

Red Lake Nation College

Campus Safety and Security and Emergency Preparedness Plan

Including Annual Campus Safety Report 2021



Revised September 27, 2022

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Red Lake Nation College Mission Statement

“To provide excellent higher education that is grounded in the Ojibwe language and culture of the Red Lake Nation.”

Introduction

Emergencies, disasters, accidents, injuries, and crime can occur without warning at any time. The goal of this plan is to help us be physically and psychologically prepared to handle unexpected emergencies.

At Red Lake Nation College (RLNC), we believe that the security of our campus is a responsibility shared by all members of the College community. Security awareness and crime prevention are traits that serve to protect individuals and the community as a whole. At RLNC, students, faculty, and staff are expected to demonstrate *manaaji’idiwin* [respect.] This includes being respectful of the thoughts and ideas of others; accepting cultural, religious and gender differences; maintaining high standards of conduct at all times; and safeguarding the dignity, individuality, and the rights of others.

Purpose

The purpose of this plan and annual security report is to facilitate the orderly operation of the College in a serious emergency or disaster and to assist with the expedient return to normal operations. This manual, and guidelines within, are the responsibility of the Campus Security Department and are kept in the Campus Security Office and on the Campus Security webpage.

Geography

Campus security reporting covers the main campus building and reasonably contiguous grounds surrounding the campus building and public property, including the parking lot and road surrounding the campus building. Red Lake Nation College also owns Red Lake Nation College Without Borders and a building located at 900, 910, and 912 S. Third Street, Minneapolis, MN. No student organizations operate any non-campus buildings.

Crime Statistics

Daily crime logs and the *Campus Safety and Emergency Preparedness Report* are maintained and housed in the office of the Campus Security Supervisor.

Criminal Offenses

Criminal Offenses - On Campus	2016	2017	2018	2019	2020	2021
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	1	1	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0

Criminal Offenses - Public Property Adjacent to School	2016	2017	2018	2019	2020	2021
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0

Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0

Hate Crimes

Hate Crimes - On Campus	2016	2017	2018	2019	2020	2021
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0

Destruction/damage/vandalism of property	0	0	0	1	0	0
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Hate Crimes - Public Property Adjacent to School	2016	2017	2018	2019	2020	2021
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Destruction/damage/vandalism of property	0	0	0	0	0	0

Violence Against Women Act (VAWA)

VAWA - On Campus	2016	2017	2018	2019	2020	2021
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0

Stalking	0	0	1	1	0	0
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VAWA - Public Property Adjacent to School	2016	2017	2018	2019	2020	2021
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0

Arrests

Arrests - On Campus	2016	2017	2018	2019	2020	2021
Weapons: carrying, possessing, etc.	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0

Arrests - Public Property Adjacent to School	2016	2017	2018	2019	2020	2021
Weapons: carrying, possessing, etc.	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0

Disciplinary Actions

Disciplinary Actions - On Campus	2016	2017	2018	2019	2020	2021
Weapons: carrying, possessing, etc.	0	0	0	0	0	0
Drug abuse violations	0	0	0	1	0	0
Liquor law violations	0	0	0	0	0	0

Disciplinary Actions - Public Property Adjacent to School	2016	2017	2018	2019	2020	2021
Weapons: carrying, possessing, etc.	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0

Unfounded Crime

Unfounded Crime - On Campus	2016	2017	2018	2019	2020	2021
Total unfounded crimes	0	1	0	2	0	0

Unfounded Crime - Public Property Adjacent to School	2016	2017	2018	2019	2020	2021
Total unfounded crimes	0	0	0	0	0	0

Campus Security Authorities

Reporting an Emergency/Crisis

If emergency services are required (fire department, ambulance, police), immediately dial 911. Tell the dispatcher the nature of the emergency and the location. If possible, wait for emergency personnel to arrive. Reports of all emergency situations and potential crises should be forwarded to a college official in this order or priority for public notifications: College President, Vice President of Operations and Academic Affairs, Chief Financial Officer, Dean of Student Success, Director of Assessment and Institutional Effectiveness.

College Officials/Campus Security Authorities

Following is a list of college officials, in addition to Campus Security Officers, who are also Campus Security Authorities (CSA's).

Contact Information	Work Phone	Cell Phone	Email
Red Lake Nation College	(218) 679-2860		
Campus Security Officers	Ext. 1028	(218) 766-3397	kevin.spears@rlnc.edu
Dan King President	Ext. 1001	(218) 209-0178	dan.king@rlnc.edu
Mandy Schram Vice President of Operations and Academic Affairs	Ext. 1004	(218) 239-0850	mandy.schram@rlnc.edu
Tami Niswander Chief Financial Officer	Ext. 1006	(218) 766-9462	tami.niswander@rlnc.edu
Rochelle Johnson Dean of Student Success	Ext. 1043	(218) 407-4300	rochelle.johnson@rlnc.edu
Nadine Bill Director of Assessment and Institutional Effectiveness	Ext. 1046	(218) 556-5081	nadine.bill@rlnc.edu

Bonnie Ekstrom Life Vision Coach	Ext. 1005	(218) 766-0971	bonnie.ekstrom@rlnc.edu
Red Lake Nation Police	(218) 679-3313		
Red Lake Fire Department	(218) 679-3473		

RLNC uses College Incident Reports for all crime reporting. All incident reports are forwarded to the Campus Security Supervisor for collection, review, and reporting purposes.

