and formal hearing, if such a hearing is held, shall be commenced no later than ten (10) days after the accused has filed a Response and may be adjourned from time to time by agreement of the parties specifically waiving the time requirements of the grievance procedure as contained herein. Absent such a waiver, the investigation shall be completed and a written Determination made within twenty-one (21) days after the original submission of the Response to the Complaint.

3. Findings and Determination

Within twenty-one (21) days after the original submission of a Response to the Complaint, the Investigative Hearing Officer shall issue a Determination, which shall include written findings as to the validity of the Complaint and recommendations for resolution of the Complaint. If the findings include evidence of discrimination in the process, activity, policy, standard or method of administration, recommendations for changes shall be made and the efforts for such changes shall be coordinated with the department or unit of NCMC whose activity, policy, standard or method of administration is at issue. In the event that the Complainant was adversely affected by a decision found to be discriminatory, the Complainant shall be given the opportunity for the decision to be reconsidered in light of the revised process, policy, activity, standard or method of administration. If insufficient evidence of discrimination is found, written notice of that finding and its rationale shall be provided to the Complainant within the twenty-one (21)

day time period together with a Notice informing the Complainant of a right to appeal the Determination to the NCMC President within five (5) days of the receipt of the Notice. Anything herein to the contrary notwithstanding, a Complainant has the right to appeal any Determination made hereunder to the NCMC President.

4. Appeal

Either party may appeal the Investigative Hearing Officer's Determination by filing a Notice of Appeal with the NCMC President within five (5) days after receipt of the Determination. The Notice shall include a copy of the Determination and state the basis for the Appeal, providing any additional or supplemental information or evidence which may support the Appeal. A copy of the documents filed by the Appellant shall be provided the other party who may file a Rebuttal Statement within five (5) days of receipt of the Notice of Appeal.

The President shall review the record of the hearing officer's investigation and any further information or evidence submitted with the Appeal and may consider any other relevant information that may come to the President's attention. After appropriate consideration, the President may take any suitable action, including, but not limited to, affirming, modifying or reversing the Determination or requiring additional investigation.

The President shall provide a written decision on the Appeal to all parties and the pertinent department/unit of NCMC. There shall be no further levels of review or appeal beyond the President.

5. Deviation from the Process

Except by written agreement of the parties, waiving time lines and agreeing to different time lines, the President and only the President may approve a deviation from these procedures and then, only upon proof of extenuating circumstances.

Tobacco-Free Policy

North Central Michigan College is dedicated to maintaining a healthy work and learning environment for all students, employees and visitors.

Effective August 1, 2011, the College prohibits the use of tobacco products by employees, students and visitors on the Petoskey campus except inside individual automobiles. The prohibition applies to all buildings and facilities, and all outdoor locations owned or controlled by the College. For purposes of this policy, tobacco is defined as any tobacco product that is smoked, chewed or consumed in any other fashion. Also included in this policy are electronic, nicotine-containing devices commonly referred to as "e-cigarettes."

Children on Campus

Children under age 12 not enrolled in a College activity must be under the direct supervision of a responsible adult any time they are on College property. Students are not to bring children to class unless the child's attendance is required as part of the student's responsibilities in completing a course assignment or the student receives prior permission from the instructor. The College assumes no responsibility for the safety of children left unattended on its property.

Parking and Traffic Regulations

Parking is permitted only in designated parking areas. Vehicles parked in undesignated areas may be towed at owner's expense.

Handicapped Parking

Handicapped parking is designated with the official handicap symbol. There are 34 handicapped parking spaces on campus, found in prominent locations in every parking lot. Lot 4, west of the Main Classroom Building, is reserved for Handicapped and Administrative parking. Persons who violate the handicapped parking will be ticketed by the Petoskey City Police and will be assessed a minimum fine of \$25.00 plus court costs. The police department has requested that you contact them if you observe a violation of the handicapped parking at 347-2500 before 5 p.m. and 347-7474 after 5 p.m.

Security

North Central Michigan College is committed to providing a safe and secure environment to all students, employees and visitors while pursuing activities on campus, and also at College-sponsored instructional activities at off-campus sites. Telephones have been installed in all classrooms and each residence hall floor for emergency communication. We do not offer specific crime prevention programs open to all students, faculty and staff. Emergency training and exercises occur semestery, with specific staff responsible for coordinating security procedures.

Personal Safety Tips

Trust Your Instincts

If you feel something is wrong, or the situation seems dangerous, call Petoskey Public Safety (347-2500 or 911) or the police in your area.

Avoid Dangerous Situations

Use common sense and good judgment while on campus.

Dress Appropriately

Avoid clothes and jewelry that might attract unwanted attention.

Walk With Friends and Classmates

Avoid isolated areas on campus by asking classmates or friends to walk with you. If you find yourself walking alone and it seems dangerous, or feels wrong, call 911.

Protect Your Valuables

Do not leave items of value unattended, or inside College lockers. The College is not responsible for stolen items.

Secure Your Vehicle

Lock all doors and close all windows. Keep valuables out of sight.

