

# Chief Dull Knife College Compliance and Security Report Fall 2019

Chief Dull Knife College has a policy of nondiscrimination in employment practices and in admission, access to, and conduct of educational programs. Discrimination is prohibited on the basis of race, sex, color, national origin, religion, age handicap, and marital or parental status.

## Welcome

Chief Dull Knife College is committed to providing you with a quality educational experience. The faculty, staff and administration are partners with students in this effort. There are many services, resources and information available to assist you. The following pages provide Chief Dull Knife College's annual compliance and security reports. This information is distributed to registered students and employees annually in compliance with several federal and state laws including the Drug-Free Schools and Community Act, the Student Right to Know, the Campus Security Act, Title IX, the Drug-Free Workplace Act and the Family Educational Rights and Privacy Act, and is available to prospective students upon request. It will also be made available in alternate format upon request. All students and staff are encouraged to familiarize themselves with these compliance reports.

We sincerely want you to have a positive learning experience at the College. If you have any questions about this document or other issues related to the College, please feel free to contact Zane Spang, Dean of Student Affairs, Room 116, or call (406)477-6215, Ext 118.

## Introduction

In accordance with the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act", Chief Dull Knife College provides the policies and procedures that Chief Dull Knife College has implemented for the safety and security of the campus community. This disclosure is a combined annual campus crime awareness/security report the past three years. The full text of this report can be located on our website at [www.cdkc.edu](http://www.cdkc.edu).

The following report for the 2018-2019 academic year, contains both general and specific information related to attending Chief Dull Knife College as well as drug/alcohol policies, campus crime and Violence Against Women (VAWA) statistics

for the previous three years concerning reported crimes that occurred on-campus, property owned and controlled by Chief Dull Knife College, and on public property within, or immediately adjacent to and accessible from the campus. Additionally, the report contains institutional policies concerning alcohol and drug policies and sexual misconduct.

This annual disclosure of campus crime statistics is made possible through a partnership between the administration of Chief Dull Knife College with data provided by the Northern Cheyenne Tribal Police Department. There is no policy for a voluntary confidential reporting system for annual crime statistics and all reports are investigated by the law enforcement agency. Following is a list of titles of each person or organization reports should be made to for the purpose of making timely warnings and the annual statistical disclosure:

- President, Chief Dull Knife College
- Vice-President, Chief Dull Knife College
- Dean of Student Affairs, Chief Dull Knife College
- Chief of Police, Northern Cheyenne Tribe

All Clery Act geography is located on the campus of Chief Dull Knife College as outlined below.



The annual Campus Safety and Security Report is available at all times to all current and prospective students and employees on the college website. Printed copies of the report are available on campus in the Dr. John Woodenlegs Library, President's Office, Dean of Student Affairs Office, Dean of Academic Affairs Office, Human Resources Office and at the Reception Desk.

### Criminal Offenses - On campus

For each of the following criminal offenses, enter the number reported to have occurred <u>On Campus</u> .			
Criminal offense	Total occurrences On campus		
	2016	2017	2018
a. <u>Murder/Non-negligent manslaughter</u>	0	0	0
b. <u>Manslaughter by Negligence</u>	0	0	0
c. <u>Rape</u>	0	0	0
d. <u>Fondling</u>	0	0	0
e. <u>Incest</u>	0	0	0
f. <u>Statutory rape</u>	0	0	0
g. <u>Robbery</u>	0	0	0
h. <u>Aggravated assault</u>	0	0	0
i. <u>Burglary</u>	1	1	1
j. <u>Motor vehicle theft</u> (Do not include theft from a motor vehicle)	0	0	0
k. <u>Arson</u>	0	0	0

Criminal offense	2017 Total	Occurrences of Hate crimes							
		Category of Bias for crimes reported in 2017							
		Race	Religion	Sexual orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. <u>Murder/ Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0
c. <u>Rape</u>	0	0	0	0	0	0	0	0	0
d. <u>Fondling</u>	0	0	0	0	0	0	0	0	0
e. <u>Incest</u>	0	0	0	0	0	0	0	0	0
f. <u>Statutory rape</u>	0	0	0	0	0	0	0	0	0
g. <u>Robbery</u>	0	0	0	0	0	0	0	0	0
h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u> (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/vandalism of property</u>	0	0	0	0	0	0	0	0	0