Statistics from Local Law Enforcement Agencies

**Data provided by local law enforcement is not Clery reportable data, as it is not broken down by community, but instead includes crime data from the entire Red Lake Reservation.*

Red Lake Nation data is not yet available for 2021, as of September 27, 2022.

Data was provided after October 1, 2022 as listed below:

DEPARTMENT OF INTERIOR ANNUAL LAW ENFORCEMENT REPORT
CALENDAR YEAR 2021

Offenses	Total # of Offenses
Assaults- No Weapons Used	131
Forgery/ Counterfeiting	26
Fraud	13
Embezzlement	
Stolen Property- buying/receiving	1
Vandalism	7
Weapons	85
Prostitution	
Sex Offense	22
Drug Abuse- Sell or Manufacture	10
Drug Abuse- Possession	126
Gambling	
DWI	338
Liquor Laws	
Drunkenness	
Disorderly Conduct	136
ARPA Violations	
All Other offenses	3134
Suspicious Persons Reports	15
Curfew and Loitering	
Runaways- persons under 18	26
Child Abuse	2
Domestic Violence	205
Homicide- Manslaughter	1
Manslaughter by negligence	1
Forcible Rape	5
Robbery-Firearm	
Robbery- other dangerous weapon	1
Aggravated Assault- Firearm	5
Aggravated Assault- Knife	6
Aggravated Assault- Other	85
Aggravated Assault- Hnds	25
Burglary- forcible entry	31
Larceny- Theft not motor	224
Motor Vehicle Theft- Auto	57
Arson- Structural	7
Arson- Mobile	6
Total	4725

Other Offenses by Incident	Number of Incidents
Traffic (not DWI)	1934
Hate/Bias Crimes	
Kidnapping	1

DEPARTMENT OF INTERIOR ANNUAL LAW ENFORCEMENT REPORT
CALENDAR YEAR 2021

Law Enforcement Officers Killed or Assaulted While on Duty	Number of Incidents
Law Enforcement Officers Killed on Duty	1
Law Enforcement Officers Assaulted on Duty	1

Total Calls for Service	
2019	14,910
2020	13,533
2021	14,936

Daily Crime Log

The RLNC Campus Security Supervisor maintains a hard copy of the *Daily Crime Log*. This log is available by written request for public review and includes the nature of the crime, the date and time the crime occurred, the general location of the crime, and disposition of the complaint (if known). All campus security officers are trained to maintain the log. The public is notified annually regarding how to request a review of the *Daily Crime Log*.

Emergency Response and Evacuation Procedures

Declaration of Emergency

In the event of an emergency, the institution will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system -- unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim, or to contain, respond to, or otherwise mitigate the emergency.

A state of emergency will be declared and the emergency plan initiated by the College President. In the President's absence, the Vice President of Operations and Academic Affairs or Chief Financial Officer may implement this plan, determine the appropriate segment of the campus community to be notified, determine the content of the notification, and initiate the notification system.

Emergency Notification

In the event of an actual emergency, the campus community will be notified through the emergency alert system (part of the Populi Student Information System). Text alerts and email notifications will be sent to all students, faculty, and staff immediately. Students, staff, and faculty are responsible for updating their personal contact information in Populi.

RLNC tests its emergency notification system annually.

2021 Test - August 16, 2021 2:23 p.m. (unannounced)

Test of emergency notification system - text and email notifications

RLNC tests its evacuation procedures annually. These may be announced or unannounced.

2021 Tests - September 21, 2021 1:00 p.m. (unannounced)

Practice emergency evacuation procedures

The RLNC Security Supervisor communicates with the Red Lake Police Department and both parties work cooperatively to protect the public and provide emergency notifications in a timely manner.

Media Communications

All staff must refer media contacts to the RLNC President. The President, in coordination with the college administration, assumes responsibility for issuing public statements during an emergency. The President serves as the spokesperson for the College, unless they designate another spokesperson. If the President is unavailable, the Vice President of Operations and Academic Affairs assumes the responsibility.

Media Checklist:

- RLNC administration relays all factual information to the RLNC President.
- The RLNC President will work with the Security Supervisor to establish a media center away from the site of the emergency and considers the following:
 - The media needs timely and accurate information, while the College must protect the privacy of staff, faculty, and students when necessary and justified.
 - Media will want to be close enough to take video footage and photographs, but should not be allowed to hinder emergency responders.
 - Engage media to help distribute important public information.
 - When holding a media briefing:
 - Prepare participants in advance and ensure they have all relevant information.
 - Identify objectives and target audience(s). Know what the briefing should accomplish.