Reporting Crimes:

Reports of criminal actions, or other emergencies occurring on campus should be reported immediately to 911 and the Vice President of Student Affairs, (Student Services) at 348-6618. All such calls/reports will be thoroughly investigated by the Vice President of Student Affairs or his/her designated representative together with the appropriate law enforcement officials as necessary. Violation of North Central Michigan College regulations, policies or conduct standards by students or employees will be administered in accordance with the appropriate disciplinary procedures. Violation of city/local ordinances and regulations by students, employees and others will be referred to the appropriate law enforcement authority for subsequent action. The Vice President of Student Affairs will maintain all records or reports of alleged offenses, associated investigations and related action taken. The College has procedures for voluntary, confidential reporting of sexual misconduct crimes, but does not encourage its professional counselors to inform students to voluntarily and confidentially report crimes for inclusion in the Annual Campus Security & Fire Safety Report. The Annual Campus Security & Fire Safety Report is prepared by the Vice President of Student Affairs with information from local law enforcement agencies and incident reports.

Reports of criminal actions or other emergencies occurring in connection with College sponsored instructional activities at its off-campus locations should be reported immediately to appropriate local police authorities by dialing 911. The College does not sponsor or recognize off-campus student organizations.

In the event that a situation arises, either on or off-campus, that, in the judgment of the President, constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The warning will be issued through multiple communication methods, including the college website, email and emergency notification system, as soon as pertinent information is available. "Emergency notification" will be issued, using the same methods as above, immediately upon confirmation that a dangerous situation or emergency exists.

Campus Security Committee:

The President has appointed a Campus Security Committee to review NCMC's security issues and recommend security policy adjustment to the President as necessary. The College has not found it necessary or cost effective to maintain a separate law enforcement division or campus security department at this time and relies upon the City of Petoskey Department of Public Safety and other local law enforcement agencies for law enforcement on the college campus and its off-campus locations. This partnership exists without an official MOU.

ANNUAL SECURITY REPORT & FIRE AND SAFETY REPORT

Crime Statistics

	Total Occurrences: 2012				Total Occurrences: 2013				Total Occurrences: 2014			
	On-Campus	Residence Hall	Non-campus property	Public Property	On-Campus	Residence Hall	Non-campus property	Public Property	On-Campus	Residence Hall	Non-campus property	Public Property
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
c. Sex offenses - forcible	0	0	0	0	0	0	0	0	--	--	--	--
d. Rape	--	--	--	--	--	--	--	--	0	0	0	0
e. Fondling	--	--	--	--	--	--	--	--	0	0	0	0
f. Sex offenses non-forcible	0	0	0	0	0	0	0	0	--	--	0	--
g. Incest	0	0	0	0	0	0	0	0	0	0	0	0
h. Statutory rape	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	--	--	--	--
Dating Violence	0	0	0	0	0	0	0	0	--	--	--	--
Stalking	0	0	0	0	0	0	0	0	--	--	--	--
i. Robbery	0	0	0	0	0	0	0	0	0	0	0	0
j. Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0
k. Burglary	0	0	0	0	0	0	0	0	0	0	0	0
l. Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0
m. Arson	0	0	0	0	0	0	0	0	0	0	0	0

Campus Arrests

a. Liquor law violations	2	1	0	0	0	0	0	1	4	4	1	0
b. Drug abuse violations	2	0	0	0	2	0	0	3	0	0	0	5
c. Weapons possession	0	0	1	0	0	0	1	0	0	0	0	0

In 2014, there were five (5) incidents for violation of alcohol/drug policy, one (1) for drug abuse violations and one (1) for weapons violation referred to the campus judicial system.

In 2014 there was one (1) dating violence incident reported as a VAWA (Violence Against Women Act) offense.

There were no reported hate crimes for 2012, 2013, or 2014.

Residence Hall Fire Statistics

	Total Occurrences: 2012				Total Occurrences: 2013				Total Occurrences: 2014			
	Number of Fires	Number of Deaths	Number of Injuries	Property Damage	Number of Fires	Number of Deaths	Number of Injuries	Property Damage	Number of Fires	Number of Deaths	Number of Injuries	Property Damage
Unintentional												
Cooking	0	0	0	0	0	0	0	0	0	0	0	0
Smoking Materials	0	0	0	0	0	0	0	0	0	0	0	0
Open Flames	0	0	0	0	0	0	0	0	0	0	0	0
Electrical	0	0	0	0	0	0	0	0	0	0	0	0
Heating Equipment	0	0	0	0	0	0	0	0	0	0	0	0
Hazardous Products	0	0	0	0	0	0	0	0	0	0	0	0
Machinery/Industrial	0	0	0	0	0	0	0	0	0	0	0	0
Natural	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Intentional	0	0	0	0	0	0	0	0	0	0	0	0
Undetermined Fire	0	0	0	0	0	0	0	0	0	0	0	0

Description of fire safety system for on-campus student housing facility:

North Central Michigan College has one campus housing facility which has an electronic monitoring system that notifies audibly and visually. It is monitored 24/7 via dedicated phone line by a certified monitoring company. The manufacturer of this system is Edwards and the model is EST3. The College has a wet fire suppression system in every room and all common areas.

Number of Fire Drills in 2014

There were 3 fire drills in 2014/15.

Policies/rules on portable electronic appliances, smoking, and open flames:

Electrical Equipment (from Residence Hall Handbook):

Electrical equipment such as space heaters, hot plates, coffee makers, electric burners, popcorn poppers, air conditioners, sun lamps and toasters cannot be used in the residence hall for electrical and safety reasons. Electrical cooking appliances may only be used in the kitchenettes. All lights and appliances must be UL approved for indoor use. You may also direct any questions you have about whether an appliance is appropriate to the Director of Campus Housing.