### Criminal Offenses - Public Property

For each of the following criminal offenses, enter the number reported to have occurred on <u>Public Property</u> .			
Criminal offense	Total occurrences on Public Property		
	2016	2017	2018
a. <u>Murder/Non-negligent manslaughter</u>	0	0	0
b. <u>Manslaughter by Negligence</u>	0	0	0
c. <u>Rape</u>	0	0	0
d. <u>Fondling</u>	0	0	0
e. <u>Incest</u>	0	0	0
f. <u>Statutory rape</u>	0	0	0
g. <u>Robbery</u>	0	0	0
h. <u>Aggravated assault</u>	0	0	0
i. <u>Burglary</u>	0	0	0
j. <u>Motor vehicle theft</u> (Do not include theft from a motor vehicle)	0	0	0
k. <u>Arson</u>	0	0	0





h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u>	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/vandalism of property</u>	0	0	0	0	0	0	0	0	0

### VAWA Offenses - On Campus

For each of the following crimes, enter the number reported to have occurred <u>On Campus</u> .			
Crime	Total occurrences On Campus		
	2016	2017	2018
a. <u>Domestic violence</u>	1	0	0
b. <u>Dating violence</u>	0	0	0
c. <u>Stalking</u>	1	1	0

### VAWA Offenses - Noncampus

For each of the following crimes, enter the number reported to have occurred in or on <u>Noncampus buildings or property</u> .			
Crime	Total occurrences in or on Noncampus buildings or property		
	2016	2017	2018
a. <u>Domestic violence</u>			0
b. <u>Dating violence</u>			0
c. <u>Stalking</u>			0

### VAWA Offenses - Public Property

For each of the following crimes, enter the number reported to have occurred on <u>Public Property</u> .			
Crime	Total occurrences on Public Property		
	2016	2017	2018
a. <u>Domestic violence</u>	0	0	0
b. <u>Dating violence</u>	0	0	0
c. <u>Stalking</u>	0	0	0

### Arrests - On campus

Enter the number of <u>Arrests</u> for each of the following crimes that occurred <u>On Campus</u> . <b>Do NOT include drunkenness or driving under the influence in Liquor law violations.</b>			
Crime	Number of Arrests		
	2016	2017	2018
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	1	1	0

### Arrests - Noncampus

Enter the number of <u>Arrests</u> for each of the following crimes that occurred in or on <u>Noncampus buildings or property</u> . <b>Do NOT include drunkenness or driving under the influence in Liquor law violations.</b>			
Crime	Number of Arrests		
	2016	2017	2018
a. <u>Weapons: carrying, possessing, etc.</u>			0
b. <u>Drug abuse violations</u>			0
c. <u>Liquor law violations</u>			0

### Arrests - Public Property

Enter the number of <u>Arrests</u> for each of the following crimes that occurred on <u>Public Property</u> . <b>Do NOT include drunkenness or driving under the influence in Liquor law violations.</b>			
Crime	Number of Arrests		
	2016	2017	2018
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	1	2	0

### Disciplinary Actions - On Campus

Enter the number of persons referred for disciplinary action for crimes that occurred On Campus for each of the following categories.

**Do not include disciplinary actions that were strictly for school policy violations.**

**If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.**

**Do NOT include drunkenness or driving under the influence in Liquor law violations.**

Crime	Number of persons referred for Disciplinary Action		
	2016	2017	2018
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

### Disciplinary Actions - Noncampus

Enter the number of persons referred for disciplinary action for crimes that occurred in or on Noncampus buildings or property for each of the following categories.

**Do not include disciplinary actions that were strictly for school policy violations.**

**If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.**

**Do NOT include drunkenness or driving under the influence in Liquor law violations.**

Crime	Number of persons referred for Disciplinary Action		
	2016	2017	2018
a. <u>Weapons: carrying, possessing, etc.</u>			0
b. <u>Drug abuse violations</u>			0
c. <u>Liquor law violations</u>			0

### Disciplinary Actions - Public Property

Enter the number of persons referred for disciplinary action for crimes that occurred on Public Property for each of the following categories.