- Prepare a statement (and handout materials when possible.) The information should be focused, concise, informative, and cover the basics: who, what, when, where, how, and possibly why.
 - RESPECT THE PRIVACY OF VICTIMS AND FAMILIES OF VICTIMS -- DO NOT RELEASE NAMES TO MEDIA!
 - Anticipate difficult or sensitive questions. Address rumors and incorrect media statements. Prepare brief, honest responses.
 - Emphasize the safety of the students, faculty, and staff.
 - Make provisions to comply with all legal requirements. Ensure physical and communication access by all.
- Update the media regularly. Don't delay the release of urgent information for a scheduled briefing—especially if it impacts life and safety. Release it as soon as possible.
 - DO NOT respond with, “No comment.”
 - Maintain a log of all telephone inquiries for future reference.

Timely Warnings

The purpose of this policy is to ensure the issuance of timely warnings regarding crimes posing a serious or ongoing threat to the campus community. This policy complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) by establishing procedures for the College regarding the circumstances and delivery of warnings of serious or ongoing threats. (See 20 USCA section 1092; 34 CFR 668.46(e)).

Timely warnings are provided to notify students, faculty, and staff of certain crimes under the Clery Act that may represent a serious or ongoing threat to the campus community and to heighten safety awareness. A timely warning also seeks information that may lead to the arrest and conviction of the offender.

Timely warnings are made only in response to the occurrence of certain crimes under the Clery Act. Not every instance of a Clery-related crime represents a continuing or serious threat to the community and, therefore, Timely Warning Notifications are not issued in every instance. Other dangers to the campus community are addressed through emergency communications, such as text messages, emails, and a voice-siren system.

Timely warnings include information about the crime that triggered the warning, but do not include personally identifiable information about the victim of the crime. Timely warnings also include other available information that the College determines will help members of the campus community protect themselves -- ranging from descriptive information about suspects, to tips on deterring theft or other crimes. The content and amount of information varies depending on the nature of the threat, the amount of information available at the time, the risk of compromising law enforcement efforts, in addition to other factors. Decisions to issue a warning are made on a case-by-case basis, considering the nature and circumstances of the crime and the danger posed to the community. A warning is only required when the

reported crime occurred on campus, on public property bordering the campus, or on property controlled by the College.

Timely warnings are typically made by the Red Lake Police Department and sent through campus-wide emails and/or text messages to all students, faculty, and staff.

Annual Security Report

Annual Security Reports are published by October 1st every year. All students, faculty, and staff are notified via email of the exact electronic address of the report, a brief description of the report's contents, and an opportunity to request a copy. The report is also published on the RLNC website on the Campus Security page. Information for these reports is gathered throughout the year via RLNC incident reports/daily crime logs and communication with the Red Lake Tribal Police.

Immediate Threats

In case of a fire, medical or police emergency, or any situation that presents an immediate threat to life and property, call 911 immediately and provide complete information. Next, contact a college administrator to report the incident. In order to ensure that emergency situations on campus are handled effectively, it is vital that both 911 and a college administrator be notified in a timely manner. Situations of unusual or suspicious activity should be reported directly to a college administrator.

When calling 911, be prepared to give the following information:

- Your name, phone number, and exact location.
- The nature of the emergency, including who, what, when, where, and how.
- For a police emergency, tell the 911 operator what the immediate level of threat is and whether suspects are still present. If the suspects have left the scene, give a complete description and direction of travel if possible. Give any vehicle information. Tell the operator if any weapons were seen or used.
- For fire, tell the operator if there is visible smoke or fire, what type of building it is, and if there are injuries.
- For a medical incident, give the age and condition of the victim, as well as what caused the situation (seizure, fall, car accident, etc.).
- Tell the 911 operator that you will be notifying a campus administrator, then do so after hanging up.

Crime Victims/Witnesses

Crimes which are non-emergency in nature, or delayed, should also be reported to campus security and administration. A campus security officer will assist the victim in making a report with the Red Lake Police Department if requested.

Crimes may be reported on a confidential basis to the Life Vision Coach if the reporting party does not wish to pursue RLNC disciplinary action or criminal charges. However, in compelling situations, RLNC reserves the right to take reasonable action in response to any crime report.

Anonymous reports of rape or sexual assault may also be reported to the Life Vision Coach. All reports submitted on a confidential or anonymous basis are evaluated for purposes of issuing a campus-wide, "Security Alert," as well as inclusion in annual crime statistics.

All crime victims are encouraged to report crimes to campus security or any campus security authority (CSA) in an accurate and timely manner. All witnesses/bystanders are encouraged to report crime when a victim is unable to do so.

Access to Campus Facilities

All students, staff, and faculty are issued identification badges. Visitors to the college are issued visitor badges. Community members utilizing the community library or learning space are required to sign in, acknowledge the College's public code of conduct, and are monitored by campus security. Staff and faculty are issued keys and/or key fobs with varying levels of access to areas of the building. RLNC Campus Security Officers have unrestricted access to all campus facilities. Cameras are positioned throughout the campus and monitored by campus security. (RLNC does not have any campus housing.)

COVID-19 Precautions

All staff, faculty, and students are encouraged to be fully vaccinated and boosted against COVID-19. The Red Lake Hospital offers free Covid-19 vaccination to anyone 18 and older from 8:30 a.m. to noon and 12:30 to 3:00 p.m., Monday through Friday. Walk-ins are welcome. For more information, call (218) 679-0110 or (218) 679-3912 and press 1.