The electrical system is not designed to carry heavy loads of electrical equipment. Voltages can fluctuate, so residents with stereos and personal computers should invest in surge protectors. The College will not accept liability for damage of electrical equipment.

Smoking (from Residence Hall Handbook):

All areas of the campus are tobacco-free. Smoking is permitted only in personal vehicles.

Open Flames (from Residence Hall Handbook):

Any source of open flames is not permitted in the residence hall except for a personal lighter.

Firearms, paintball guns or any type of air gun, bow and arrows, ammunition, fireworks, gasoline and other combustible or explosive items are not permitted in the residence hall.

Procedures for Student Housing Evacuation

At the sound of the fire alarm, close your windows, vacate the room, shut the door behind you, and exit the building immediately. Move quietly and orderly out the nearest exit and away from the building at least 50 feet beyond the outside door. The building should not be re-occupied until an authorized all-clear signal is given. Meeting location for all residents is outside of the cafeteria main entrance.

Residence Hall staff, if on the assigned floor, will check their floor first and then proceed to check an upstairs floor for an all clear until all floors have been confirmed vacated. Basement levels will be checked after all floors have been checked. Residence hall front desk staff will clear the lobby and take the visitor log as well as the emergency contact log from the desk.

Policy for Fire Safety Education

Training is conducted each semester during all hall meetings on the evening of the first day of classes.

Staff Training:

Residence hall staff will be trained in the facility and their floor each fall semester. Additional training will take place with Petoskey Public Safety each fall semester.

Fire Fighting Equipment, Drills, and Safety (from Residence Hall Handbook)

Fire alarms, extinguishers and smoke detectors are placed in the residence hall for your protection against fires. It is against the law (Michigan Comp. Laws, Section 16607) to use them for any other purpose. If it is determined that tampering has occurred, disciplinary action will be taken which may include, but may not be limited to, fines. Inspections will be made on a regular basis. Residents discharging fire extinguishers needlessly, turning on false fire alarms, or tampering with smoke detectors and/or fire alarms will face serious disciplinary action by the College as well as possible action by state and federal officials. Violations of this nature could result in termination of campus residence (and/or expulsion from North Central Michigan College.)

When a fire extinguisher has been used, please report it immediately to the RAs, Director of Campus Housing or custodians.

Fire Drill Evacuations: Periodic fire drills are performed in the Residence Hall. At the sound of the fire alarm, close your windows, vacate the room, shut the door behind you, and exit the building immediately. Move quietly and orderly out the nearest exit and away from the building at least 50 feet beyond the outside door. The building should not be re-occupied until an authorized all-clear signal is given. You can then re-enter the building. This process is easiest if everyone moves quietly and orderly back through the same door from which they left the building. For your own safety and that of everyone else in the building, you are required to comply with all fire drills. Anyone not evacuating a building will face disciplinary action.

Treat every alarm as a real emergency. Stay calm, but act fast. If you are in your room, test the door:

IF THE DOOR IS COOL: open it cautiously. Be ready to shut the door if smoke, heat or flames are apparent. If the hallway is clear, close the door behind you and exit by the nearest stairway. Get away from the building and stay away.

IF THE DOOR IS HOT: don't open it, fill the crack at the bottom of the door with wet towels or a rug. Call the fire department to report that you are trapped: give your floor and room number. Go to the window to attract the attention of the fire department. Stay calm: the first duty of the firefighters is to search for persons trapped in the burning building.

IF YOU ARE CAUGHT IN SMOKE: Get down and crawl quickly to the nearest exit. A wet cloth held over your nose and mouth will help filter out smoke, heat and gasses.

Your assistance is required to keep the building fire-safe. Tour your floor and the hall to know the location of all floor exits, alarm boxes and extinguishers. There is fire-fighting equipment on each floor. Keep corridors clear, do not prop open the special fire protective doors located at the entrance of each corridor. Limit room decorations to nonflammable materials. If you discover a fire pull the nearest fire alarm and exit the building.

A fire should be reported to:

- #1 911
- #2 Director of Campus Housing

Sexual Offender Information

Sexual offender information may be obtained by contacting the Petoskey Public Safety Department at (231) 347-2500. You may also access the State Police website for this information at <http://www.mipsor.state.mi.us>.

Sexual Misconduct Policy and Procedures

Sexual assault, domestic violence, dating violence and stalking are prohibited by North Central Michigan College. The College is committed to preventing incidents thereof through educational programming, prompt and fair investigations of allegations and compliance with applicable laws. This policy applies to students, employees and visitors, regardless of race, color, national origin, religion, sex, sexual orientation, gender identity, age, height, weight, marital status or familial status or disability as protected by relevant law. It applies to incidents occurring on the main campus as well as at off-campus locations, such as college-sponsored field-trips, off-campus classes and college-sponsored events.

Reporting and Confidentially Disclosing Sexual Violence: Know the Options

The College encourages victims of sexual violence to talk to somebody about what happened-so victims can get the support they need, and so the College can respond appropriately. This policy is intended to make students aware of the various reporting and confidential disclosure options available to them – so they can make informed choices about where to turn should they become a victim of sexual violence. The College encourages victims to talk to someone identified in one or more of these groups.