**Do not include disciplinary actions that were strictly for school policy violations.**

**If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.**

**Do NOT include drunkenness or driving under the influence in Liquor law violations.**

Crime	Number of persons referred for Disciplinary Action		
	2016	2017	2018
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

### Unfounded Crimes

Of those crimes that occurred On Campus, in On-campus Student Housing Facilities, on or in Noncampus property or buildings, and on Public Property, enter the number of crimes that were unfounded.

**The total number of unfounded crimes should include all criminal offenses, hate crimes, domestic violence, dating violence, or stalking incidents that have been unfounded. Arrests and disciplinary actions cannot be unfounded.**

**If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is "unfounded". Only sworn or commissioned law enforcement personnel may unfind a crime.**

**Count unfounded crimes in the year in which they were originally reported.**

	Number		
	2016	2017	2018
a. <u>Total unfounded crimes</u>	0	0	0

## Education of Employees and Students at CDKC

Chief Dull Knife College utilizes the following printed materials and training experiences to inform students and employees about Campus Security Procedures and Practices.

- College Catalog/ Student Handbook
- Student & Employee Orientation
- Emergency Procedures Posted
- Annual Training Sessions & Drills
- CDKC Website

## **Campus Security and Access**

During business hours, Chief Dull Knife College will be open to students, parents, employees, contractors, guests, and invitees. Access to campus buildings is limited to normal business hours. Normal campus hours are 7:00 a.m. to 9:00 p.m. Monday through Friday. During non-business hours access to all college facilities is by key, if issued, or by admittance via touch pad codes. In the case of periods of extended closing, the college will admit only those with prior approval to all facilities.

Emergencies may necessitate changes or alterations to any posted schedules.

Facilities and grounds are routinely inspected to ensure all security related equipment is in good working order. Annual inspections and testing are performed for all systems required for code compliance. Security needs are addressed in all phases of construction planning and development. Public access to buildings is only available during normal hours of operation. Keyed access is available to administration, staff, and faculty with prior authorization. The campus provides video surveillance and is maintained by authorized personnel. The Safety Committee meets as required to plan, address and review safety/security.

The Chief Dull Knife College campus is for the use of the students, faculty, staff, visitors and those on official business with Chief Dull Knife College. All others are subject to being charged with trespassing.

Department labs, facilities, and classrooms will not be opened for unknown individuals without prior written approval from the department supervisor.

Keys are issued to authorized faculty and staff. Exterior building doors must not be blocked open when the doors are locked.

Individual classrooms are available during normal business hours for scheduled classes and scheduled special events. Room reservations can be made by contacting the College Receptionist. No students are allowed in any building after business hours. Personnel, other than facilities, must vacate the campus no later than the designated closing times noted, as a standard safety measure, except for previously authorized events scheduled through Dean of Student Affairs.

Faculty or staff members who believe they are the last persons in a building should ask unauthorized people to leave the premises. If a problem arises regarding people in the buildings after hours dial 911 to report.

Employees must secure all required areas upon departure.

## **Crime Prevention**

Students and employees should employ the following precautions to prevent crimes:

- On-line safety.
  - Full name, address, phone number, social security number, date of birth, parent's name, parent's phone number and address, and savings and checking account numbers should never be disclosed.
  - Beware of scams that try to elicit credit card or bank account



- information, or any other personal identification numbers.
- Remember, social networking sites, like Twitter, Facebook and MySpace, can be accessed by anyone.
- A student or employee will not post anything (pictures or blogs) that could be embarrassing to her/him.
- It is difficult to remove content from the web once it has been posted.
- Vehicle safety and safety in parking lots.
  - Texting on cell phones while driving is dangerous and prohibited.
  - Going to and from campus parking lots alone after dark should be avoided.
  - Parking in well-lighted locations as close as possible to your building increases safety.
- Personal safety while jogging or walking.
  - Walking or jogging alone or walking on secluded routes should be avoided.
  - Walkers or joggers should be alert to their surroundings and be clearly visible.
  - If you suspect that you are being followed, run in a different direction, go to the other side of the street, or head quickly for a lighted area or group of people.
  - Have your keys ready when returning to your residence, and keep your personal valuable items concealed and close to your body.
- Personal safety while socializing.
  - Avoid being alone with people not known well to you.
  - Do not accept an invitation to go alone to the residence of someone you do not know well.
  - Use the buddy-system, meaning you go out in a group and leave with all the members of the group.
  - Stay sober!