Campus Security Enforcement Authority

RLNC employs a Campus Security Supervisor and officers, but they are not law enforcement officers. Campus Security only has authority over the enforcement of RLNC policies and procedures. They do not have the authority to make arrests. Matters requiring law enforcement intervention are the jurisdiction of the Red Lake Tribal Police. Campus Security Officers work closely with the Red Lake Tribal Police Department to monitor, record, and quickly resolve incidents that occur on RLNC property or during RLNC-hosted events.

Primary Preventions Programs

Primary Prevention Programs are provided annually to all RLNC students, faculty, and staff.

Event	Topic	Date
Campus Safety	Crime prevention Prevention of dating violence, domestic violence, sexual assault, and stalking Sexual harassment prevention Bystander intervention/risk reduction	8/25/22
Annual Mandatory Online Trainings	VAWA Clery Act Sexual Harassment Cybersecurity FERPA	1/13/22
Alcohol and Drug Abuse Prevention	Annual notice of program	9/30/20 9/29/21 9/27/22

Awareness Education Programs

Awareness Education Programs are provided throughout the academic year and include the following topics.

Event	Topic	Date
Health and Wellness	Health and Wellness Education Monday Mindfulness	8/30/21, 10/4/21
Suicide Prevention Awareness	Suicide Prevention Resources	9/27/21
Domestic Violence and Sexual Assault	Resources and education	5/2/22

Smoke-Free Campus Policy

RLNC maintains a smoke-free environment. The College follows the state of Minnesota's Clean Indoor Act. RLNC is committed to providing its students, faculty, staff, and the general public with a safe and healthy work environment. Therefore, smoking is prohibited in all its college buildings, including the entrance and hallways of the campus buildings. Should students choose to smoke outside the building, they must stand at least 50 feet from any entrance, and are expected to dispose of smoking materials properly. Smoking that is part of an official campus activity that includes Anishinaabe traditions, such as pipe ceremonies, smudging, etc. will be allowed.

Drug- and Alcohol-Free Campus

RLNC complies with current and future requirements, regulations, or interpretations of the Federal Drug Free Schools and Communities Act/Amendments of 1989 and the Drug-Free Workplace Act of 1988. (34CFR Part 85, Sections 85.610).

The RLNC drug and alcohol policy prohibits students, faculty, and staff from manufacturing, possessing, using, delivering, buying, selling, or distributing any substances prohibited by the Red Lake Nation, the State of Minnesota, and the Federal Government.

Students, faculty, or staff violating this policy must be reported to the Campus Security Supervisor and local police, and prosecuted to the full extent of the law.

RLNC students, faculty, or staff under the influence of alcohol during classes or college events will be removed from college property. Students, faculty, or staff who violate this policy will be subject to suspension or termination. RLNC will not hesitate in bringing charges and legal action against any student, faculty, or staff member who violates this policy.

RLNC sanctions for students, faculty, and staff who violate the Drug and Alcohol Policy include:

- Suspension from the college for up to 30 days
- Possible termination of employment
- Expulsion from the college
- Possible legal action

Other possible legal sanctions:

- Alcoholic beverages, possession by a minor: Charge.
- Alcoholic beverage unlawfully delivered to a minor: Charge
- Minor furnishing money for the purchase of alcoholic beverages: Charge.
- Possession of an illegal or controlled substance: Charge.

Drug and Alcohol Abuse Prevention Program

RLNC distributes its Drug and Alcohol Abuse Prevention Program notice annually to all students, faculty, and staff. This notice provides information about federal, state, and tribal law in relation to substance use and abuse. Additionally, it outlines the health risks associated with drug and alcohol use, the available counseling and rehabilitation programs, and RLNC's disciplinary sanctions.

Distributed to all staff and faculty: 9/30/20, 9/29/21, and 9/27/22

Disclosures to Victims of Crime

Upon written request, RLNC will disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by RLNC against a student who is the alleged perpetrator of such a crime or offense. If the alleged victim is deceased as a result of such crime or offense, the victim's next of kin shall be treated as the alleged victim and receive the results of such disciplinary actions.

Emergency Response and Evacuation

In the event of an emergency, follow the best route to the nearest exit. If time permits, secure your workplace and take personal items with you. In most emergencies, complete evacuation of the campus is unnecessary. However, if there is a hazardous material release, flooding, or other major incident, it may be necessary to relocate all students, faculty, and staff to a safer location.

Evacuating the Building

1. Begin evacuation immediately upon hearing the alarm or official announcement.
2. Turn off lights and computers, then close office doors.
3. Leave the building in an orderly manner. Do not use elevators.
4. Assemble in designated area -- the pow wow grounds. Stay at least 300 feet from the building.
5. Follow the instructions of emergency personnel. Report any individuals left in the building to them.
6. Do not re-enter the building until emergency personnel give the all clear.