1. Professional counselors, and advocates may talk to a victim in confidence, and generally only report to the College that an incident occurred without revealing any personally identifying information. Disclosures to these employees will not trigger a College investigation into an incident against the victim's wishes. Available options:
 - *On-campus Women's Resource Center of Northern MI staff available in Learning Support Services, 231-348-6699*
 - *College counselor, 231-348-6605*
 - *Learning Support Services Director, 231-348-6817*

A victim who speaks to a professional counselor or advocate must understand that, if the victim wants to maintain confidentiality, the College will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator.

Even so, these individuals will still assist the victim in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules. A victim who at first requests confidentiality may later decide to file a complaint with the school or report the incident to local law enforcement, and thus have the incident fully investigated.

2. Some employees are required to report all the details of an incident (including the identities of both the victim and the alleged perpetrator) to the Title IX Coordinator. A report to these employees (called "responsible employees") constitutes a report to the College-and generally obligates the College to investigate and take appropriate steps to address the situation. The following employees are considered responsible employees for this purpose:
 - *Vice President of Student Affairs*
 - *Vice President of Academic Affairs & Student Success*
 - *Vice President of Finance and Facilities*
 - *Associate Dean of Liberal Arts*
 - *Associate Dean of Business, Manufacturing and Technology Programs*
 - *Associate Dean of Nursing, Allied Health and Science*
 - *Faculty*
 - *Director of Campus Housing*
 - *Resident Assistants*

Please note, if the College determines that the alleged perpetrator(s) poses a serious and immediate threat to the College community, Campus Security Authorities or the President may be called upon to issue a timely warning to the college community. Any such warning would not include any information that identifies the victim.

A "responsible employee" is a College employee who has the authority to redress sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty.

When a victim tells a responsible employee about an incident of sexual violence, the victim has the right to expect the College to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A responsible employee must report to the Title IX Coordinator all relevant details about the alleged sexual violence shared by the victim – including the names of the victim and alleged perpetrator(s), any witnesses, if available and any other relevant facts, including the date, time and specific location of the alleged incident. To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the College’s response to the report. Because the College works closely with local law enforcement to provide a safe campus, it is likely that this report will be shared with local law enforcement. This does not constitute an official police report, unless the victim wishes to file one.

Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee’s reporting obligations – and, if the victim wants to maintain confidentiality, direct the victim to confidential resources.

If the victim wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that the College will consider the request, but cannot guarantee that the College will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Coordinator of the victim’s request for confidentiality.

Responsible employees will not pressure a victim to request confidentiality, but will honor and support the victim’s wishes, including for the College to fully investigate an incident. By the same token, responsible employees will not pressure a victim to make a full report if the victim is not ready to.

3. All other employees of the College are expected to file an Incident Report Form with as much information about the alleged incident as possible. An incident report form will trigger an investigation to the fullest extent possible by the Title IX Coordinator. If the student requests confidentiality, the employee should explain confidential reporting options. The employee cannot guarantee confidentiality, as this will be determined by the Title IX Coordinator.

Requesting Confidentiality from the College: How the College Will Weigh the Request and Respond

If a victim discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the College must weigh that request against the College’s obligation to provide a safe, non-discriminatory environment for all students, including the victim. If the College honors the request for confidentiality, a victim must understand that the College’s ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited. There are times when the College may not be able to honor a victim’s request in order to provide a safe, non-discriminatory environment for all students.

The College has designated the following individual to evaluate requests for confidentiality once a responsible employee is on notice of alleged sexual violence:

- Vice President of Student Affairs/ Title IX Coordinator

When weighing a victim’s request for confidentiality or that no investigation or discipline be pursued, the Vice President of Student Affairs (with the Behavior Intervention Team, if appropriate) will consider a range of factors, including the following:

The increased risk that the alleged perpetrator will commit additional acts of sexual or other violence, such as:

- Whether there have been other sexual violence complaints about the same alleged perpetrator;
- Whether the alleged perpetrator has a history of arrests or records indicating a history of violence;
- Whether the alleged perpetrator threatened further sexual violence or other violence against the victim or others;
- Whether the sexual violence was perpetrated with a weapon;
- Whether the victim is a minor
- Whether the College possesses other means to obtain relevant evidence of the sexual violence (e.g. security cameras, physical evidence)

The presence of one or more of these factors could lead the College to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the College may respect the victim’s request for confidentiality.

If the College determines that it cannot maintain a victim’s confidentiality, the College will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the College’s response.

The College will remain ever mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or College employees, will not be tolerated. The College will also:

- Assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off-campus
- Provide other security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests; and
- Inform the victim of the right to report a crime to local law enforcement – and provide the victim with assistance if the victim wishes to do so.

The College may not require a victim to participate in any investigation or disciplinary proceeding.

Because the College is under a continuing obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) will also prompt the College to consider broader remedial action – such as increased monitoring, increased security cameras at locations where the reported sexual violence occurred; increasing education and prevention efforts; conducting climate assessments/ victimization surveys; and/ or revisiting its policies/ practices.

Definitions:

Sexual assault – any form of unwanted sexual contact obtained without consent and/or obtained through the use of force, threat of force, intimidation or coercion.

Domestic violence – a felony or misdemeanor crime of violence committed by - a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies (under VAWA), or any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Dating violence – 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: length of the relationship; type of the relationship; and the frequency of interaction between the persons involved in the relationship.