## **To Report a Crime**

Everyone on campus is encouraged to immediately report any criminal activity to the Dean of Student Affairs, other Student Services personnel, and/or the Northern Cheyenne Tribal Police Department. Please notify Dean of Student Affairs anytime 911 services are requested (fire, police or ambulance) on campus.

Chief Dull Knife College does not have a campus police or security department and therefore does not maintain a crime log for purposes of this report.

### **If you are the victim of a crime:**

Call the Dean of Student Affairs (406) 477-6215, Ext. 118 or 911 for any emergency assistance, fires, suspicious people or activities, crime reports, traffic accidents, or other illegal activities.

When reporting a crime or other incident in progress be sure to provide the following information: the nature of the criminal activity or incident , the location of the criminal activity or incident and how many people are involved, a description of the offender(s), including sex, approximate age, race, height/ weight, hair color/style, facial hair, attire color/style/logos, other distinguishing features such as scars/tattoos, vehicle description year/make/model/license plate number/state/note the direction taken by offender. Preserve the crime scene: Do not touch any items involved in the incident. Close off the area of the incident and do not allow anyone in the crime area until the Dean of Student Affairs and/or police arrive.

## **Campus Security Report Compliance Officer**

Zane Spang, Dean of Student Affairs    Office 116    (406) 477-6215, Ext 118

### **Emergency Response and Timely Warnings**

In the event of an emergency incident affecting campus, Chief Dull Knife College will, without delay and taking into account campus safety make the best effort possible to assist victims or contain/respond/mitigate the emergency. A small group consisting of two or more of the emergency alert designees (listed below) will quickly confer in person or via technology to assess the situation and determine a timely and appropriate action, including if an emergency alert will be distributed. The small group of designees will determine the method of communication depending on the immediacy/severity of the current situation. Delivery methods can be but not limited to a written notice, campus email messages, notice on college web site, or initiating an emergency alert using the College intercom system.

Upon determining the need to issue an emergency alert, this group will identify the content of the notification (i.e. weather conditions cause campus closing; person with weapon on campus, etc.) and then share that information with all of the emergency alert designees initiate and distribute the emergency alert message in a timely manner.

The emergency alert system will be used only when necessary in emergency situations affecting the campus, including:

- campus closure due to weather
- campus closure due to building infrastructure issue (no water, no electricity, etc.)
- tornado warning issued for Lame Deer area
- crisis situations on campus (person with weapon, violence/riot, chemical hazard, etc.)
- other emergency situations deemed appropriate by the College President and designees.

### **Emergency Alert Designees**

The following employees are responsible for sending emergency alerts. The information technology director is the primary person who will send alerts as directed.

1. Information Technology Director (Jeff Hooker)
2. Chief Academic Officer (Bill Briggs)

3. Dean of Student Affairs (Zane Spang)
4. President (Richard Littlebear)

The Dean of Student Affairs is responsible to issue a timely warning, or “Crime Alert” to members of the campus community in cases of reported immediate threat such as murder, non-negligent manslaughter, negligent manslaughter, sex offenses (forcible or non-forcible), robbery, aggravated assault, burglary, arson, motor vehicle theft and any bias-motivated crimes, when the College President (or the President’s designee) determines there is a serious or continuing threat to the College Community.

Timely Warnings or “Crime Alerts” are used to inform the community that an incident has been reported. Crime Alerts will contain general information about the incident and how incidents of a similar nature might be prevented.

In such cases warranting a timely warning, the campus community will be made aware of the crime via “Crime Alerts” which will be sent out via campus email. The identity of the victim will be withheld to ensure confidentiality.

Records of all timely warnings issued will be maintained by the Dean of Student Affairs (or designee).

## **Emergency Response and Evacuation Procedures**

The campus is comprised of six main buildings, the academic building, the library building, cultural learning center, student activities building, the daycare center, and the extension building.

The College’s Campus Safety Committee is the main resource responsible for emergency response and evacuation procedures. The Campus Safety Committee may be augmented by other areas or groups.