Shelter-in-Place

“Shelter-in-place” is a directive to seek immediate shelter indoors following the announcement of an emergency condition. The act of sheltering in an area inside a building offers occupants an elevated level of protection. Sheltering can be related to a variety of situations, e.g. severe weather, hazardous conditions, chemical release, or criminal acts. In some instances, it is safer to shelter in place than to evacuate the building. (Examples: smoke or fire immediately outside your room; live electrical wires barring access to the exit; individuals with mobility disabilities on an upper or lower floor).

Missing Students

If the College is advised of the unusual or unexpected absence of a student, steps may be taken to gather information in order to locate the student. A student, faculty, or staff concerned about an absent student should first notify a Student Success Counselor, who will attempt to make an initial contact with the student. Because RLNC does not have any campus housing, it may be difficult to determine if a student is actually missing or has decided to stop attending classes.

Programming to Prevent Dating and Domestic Violence, Sexual Assault, and Stalking

Please see section on primary prevention and awareness programs, as well as ongoing campaigns, for the prevention and reduction of dating violence, domestic violence, sexual assault, and stalking.

Sexual Harassment and Sexual Violence Policy

RLNC is committed to maintaining a safe and comfortable learning environment for all students. Sexual harassment undermines the mission of the College, offends the integrity of the college community, and is strictly prohibited. All campus-related sexual harassment, sexual offenses, or acts of sexual violence, including domestic violence, dating violence, sexual assault, and stalking, are strictly prohibited.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, stalking, or other verbal or physical conduct of a sexual nature that results in interfering with an individual's educational performance, or creates an intimidating environment for a student

Sexual harassment is prohibited by both state and federal law. Any student who engages in sexual harassment is subject to disciplinary action, up to and including suspension from RLNC. If you believe that you have been subjected to sexual harassment or have been the victim of sexual violence, you are asked to report your concerns immediately to security, an instructor, an administrator, or any other member of the College staff with whom you feel comfortable in filing such a report. To the extent permissible, all such reports will be treated confidentially and will be investigated in a prompt and responsible manner.

Sexual and Relationship Misconduct Policy

Sexual misconduct and relationship misconduct are prohibited and are not tolerated at RLNC. The College will take action to foster the safety and security of the entire college community. We do this by providing prevention education and support services for those who have been affected, and by holding

accountable those who violate this policy. Students found responsible for any acts covered by this policy are subject to disciplinary sanctions, up to and including suspension or dismissal from the College.

The College encourages everyone to report any incident of sexual and relationship misconduct, including domestic violence, dating violence, sexual assault, and stalking. Trained professionals are available to assist anyone who has been impacted by such incidents.

Anyone in immediate danger should get to a safe place and call 911 for the Red Lake Police Department. It is important to preserve evidence, so do not shower, douche, wash clothes, brush teeth, eat, or drink after an assault. The police may use collected evidence for a potential criminal investigation.

Definitions

These definitions are descriptive of conduct which may constitute a violation and determine a finding of responsibility of the Sexual and Relationship Misconduct Policy and are defined by the Clery Act.

Accused: The person who allegedly committed acts of sexual and/or relationship misconduct.

Bystander Intervention: A violence prevention strategy to address growing concerns about sexual violence on college campuses.

Coercion: The use of force, or the threat of force; the use of a threat of immediate or future harm; or the use of physical or severe and/or pervasive emotional intimidation to cause another person to engage in, or submit to, certain activities. Coercion also includes administering a drug, intoxicant, or similar substance that impairs the person's ability to give consent.

Consent: Consent occurs when the parties exchange affirmative words or behavior indicating their agreement to freely participate in mutual sexual activity. As a general rule, a person will be considered unable to give valid consent if they cannot appreciate the who, what, when, where, why, and how of a sexual interaction. The following further clarifies the definition of consent.

- A person who does not physically resist or verbally refuse sexual activity is not necessarily giving consent. For example, one who is asleep cannot give consent.
- Individuals with a previous or current intimate relationship do not automatically give either initial or continued consent to sexual activity.
- An individual who is physically incapacitated from alcohol or other drugs (voluntarily or involuntarily) or is unconscious, unaware, or otherwise physically helpless, is considered unable to give consent.
- A person in an alcoholic blackout state may appear to act normally. An individual in a blackout state can walk, talk, drive, etc., but will not have memories of these activities. If this person affirmatively gives words or actions indicating a willingness to engage in sexual activity and the other person is unaware, or reasonably could not have known, of the alcohol consumption or blackout, then consent may be considered to have been given.

Dating Violence and Domestic Violence: Dating violence refers to a situation in which one dating partner is physically, emotionally, or sexually abused by the other dating partner. Domestic violence is similar to dating violence, but the individuals live together. This also includes non-intimate relationships, such as roommates. Dating violence and domestic violence can occur between individuals of the opposite sex or of the same sex.

Incapacitation: An individual who is unable to give consent because they are mentally and/or physically helpless, unconscious, or unaware due to drug or alcohol consumption (voluntarily or involuntarily) or for some other reason. Incapacitation impairs a person's decision-making capacity, awareness of the consequences, and ability to make judgments.

Rape: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim.

Reporting Party: The person who reports to the College alleging that they experienced sexual or relationship misconduct.