Stalking – engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

Consent – sexual activity requires consent, which is defined as voluntary, positive agreement between the participants to engage in specific sexual activity. Consent must be clear and unambiguous for each participant at every stage of a sexual encounter. The absence of “no” should not be understood to mean that there is consent. A person who is asleep or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, is not capable of giving valid consent. The use of alcohol or drugs may seriously interfere with the participants' judgment about whether consent has been sought and given. Consent must meet all of the following standards:

- *Active, not passive.* Silence, in and of itself, cannot be interpreted as consent. There is no requirement that an individual resist a sexual act or advance, but resistance is a clear demonstration of not consenting.
- *Given freely.* A person cannot give consent under force, threats, or unreasonable pressure (coercion). Coercion includes continued pressure after an individual has made it clear that s/he does not want to engage in the behavior.
- *Provided knowingly.* Legally valid consent to sexual activity cannot be given by:
 - A person under the legal age to consent (16 years old in Michigan), or
 - An individual who is known to be (or based on the circumstances should reasonably be known to be) mentally or physically incapacitated. An incapacitated person is someone who cannot make rational, reasonable decisions because s/he lacks the capacity to understand the “who, what, when, where, why and how” of a sexual interaction. This includes a person whose incapacity results from mental disability, sleep, involuntary physical restraint, unconsciousness, use of alcohol or other drugs.
- *Specific.* Permission to engage in one form of sexual activity does not imply permission for another activity. In addition, previous relationships or prior consent do not imply consent to future sexual acts. It is the responsibility of the initiator of the act to receive permission for the specific act. As a result, consent may be requested and given several times by multiple parties during a sexual encounter involving multiple acts.

Education and Prevention

North Central promotes the awareness of sexual assault, domestic violence, dating violence and stalking through educational programming for new students and employees throughout the year in collaboration with the Women's Resource Center of Northern Michigan. Materials are located in the on-campus Women's Resource Center of Northern Michigan office (SCRC #535G), the Student Services Office and the Residence Hall. Educational programs are also regularly conducted for staff and students.

Risk Reduction and Prevention Safety (from <https://www.safehelpline.org/>)

Common sense, situational awareness and trusting your instincts will reduce the risk of sexual assault. The tips below may help decrease the potential chance of sexual assault:

- If you consume alcohol, do so in moderation.
- Do not leave your beverage unattended or accept a drink from an open container.
- When you are with someone, communicate clearly to ensure he or she knows your limits and/or expectations from the beginning. Both verbal and nonverbal (body language) communication can be used to ensure the message is understood.
- If you go on a date with someone you do not know very well, tell a close friend what your plans are.
- You have the right to say "No" even if you:
 - First say "Yes," and then change your mind
 - Have had sex with this partner before
 - Have been kissing or "making out"
 - Are wearing what is perceived to be "provocative" clothing
- Always have extra money to get home. Have a plan for someone you can call if you need help.
- If you feel uncomfortable, scared or pressured, say "Stop it" or leave and call for help.
- When you go to a party, go with a group of friends. Arrive together, watch out for each other and leave together.
- Be aware of your surroundings at all times.
- Do not allow yourself to be isolated with a person you do not know or trust.
- Travel with a friend or in a group.
- Walk only in lighted areas after dark.
- Keep the doors to homes, residence hall rooms and cars locked.
- Know where the phone is located.

Helping Reduce the Risk of Sexual Assault (from <https://www.safehelpline.org/>)

We have some tips on how to look out for others and keep them safe. There are also many steps you can take to reduce the risk of sexual assault.

Active Bystander Intervention

One of the most effective methods of preventing sexual assault is bystander intervention.

¹What is Active Bystander Intervention?

- This approach encourages people to identify situations that might lead to a sexual assault and then safely intervene to prevent an assault from occurring.
- Active Bystander Intervention discourages victim blaming by switching the focus of prevention to what a community of people can do collectively.
- The approach also allows for a change in cultural expectations by empowering everyone to say or do something when they see inappropriate or harmful behavior.
- This method of intervention places the responsibility of sexual assault prevention on both men and women.

How to Intervene

There are three components to Active Bystander Intervention:

- Recognizing when to intervene.
- Considering whether the situation needs attention.
- Deciding if there is a responsibility to act

¹ Information on Bystander Intervention was provided by the Department of Defense Sexual Assault Prevention and Response Office from: www.sapr.mil

Help Someone You Know

There are a variety of ways to intervene, some of them are direct, and some of them are less obvious to the perpetrator:

- Making up an excuse to get him/her out of a potentially dangerous situation
- Letting a friend or co-worker know that his or her actions may lead to serious consequences
- Never leaving his/her side, despite the efforts of someone to get him/her alone or away from you
- Using a group of friends to remind someone behaving inappropriately that his or her behavior should be respectful
- Taking steps to curb someone's use of alcohol before problems occur
- Calling the authorities when the situation warrants

Understanding How to Safely Implement the Choice

Safety is paramount in active bystander intervention. Usually, intervening in a group is safer than intervening individually. Also, choosing a method of intervention that de-escalates the situation is safer than attempting a confrontation. However, there is no single rule that can account for every situation.