The Campus Safety Committee is comprised of college administrators, faculty, and staff. The Campus Safety Committee was created to assist incident response and if appropriate, initiate the emergency notification system and begin the transition to emergency operations.

## **Emergency Procedures**

## **Fire Emergencies**

### **Fire Alarm**

- Evacuate the building
- Close windows and doors on the way out.
- Move to your designated meeting place in an orderly fashion.
- Account for all students and employees.
- Stay in the designated meeting place until cleared by fire department or CDKC personnel authorizing re-entry of building.

### **Building Fire**

- Activate nearest alarm pull station located at building exits.
- Close all windows and doors.
- If small fire exists use fire extinguisher located in each room or facility exit.
- Evacuate building and go to designated meeting place.

## **Accident – Injury – Illness**

- Check the scene – Make sure it's safe before approaching the victim.
- Call 911 if a serious injury
- Stay with the injured person until help arrives or they receive proper aid.
- Report all injuries to the campus HR department.
  - Leslie Evertz, HR Director 477-6215, Ext 132
  - Quick Response Unit 911
  - Police Department 477-6288

## **Flooding**

While there are no threats of flooding from a river, the threat could come in the form of heavy rainfall or a broken water main. The following steps should be implemented.

- Move all electrical components and perishable products a minimum of three feet off the floors.
- Salvage what you can in the time allowed.
- Close all windows and doors – secure your work area.
- Evacuate the campus area.
- Wait for further action.

## **Severe Weather**

### **Administration**

- Monitor Doppler radar and early morning weather service reports.
- Notify staff and students by campus phone (477-6215, Ext. 101), college

email and Facebook page or local radio station KIKC 101.3 FM 1250 AM

#### Faculty

- Shelter students in place or proceed to other areas of the building as directed.
- Close all windows and doors (Do not lock)
- Account for all students in your classroom.
- Await further instructions.

#### Staff/Guests

- Take shelter in your work area unless otherwise instructed.
- Supervisory staff must account for all employees in work area.
- Take note to assist any guests.
- Wait for further instructions.

### **Bomb Threat**

#### **By Phone**

- Keep the caller online as long as possible
- Get all the information you can from caller
- Contact the Northern Cheyenne Police Department at 477-6288 or call 911.
- Contact the College President (ext. 104) or Dean of Academic Affairs (ext.124)

#### **Bomb Device Located**

- Signal an evacuation of building by pulling Fire Alarm.
- Go to assigned meeting spaces.
- Call 911
- Notify campus administrator in charge.
- Inform local Fire Responders of the situation.

#### **Bomb Device not located**

- Administration notifies emergency responders.
- Evaluate the bomb threat and determine if an evacuation is necessary.

### **Lockdown Procedures**

A lockdown is declared when, in the opinion of the Administration, a situation exists threatening the safety of students, faculty, staff and guests that requires that they remain inside the building and out of sight.

#### Administration

- Immediately declare "Lockdown" notifying everyone by intercom, radio, or email.
- Lock all doors.
- Call 911

- Upon notice, identify building targeted.
- Await further notice.

#### Faculty/Staff

- Close and lock windows and doors and close blinds.
- Notify faculty/staff and guests
- Turn off lights and move students, staff/faculty out of the line of sight.
- Stay with students, faculty/staff and remain silent. Do not respond to Fire Alarm.
- Await further instructions.

### **Disorderly Person**

Disorderly individuals may come on campus from time to time. If you come in contact with an irate, intoxicated, hostile or suspicious person, notify a campus administrator.

- Call 911 if the individual seems out of control or threatening.
- Don't provoke, argue or confront the individual. Let trained personnel handle that.
- Wait for authorities to arrive.
- **Campus Administrators**
  - Richard Littlebear, President, Ext. 104
  - Bill Briggs, Dean of Academic Affairs, Ext. 124
  - Zane Spang, Dean of Student Affairs, Ext. 118

### **Earthquake**

Earthquakes strike without warning, leaving little or no time for individuals to see an appropriate shelter or evacuate buildings.

#### During an earthquake

- Stay inside the building. Initiate duck and cover procedures, turning away from windows.
- Stand or sit against an inside wall away from windows and glass.