Sexual Assault: Non-consensual touching of the sexually intimate parts of a person without that person's consent or permission that does not meet the definition of another offense under this policy.

Sexual Exploitation: Taking unjust or abusive sexual advantage of another, for the accused's own advantage or benefit, or for the benefit or advantage of anyone other than the reporting party, and that behavior does not otherwise constitute rape, sexual assault, or harassment. Examples of sexual exploitation include, but are not limited to:

- Creating images (including video or still photography) of a sexual nature via web-cam, camera, internet exposure, etc., without knowledge or consent of all persons.
- Knowingly exposing HIV or another STD to an unknowing person or to a person who has not consented to the risk.
- Inducing incapacitation with the intent to commit sexual assault. In this instance, sexual exploitation can occur regardless of whether sexual activity actually occurs.
- Voyeurism.

Stalking: A pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person and would cause a reasonable person to feel fear.

Bystander Interventions/Risk Reductions

RLNC prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking. Sexual activity requires consent, which is defined as voluntary, positive agreement between the participants to engage in specific sexual activity. Consent may be communicated in a variety of ways, but one should presume that consent has not been given in the absence of clear, positive agreement. While verbal consent

is not an absolute requirement for consensual sexual activity, verbal communication prior to engaging in sex helps to clarify consent. 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 there is consent. A prior relationship does not indicate consent to future activity. 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 consent.

Suggestions for bystander intervention:

1. Call the police.
2. File a report.
3. Take it up with a community leader.
4. Take a photo.
5. Make a lot of noise to bring public attention to the situation.
6. Try to talk to the harasser.
7. Attempt to distract the harasser.
8. Find other people to intervene in the situation.

Ways to reduce your risk of sexual victimization:

1. If you consume alcohol, do so in moderation.
2. Never leave your drink unattended.
3. If you date someone you do not know very well, make sure to communicate your whereabouts to a friend.
4. Always have extra money to get home. Have a plan for someone to pick you up in an emergency.
5. Go to parties and events with other people and leave together.
6. Be aware of your surroundings.
7. Do not allow yourself to be isolated with someone you do not know or trust.
8. Walk only in lighted areas after dark.
9. Keep the doors to homes and cars locked.
10. Always be aware of where your phone is located.

Procedures and Reporting Options

1. It is important to preserve evidence. Do not shower, douche, wash clothes, brush teeth, eat or drink after an assault. The police may collect and use evidence for a potential criminal investigation and it may be helpful in obtaining a protection order.
2. File an incident report with a college employee. An incident report provides information for a preliminary inquiry. An anonymous report may be filed, which allows you to leave your name and/or the name of the accused off of the report to maintain privacy. You may receive personal assistance, support, and resources without initiating a campus inquiry or judicial action.

3. File a criminal report with the Red Lake Police Department. You may report directly to the Red Lake Police Department by calling 911.

A report made only to RLNC is not the same as a report made to the local police. The College process and the criminal justice process are two separate courses of action. Any RLNC employee may assist you if you wish to file a report with the Red Lake Police Department. Only you, as the person who experienced sexual misconduct, may file the complaint report. Notifying the Red Lake Police Department will generally result in the reporting party being contacted by a police officer. The police department determines if a criminal investigation will occur and if the case will be referred for prosecution.

4. RLNC will make every effort to protect the rights of victims by enforcing orders for protection, “no-contact” orders, restraining orders, or similar lawful orders issued by a criminal, civil, or Tribal court.

Local Resources

Red Lake Women’s Shelter: (218) 679-3444

Sexual Assault Program of Beltrami, Cass, and Hubbard Counties: (218) 444-9522

Family Advocacy Center of Northern Minnesota: (218) 333-6011

Hotlines

Sexual Assault Hotline (National Hotline): (800) 656-4673

Medical Care

In the event of a sexual assault or rape, these tests and procedures are highly recommended as soon as possible.

- Rape kit
- STD and HIV testing -- at 3 month intervals, for up to one year after the incident
- Pregnancy concerns may be discussed with the hospital emergency room personnel or with your primary care physician.

Confidentiality

Personally identifiable information about crime victims is kept in a confidential incident report and is not available to the public. Personally identifiable information is removed from all publicly available records and disclosures, including Clery Act reporting. Any accommodations or protective measures granted to

victims will remain confidential to the extent that maintaining such confidentiality does not impair the ability of RLNC to provide such accommodations or protective measures.

Available Assistance

RLNC will provide written notification to victims of sexual offenses about options for available assistance. Victims may request changes to their academic schedules or request protective measures. This assistance is available, whether or not the victim chooses to report the crime to local law enforcement.

Disciplinary Actions

Appropriate disciplinary actions will be enforced upon any student who has been found guilty of violation of regulations governing students at RLNC. In compliance with the standards of conduct, the following sanctions are consistent with Tribal, State, and Federal laws, and may be imposed for violation of the standards of conduct cited in this policy.

These proceedings will include a prompt, fair, and impartial process from the initial investigation to the final result. Investigations will be conducted by campus security authorities who have received annual training related to dating violence, domestic violence, sexual assault, and stalking, as well as training regarding the manner in which to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. The accuser and the accused receive the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. RLNC will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding.