Sexual assault is a very traumatic and invasive crime and many victims may be too embarrassed or ashamed to report the offense to police. Fear of investigative, medical, and prosecutorial procedures add to a victim's reluctance to make a report. A victim's distress (trauma) may also create an unwillingness or inability to assist in the investigation. It is important that victims understand that federal law mandates that the North Central Michigan College Title IX Coordinator be notified of any incidents of sexual violence or harassment. A student who has filed a report with North Central will be given the option but not be obligated to file a police report. The college will cooperate with the victim and law enforcement in enforcing restraining orders, or similar lawful orders issued by a criminal, civil or tribal court, as they relate to sexual assault crimes.

Sanctions

Sanctions for rape or other sex offenses (forcible or nonforcible) occurring on campus or at a College-sponsored activity may include warning, probation, termination, no-contact orders, removal from a course/College, suspension, interim suspension and expulsion.. Sanctions will follow on-campus disciplinary procedures as outlined in the Procedure for Student Code of Conduct Violations.

Procedures

In the event of a sex offense occurring on campus, we encourage students to contact the Women's Resource Center of Northern Michigan, which offers counseling, and advocacy services with the police, and hospital. An advocate can be immediately dispatched to assist any victim. These services can be accessed by calling the 24 hour crisis line at 347-0082. The Petoskey Department of Public Safety (911) should be contacted immediately. Medical assistance is available at McLaren-Northern Michigan Emergency Room (416 Connable Ave., Petoskey; 348-4520). Victims are reminded of the importance of preserving evidence which may be necessary for the proof of sexual assault. Any offense should be reported to the Vice President of Student Affairs (348-6618) as soon as possible.

Disciplinary Actions

Disciplinary action in case of alleged sexual assault will provide that:

1. The accuser and the accused are entitled to the same opportunities to have others present during a complete disciplinary proceeding; and
2. Both the accuser and accused shall be informed of the outcome of any campus disciplinary hearing regarding an alleged sexual assault in writing at the same time.

Community Services/ Counseling

Counseling is available on and off-campus to victims of sexual assault. Counselors on campus are located in Student Services, Student and Community Resource Center (348-6605). Off-campus resources include:

Women's Resource Center of Northern Michigan	347-0067
24-hour Crisis and Intervention (WRCNM)	347-0082 or 1-800-275-1995
McLaren Northern Michigan	348-4000

Women's Resource Center of Northern Michigan

The licensed, Master's level therapists at the Women's Resource Center of Northern Michigan (WRCNM) have specialized training and experience in providing services to current and past survivors of crimes such as domestic/dating abuse, sexual assault, child abuse and child sexual assault. These counseling services are provided at no cost to all survivors. Non-victim related counseling is also available for issues such as depression, parenting challenges, grief/loss and life transitions on a fee-based, sliding scale; no one is turned away if unable to pay. Call the WRCNM administrative/counseling office for more information or appointments, at (231) 347-0067 or the 24 hour crisis line at 347-0082.

1. **Disciplinary and Grievance Procedures: Reporting the Crime**

An incident of sexual assault, domestic violence, dating violence or stalking should be reported by speaking to a North Central employee, as described on pages 15-16. An incident report will be filed by the employee, triggering an investigation.

2. Investigation

The Vice President (Investigative Hearing Officer) or designee shall conduct a prompt, fair and impartial investigation and resolution. The Investigative Hearing Officer receives annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of the victims and promotes accountability. The Investigative Hearing Officer may convene a formal administrative hearing at which the Complainant and the accused may submit sworn testimony and evidence relevant to the case. All parties shall be advised of and entitled to the assistance of legal counsel at all times during the process and strict rules of evidence shall not apply. The preponderance of evidence standard shall apply in making these decisions. Counsel's role is limited to an advisory capacity with no right of cross-examination. The parties will have an equal opportunity to present witnesses and other evidence at the administrative hearing. It is up to the discretion of the hearing officer whether the parties are present at the same time. The Investigative Hearing Officer may also, in or outside the context of the hearing, call upon and interview persons the Officer believes may have knowledge bearing on the situation and may require any party, at any time during the process, to provide additional documentation, information or evidence that the Officer may deem appropriate. The investigation and formal hearing, if one is held, shall be commenced no later than ten (10) days after the victim has filed a report. The first step in the investigation/ formal hearing will be to notify the accused in writing of the allegation, when possible and impose a no-contact order with the accuser for the duration of the investigation. The investigation shall be completed and a written response provided to both parties within twenty-one (21) days after the report has been filed.

3. Findings and Determination

Within twenty-one (21) days after the original submission of an incident report, the Investigative Officer shall issue a Determination, which shall include written findings as to the validity of the report and any possible sanctions against the accused. Sanctions for perpetrators of sexual violence may include warning, probation, termination, no-contact orders, removal, suspension, interim suspension and expulsion. Sexual assault, domestic violence, dating violence and stalking will not be tolerated at North Central.

In any on-campus disciplinary proceeding, both the accused and the accuser may have others present during the hearing. The Vice President of Student Affairs must be notified of any guests intending to attend the hearing in advance. Failure to notify the Vice President in advance may result in the guest(s) not being able to participate. The hearing officer may also invite other relevant college officials or legal counsel to the hearing. Both parties will be informed of the outcome of the proceedings in writing at the same time, including any change to the results that occurs prior to the time that such results become final.