#### Aftermath of Earthquake

- Check for injured people and assist in an evacuation – get out of building.
- Leave critically injured individuals alone and notify emergency responders of their locations.
- Await arrival of emergency responders and provide assistance as needed.
- Be prepared for aftershocks.

### Faculty/staff Responsibilities

- Speak calmly to students and peers. Try Not To Panic.
- Move students and faculty/staff to a safe location away from objects that may fall.
- Assist with first aid where needed.
- Wait for evacuation notification before leaving campus. Always check in with supervisor.

### **Campus Evacuation Plan**

If a campus evacuation emergency exists, the College President (or his designee) will start the notification process to inform all students and employees. Examples of Evacuation Emergencies would be chlorine or propane gas leaks, fire, hazardous materials spill, flood, or bomb threat.

- Instructions will be communicated to each area of the campus by the Administrator in Charge of that department.
- Administrator in Charge will call 911 informing them of evacuation.
- Instructions will be delivered to students and employees via intercom, emails, radio or television.
- The tribal fire department will be activated to assist in communication and contacting additional resources needed to take care of the emergency.

## **DRUG AND ALCOHOL POLICY**

### **PHILOSOPHY**

CDKC seeks to create an environment which is free of alcohol and other drugs. The College supports those who choose a lifestyle that is free of chemicals and strives to provide knowledge, understanding and awareness of substance abuse and addictive behaviors.

Many students consider drinking and/or drug use to be normal, but many people forget that the abuse of alcohol and/or drugs can cause serious physical and mental problems.

- Emotional problems
- Difficulty at work



- Family turmoil
- Legal problems
- Health problems
- Spiritual struggle
- Memory loss
- Financial difficulties
- Relationship tension
- Trouble dealing with reality
- Intellectual barriers
- Poor academic performance
- Loss of muscle control
- Impaired judgment
- Impaired thinking and reasoning processes
- Loss of inhibitions
- Social conflict
- Accidents, injuries, and death

## **USE OR POSSESSION OF ILLEGAL DRUGS OR ALCOHOL ON COLLEGE PREMISES IS STRICTLY PROHIBITED**

Chief Dull Knife College prohibits the unlawful use, possession, or distribution of alcohol or illegal drugs at College-sponsored events or on campus by students, employees or anyone who is on college grounds. Such conduct is prohibited by federal and tribal law. Similarly, the College prohibits the use of prescribed or over the counter medication that is contrary to its intended use.

Sanctions for violation of this policy may include but are not limited to:

- Confiscation of any alcohol, drugs, or paraphernalia
- Conduct warnings or probation
- Counseling or medical referral
- Suspension or expulsion from the college
- Referral to law enforcement agencies for prosecution of charges

Federal law (including the Controlled Substances Act, as amended) prohibits the possession, use, manufacture, or distribution of illegal drugs.

Northern Cheyenne Tribal Law and Order Code, Title 7 Chapter 9 also prohibits the possession, use, manufacture and distribution of drugs or alcohol.

## **SANCTIONS FOR STUDENTS**

College sanction for violation of the preceding policy may vary depending on the circumstances, but will generally result in the following consequences. Other sanctions may be issued which will be determined by the Dean Student Affairs

and the Student Affairs Committee.

### **First Offense**

Meet with the Dean of Students to review the violation and discuss options.

### **Second Offense**

Meet with the Dean of Students and Counselor to review the violation. Student will be required to take a chemical dependency assessment. Student will be required to follow the recommendations of that assessment.

### **Third Offense**

Student receives a hearing before the Student Affairs Committee to determine the possibility of suspension or dismissal from the college.

## **SEXUAL MISCONDUCT POLICY**

Chief Dull Knife College is committed to eliminating sexual misconduct in all forms and will take appropriate remedial action against any individual found responsible for acts in violation of this policy. Acts of sexual violence may also constitute violations of tribal (Title 7: 7-4-7) or civil law, that may require separate proceedings. To further its commitment against sexual violence, Chief Dull Knife College provides reporting options, an investigative and disciplinary process, and prevention training or other related services as appropriate.