Both parties will have access to the case file and evidence regarding the incident obtained by the College during the investigation. The burden of proof is on the complainant to establish that it is more likely than not that the respondent is responsible for the alleged violation (preponderance of evidence).

Disciplinary actions may include, but are not limited to:

- Reassignment to other sections of course or new work assignment
- Withdrawal from courses
- Warning
- Loss of privilege
- Restitution
- Mandatory participation in an approved drug/alcohol abuse treatment, rehabilitation, and/or re-entry program
- Probation
- Suspension
- Dismissal
- Where appropriate, referral for prosecution may be made.

- One or more other sanctions may be imposed for violation of college regulations in relation to the offense.

RLNC makes every effort to investigate and resolve all reported incidents within 30 calendar days of receiving the initial complaint. RLNC will provide simultaneous written notification to both the accuser and the accused of the following:

- The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking.
- The accused and the victim may appeal the result of institutional disciplinary actions by following the Disciplinary Complaint Process.
- If the appeal results in any change to the disciplinary action, both parties will be notified in writing of the final outcome.

Disciplinary Complaint Process

It is the intent of the College to provide students the right to a fair hearing. These procedures are designed to address student complaints and grievances, which include, but are not limited to, discrimination or other areas of college policy violations. All complaints regarding disciplinary actions taken or not taken should be sent to the Vice President of Operations and Academic Affairs and should include the following:

- Name, address, and phone number of person filing the complaint
- Nature of the complaint in full detail
- Requested action

Victim Rights

When a student or employee reports to RLNC that they have been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, RLNC will provide them with a written explanation of their rights and options.

Title IX Policies and Procedures

Policy

RLNC will address all incidents of sex discrimination and sexual harassment reported to the RLNC Title IX Coordinator in compliance with the Higher Education Opportunity Act, the Clery Act, and Title IX of the Education Amendments of 1972, as amended.

Purpose

This policy informs all prospective and current students, and all RLNC employees of college policies and procedures regarding sex discrimination and sexual harassment to which all students, faculty, and staff are expected to adhere during their time at RLNC. In addition, comprehensive information is provided regarding the reporting of sex discrimination and sexual harassment, and avenues to seek immediate assistance.

Procedure

RLNC seeks to create a positive educational environment on and off campus through our academic programs, services, activities, policies, and procedures aimed at providing protection against sex discrimination and harassment. To that end, RLNC condemns discrimination in its education programs and activities based on sex or gender, sexual orientation, gender identity or expression, sexual harassment, sexual violence, domestic violence, dating violence, and stalking. Notice of a sex discrimination or sexual harassment incident to the RLNC Title IX Coordinator charges RLNC with actual knowledge and triggers RLNC's response obligations as described in the institutional action section.

Scope of the Policy

RLNC must respond when sex discrimination and harassment occurs in the school's education program or activity, against a person in the United States. Education program or activity includes locations, events, or circumstances over which the school exercises substantial control over both the respondent and the context in which the discrimination or harassment occurred, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution. Title IX applies to all of a school's education programs or activities, whether such programs or activities occur on- or off-campus, including online instruction.

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by e-mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time, including during non-business hours, by using the telephone number, e-mail address, or by mail to the office address, listed for the Title IX Coordinator.

Individuals are responsible for immediately reporting any knowledge or information concerning sexual harassment to the RLNC Title IX Coordinator identified in this policy, which covers unwelcome conduct of a sexual or gender-based nature, whether committed on- or off-campus where RLNC has control over the respondent or the context of the harassment.

RLNC encourages victims of sexual harassment to talk with a counselor. Different employees within the scope of RLNC's resources have different abilities to maintain a victim's confidentiality.

- **RLNC Life Vision Coach** is required to maintain near complete confidentiality. Talking to them is sometimes called, "privileged communication."
- **RLNC Employees** are required to report all the details of an incident, including the identities of both the complainant and respondent, to the Title IX Coordinator. A report to RLNC employees (referred to as, "responsible employees") constitutes a report to RLNC and places RLNC on notice to take appropriate steps to address the situation.

Compliance with this policy does not constitute a violation of the Family Educational Rights and Privacy Act (FERPA). For the purpose of this policy, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex discrimination or sexual harassment offense and any sanction that is imposed against the respondent. This policy also applies to retaliation by RLNC, or any person against any other person, when for the purpose of interfering with Title IX rights, or because the person has participated, or refused to participate in, any manner in a proceeding under Title IX that is prohibited.

Title IX and Pregnancy/Childbirth

Pregnancy and childbirth are not covered under disability services. However, they are covered under Title IX.

RLNC Faculty and Staff MUST:

- Allow you to continue participating in classes and extracurricular activities even though you are pregnant. This means that you can still participate in advanced placement and honors classes, school clubs, sports, honor societies, student leadership opportunities, and other activities, like after-school programs operated at the school.
 - Allow you to choose whether you want to participate in special instructional programs or classes for pregnant students. You can participate if you want to, but your school cannot pressure you to do so. The alternative program must provide the same types of academic, extracurricular and enrichment opportunities as your school's regular program.
- Allow you to participate in classes and extracurricular activities even though you are pregnant and not require you to submit a doctor's note unless your school requires a doctor's note from all students who have a physical or emotional condition requiring treatment by a doctor. Your school also must not require a doctor's note from you after you have been hospitalized for childbirth unless it requires a doctor's note from all students who have been hospitalized for other conditions.