The College will make every effort to take immediate steps to end the sexual misconduct, prevent its recurrence, and address its effects. In addition, the College will take steps to protect the victim. Any reported incident of sexual assault, domestic violence, dating violence or stalking shall be held in the highest level of confidentiality allowed under the law, including the identity of the victim(s). Assistance is available to victims of sexual assault in changing academic or residence hall living situations after an alleged sexual assault incident if requested by the victim and if these changes are reasonably available. Employee victims shall be assisted by Human Resources regarding their work situations.

Each person reporting a sexual assault, domestic violence, dating violence or stalking incident shall receive a Crime Victim's Rights Card. The card gives important information for victims of these assaults including: an explanation of their legal rights, available emergency medical services, victim's compensation, prosecutor's contact information, information regarding an explanation of Title IX, information regarding domestic violence shelters, counseling and obtaining personal protection orders.

4. Appeal

Either party may appeal the Investigative Hearing Officer's Determination by filing a Notice of Appeal with the Vice President of Finance and Facilities within five (5) days after receipt of the determination. The Notice shall include a copy of the Determination and state the basis for the Appeal, providing any supplemental information or evidence which may support the Appeal. The Vice President of Finance and Facilities shall review the record of the hearing officer's investigation and any further information that may come to his/ her attention. After

appropriate consideration, the Vice President of Finance and Facilities may take any suitable action, including, but not limited to, affirming, modifying or reversing the Determination or requiring additional investigation. The Vice President shall provide a written decision on the Appeal to all parties. There shall be no further levels of review or appeal beyond this.

Retaliation

Title IX prohibits retaliation against victims. North Central will take steps to prevent retaliation and will respond to any retaliatory acts with due diligence and discipline.

Title IX Compliance

As the College is concerned about discrimination based on gender or sex, the Title IX Coordinators oversee the College's investigation and response to these kinds of situations. Students who wish to report a concern or complaint relating to discrimination or harassment may do so by reporting the concern online through the Student and Community Portal (Student Complaint Form) or by phone to:

Students:

Renee DeYoung, Vice President of Student Affairs, Title IX Coordinator
North Central Michigan College
1515 Howard Street
Petoskey, MI 49770
231-348-6618

Employees:

David Hartnett
Vice President of Finance and Facilities
North Central Michigan College
1515 Howard Street
Petoskey, MI 49770
231-348-6603

Students with complaints of this nature also have the right to file a formal complaint with the United States Department of Education:

Office of Civil Rights (OCR)
400 Maryland Ave, SW
Washington, DC 20202-1100
Customer Service Hotline: 800-421-3481 TDD: 877-521-2172
Fax: 202-453-60123
Email: OCR@ed.gov
Web: www.ed.gov/ocr

Sexual assault, domestic violence, dating violence and stalking are prohibited at North Central Michigan College. The College is committed to preventing incidents thereof through educational programming, prompt and fair investigations of allegations and compliance with applicable laws. This policy applies to students, employees and visitors, regardless of race, color, national origin, religion, sex, sexual orientation, gender identity, age, height, weight, marital status or familial status or disability as protected by relevant law. It applies to incidents occurring on the main campus as well as at off-campus locations, such as college-sponsored field-trips, off-campus classes and college-sponsored events.

Missing Student Notification Policy

North Central Michigan College Campus Housing shall respond to a missing student/resident report when a student who resides in on-campus housing has been missing for twenty-four hours in accordance with the following procedural protocol.

Procedural Protocol for Report of Missing Student/Resident:

A missing student report shall be made to a Resident Assistant (RA), the residence hall front desk (231-348-6713) or the Director of Campus Housing (231-439-6443). Whichever party receives the first report shall immediately notify the Director of Campus Housing, who in turn shall inform the Vice President of Student Affairs and keep him/her informed of developments as they may occur.

Campus Housing staff shall, upon receipt of an initial report, immediately attempt to determine its credibility.

Staff shall first proceed to the student/resident's room and knock.

1. If the resident answers the door, he/she is no longer considered missing.
2. If the roommate answers the door, staff shall determine if the roommate has seen or heard from the resident within the preceding 24 hours. If so, the student is no longer considered missing.
3. If the roommate has not seen or heard from the student within the preceding 24 hours, go to step 6 below.
4. If no one answers the door, staff personnel shall say "Campus Housing" twice while continuing to knock on the door.
5. If no one answers the door, staff shall use a master key to unlock the door. Staff shall open the door and say, "Campus Housing, I am keying in."
6. The door shall be propped open.
7. Staff shall inspect the room to determine if the resident is present, either asleep or unconscious.
8. If the student is in the room, he/she is no longer considered missing, but if the student is unconscious, staff shall immediately call 911 and the Director of Campus Housing.
9. After the above steps are taken and the Director of Campus Housing is notified of the situation, the Director shall retrieve the resident's Emergency Contact Information, if applicable, and in any event proceed with the following until the student is located:
 - a. Call the resident's cell phone number if available.
 - b. E-mail and Facebook the resident, seeking confirmation of his/her health and safety.
 - c. Contact the resident's professors to see if the resident has been in class recently.
 - d. Check to determine when the resident last used his/her access card.
 - e. Call the Emergency Contact Person, if one has been named, to determine if such person knows the whereabouts of the resident.
 - f. Call the Petoskey Department of Public Safety (231-347-2500) and local 911 to report a possible missing student.
10. After the Petoskey Department of Public Safety has investigated and determined that the resident is indeed missing, the Vice President of Student Affairs (or designee) shall call the resident's designated Emergency Contact Person to give notification of the results of the initial police investigation. For residents less than 18 years of age and not emancipated, parents/guardians shall be given similar notification.
11. NCMC staff shall continue to cooperate and collaborate with law enforcement in continuing efforts to locate the missing student.