### **Application of policy to students, employees, and others.**

This policy applies to all Chief Dull Knife College students and employees and to others, as appropriate, where incidents of sexual misconduct on college property have been reported. Reports of sexual misconduct committed on college property by individuals who are not students or employees are subject to appropriate actions by CDKC, including, but not limited to, pursuing criminal or civil action against them.

### **Definitions.**

The following definitions apply to this Policy and Procedure.

**Sexual Misconduct.** Sexual misconduct includes a continuum of conduct that includes sexual assault, non-forcible sex acts, dating and relationship violence, stalking, as well as aiding acts of sexual misconduct.

**Sexual assault.** "Sexual assault" means an actual, attempted, or threatened sexual act with another person without that person's consent. Sexual assault is often a criminal act

that can be prosecuted under Tribal law, as well as form the basis for discipline under CDKC student conduct codes and employee disciplinary standards. Sexual assault includes but is not limited to:

1. Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as "date rape" or "acquaintance rape." This definition also includes the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.
2. Involvement in any sexual act when the victim is unable to give consent.
3. Intentional and unwelcome touching, or coercing, forcing, or attempting to coerce or force another to touch a person's intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast).
4. Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.

Dating and relationship violence. Dating and relationship violence includes physical harm or abuse, and threats of physical harm or abuse, arising out of a personal intimate relationship. This misconduct also may be called domestic abuse or spousal/partner abuse and may be subject to criminal prosecution.

Stalking. Stalking is conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated and that would cause a reasonable person to fear for her or his safety or the safety of others or to suffer substantial emotional distress.

Consent. Consent is informed, freely given and mutually understood. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious. Silence does not necessarily constitute consent, and past consent of sexual activities does not imply ongoing future consent. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.

Non-forcible sex acts. Non-forcible acts include unlawful sexual acts where consent is not relevant, such as sexual contact with an individual under the statutory age of consent, as defined by state or tribal law.

College property. "College property" means the facilities and land owned, leased, or under the primary control of Chief Dull Knife College

Employee. "Employee" means any individual employed by Chief Dull Knife College, including student workers.

Student. The term "student" includes all persons who:

1. Are enrolled in one or more courses, either credit or non-credit, through a college or university;
2. Withdraw, transfer or graduate, after an alleged violation of the student conduct code;
3. Are not officially enrolled for a particular term but who have a continuing relationship with the college; or
4. Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid.

## Reporting Incidents of Sexual Misconduct

### Prompt reporting encouraged

Complainants of sexual violence may report incidents at any time, but are strongly encouraged to make reports promptly in order to best preserve evidence for a potential legal or disciplinary proceeding.

Complainants are strongly encouraged to report incidents of sexual misconduct/violence to law enforcement for the location where the incident occurred. Complainants are also encouraged to contact the local victim/survivor services office, counseling and health care providers, campus Title IX coordinators, or CDKC campus security officer for appropriate action.

### Assistance in reporting

When informed of an alleged incident of sexual violence, all CDKC students and employees are urged to encourage and assist complainants, as needed, to report the incident to local law enforcement, local victim/survivor services, campus Title IX coordinator, or campus security authorities.

The college security officer, when informed of an alleged incident of sexual misconduct/violence, shall promptly assist the complainant, as requested, including providing guidance in filing complaints with outside agencies, such as law enforcement; obtaining appropriate assistance from victim/survivor services or medical treatment professionals; and filing a complaint with campus officials responsible for enforcing the student conduct code or employee conduct standards.

When appropriate, Chief Dull Knife College may pursue legal action against a respondent, including, but not limited to, trespass or restraining orders, in addition to disciplinary action under the applicable student or employee conduct standard. CDKC may take actions it deems necessary or appropriate in response to all protection, restraining, or no-contact orders.

### Required reports

The college security officer or any college employee with supervisory or student-advising responsibility who has been informed of an alleged incident of sexual violence shall follow college procedures for making a report for the annual crime statistics report. In addition, the campus security officer shall report to other school officials, as appropriate, such as the Dean of Student Affairs, and/or the designated Title IX compliance coordinator, in order to initiate any applicable investigative or other resolution procedures.

The college security officer may be obligated to report to law enforcement the fact that a sexual assault has occurred, but the name of or other personally identifiable information about the complainant will be provided only with the consent of the complainant, except as may be required or permitted by law.