Campus housing residents may register a confidential emergency contact to be notified if it is determined that a student is missing. Emergency contact information will only be available to campus housing staff, NCMC administrative council members and law enforcement authorities in furtherance of a missing person investigation. It is highly recommended that residents take advantage of this program. Even if a student has not registered a confidential emergency contact, local law

Sexual Harassment Policy

It is the policy of North Central Michigan College to maintain a place of employment and education that is free of harassment in general and especially harassment that is sexual in nature.

Definition: Sexual harassment, as summarized from the E.E.O.C. guidelines, includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications of a sexual nature when:

1. Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of an individual's employment or grade; or
2. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

The purpose of this policy is to communicate to all employees and students what constitutes sexual harassment in accordance with E.E.O.C. guidelines, to reassure employees and students that sexual harassment will not be tolerated, and to provide a procedure to investigate and resolve sexual harassment complaints.

This policy applies to all employees and students and will be administered by the Vice President of Finance and Facilities.

Procedure:

1. Report

A person should report an incident of sexual harassment, including, but not limited to, sexual assault, domestic assault, dating violence and stalking by speaking to a North Central employee.

2. Investigation

The Vice President of Finance and Facilities or designated representative will conduct a full, fair, and impartial investigation of the allegation.

3. Findings and Determination

Within twenty-one (21) days after the original submission of a Response to the Complaint, the Investigative Hearing Officer shall issue a Determination, which shall include written findings as to the validity of the Complaint and recommendations for resolution of the Complaint. If the findings include evidence of discrimination in the process, activity, policy, standard or method of administration, recommendations for changes shall be made and the efforts for such changes shall be coordinated with the department or unit of NCMC whose activity, policy, standard or method of administration is at issue. In the event that the Complainant was adversely affected by a decision found to be discriminatory, the Complainant shall be given the opportunity for the decision to be reconsidered in light of the revised process, policy, activity, standard or method of administration. If insufficient evidence of discrimination is found, written notice of that finding and its rationale shall be provided to the Complainant within the twenty-one (21) day time period together with a Notice informing the Complainant of a right to appeal the Determination to the NCMC President within five (5) days of the receipt of the Notice. Anything herein to the contrary notwithstanding, a Complainant has the right to appeal any Determination made hereunder to the NCMC President.

4. Appeal

Either party may appeal the Investigative Hearing Officer's Determination by filing a Notice of Appeal with the NCMC President within five (5) days after receipt of the Determination. The Notice shall include a copy of the Determination and state the basis for the Appeal, providing any additional or supplemental information or evidence which may support the Appeal. A copy of the documents filed by the Appellant shall be provided the other party who may file a Rebuttal Statement within five (5) days of receipt of the Notice of Appeal.

The President shall review the record of the hearing officer's investigation and any further information or evidence submitted with the Appeal and may consider any other relevant information that may come to the President's attention. After appropriate consideration, the President may take any suitable action, including, but not limited to, affirming, modifying or reversing the Determination or requiring additional investigation.

The President shall provide a written decision on the Appeal to all parties and the pertinent department/unit of NCMC. There shall be no further levels of review or appeal beyond the President.

Retaliation

Title IX prohibits retaliation against victims. North Central will take steps to prevent retaliation and will respond to any retaliatory acts with due diligence and discipline.

Personnel will be protected against reprisals for exercising the right to invoke this policy and also from false and/or unsubstantiated accusations.

Social Security Privacy Policy

North Central Michigan College will take appropriate action to protect the privacy of individuals, students and employees in its records and operations.

Procedure:

Except as permitted by law, the College will not:

1. ²Publicly display all or more than 4 sequential digits of a person's social security number.
2. Visibly print all or more than 4 sequential digits of a social security number on any identification badge or card, membership card, permit or license.

² "Publicly display" means to exhibit, hold up, post, or make visible or set out for open view, including, but not limited to, open view on a computer device, computer network, website, or other electronic medium or device, to members of the public or in a public manner.

3. Transmit all or more than 4 sequential digits of a social security number over the internet or computer system unless the connection is secure or transmission is encrypted.
4. Use or transmit all or more than 4 sequential digits of a social security number to gain access to an internet website or computer system unless the connection is secured and encrypted.

The College expects each student, employee, and any other person who may use the facilities or resources of the College to protect the privacy of its students and employees, and to bring to the attention of an appropriate responsible person any privacy violation they may observe. In addition:

1. Each person who uses or has access to any North Central Michigan College record which contains any person's Social Security number, or who has access to the Social Security number of any student or employee, will keep this information confidential.
2. Disclosure of such information will be only to those with a specific need to know for a legitimate College purpose, or in response to a legitimate and lawful request.
3. The College will permit access to such information only to those with a need to know, and will review access and permission for access not less than once yearly.
4. All documents or other records which contain such information shall be kept in a secure environment accessible only to those who have been specifically authorized to have access, and will be disposed of only by shredding or other appropriate means which renders a Social Security number illegible and as difficult as possible to reconstruct.
5. Violations of this policy and procedure may be cause for discipline up to and including dismissal or termination, and may give rise to further legal proceedings.