- Provide you with reasonable adjustments, like a larger desk, elevator access, or allowing you to make frequent trips to the restroom, when necessary because of your pregnancy.

RLNC Faculty and Staff MUST:

- Excuse absences due to pregnancy or childbirth for as long as your doctor says it is necessary.
- Allow you to return to the same academic and extracurricular status as before your medical leave began, which should include giving you the opportunity to make up any work missed while you were out.
- Ensure that teachers understand the Title IX requirements related to excused absences/medical leave. Your teacher may not refuse to allow you to submit work after a deadline you missed because of pregnancy or childbirth. If your teacher’s grading is based in part on class participation or attendance and you missed class because of pregnancy or childbirth, you should be allowed to make up the participation or attendance credits you didn’t have the chance to earn.
- Provide pregnant students with the same special services it provides to students with temporary medical conditions. This includes homebound instruction/at-home tutoring/independent study.

Assistance Following an Incident of Sexual Harassment

Immediate Assistance

Persons who have complaints of sexual harassment may file their complaints with the Title IX Coordinator (Mandy Schram) located at the RLNC Campus, 15480 Migizi Drive, Red Lake, MN 56671, second floor, phone number 218-679-1004, or email RLNCtitleix@rlnc.education.

Victims of sexual violence should get to a place of safety and call the Red Lake Police Department via 911 or at 218-679-3313. Obtain necessary medical treatment. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to a law enforcement officer, and college officials will aid in facilitating this process. Filing a police report will not obligate the complainant to prosecute, nor will it subject the reporting party to scrutiny or judgmental opinions from officers. Filing a police report will ensure that a complainant of sexual violence receives the necessary medical treatment and tests, at no expense to the complainant, to the extent provided for by law, and provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later.

COMPLAINANT OR WITNESS: CALL RED LAKE POLICE DEPARTMENT VIA 911 OR (218-679-3313) FOR IMMEDIATE ASSISTANCE.

Ongoing Assistance

In order to ensure the safety and well-being of the complainant, RLNC may take interim measures, such as changing work and/or academic schedules, addressing transportation issues, withdraw from/retake a

class without penalty, and access academic support (e.g., tutoring), leaves of absence, campus escort services, or similar measures. In addition, while an investigation is pending, RLNC may initiate a, “no contact order,” between the parties that carries a sanction of expulsion if violated.

RLNC also offers internal counseling options, and law enforcement officials and college representatives are available to facilitate access to external support services, which may be obtained through Red Lake’s Equay Wiigamig Women’s Shelter or the Minnesota Domestic Violence Crisis Line. Several service organizations in Minnesota have provided telephone numbers and made available other services for students, faculty, staff, and other campus community members. RLNC Campus Security will assist any interested person in contacting these agencies.

Additional Support Services

Minnesota Help – 651-291-0211 (or 211 in Minnesota)/800-861-7361

Minnesota Domestic Violence Hotline – 866-223-1111

National Domestic Violence Hotline - 1-800-799-7233 (SAFE)

Rape, Abuse & Incest National Network Hotline - 1-800-656-4673 (HOPE)

Communication Services for the Deaf (TTY) - 1-800-252-1017 (TTY)

Communication Services for the Deaf (Voice) - 1-866-845-7445 (Voice)

Women of Nations – 651-222-5836 (24 hour crisis line)/651-251-1619/800-209-1266

Title IX Coordinator and Staff

- Title IX Coordinator has primary responsibility for overseeing the process of coordinating RLNC’s compliance efforts, receiving complaints, investigations, hearing, sanctions, appeals, and education and training associated with this policy. To file a complaint or submit questions concerning actions governed by this policy, contact the Title IX Coordinator (Mandy Schram) located on the RLNC Campus, 15480 Migizi Drive, Red Lake, MN 56671, second floor, phone number 218-679-1004, or email RLNCtitleix@rlnc.edu.
- Deputy Title IX Officers have the secondary responsibility and assist in the duties of the Title IX Coordinator. Deputy Title IX Officers include the Chief Financial Officer (Tami Niswander) located on the RLNC Campus, 15480 Migizi Drive, Red Lake, MN 56671, second floor, phone number 218-679-1006, tami.niswander@rlnc.edu.
- Title IX Investigators may include, but not be limited to, RLNC security officers and staff. The primary responsibility of the investigator is to collect statements and any evidence directly related to any allegations of a Title IX policy violation as directed by the Title IX Coordinator. Investigators will receive appropriate Title IX and trauma informed training.
- The Title IX Hearing Officer may include an RLNC administrator or external legal counsel. The primary responsibility of the hearing officer will be to ensure both parties receive due process in the event allegations of a Title IX policy violation are directed to a hearing by the Title IX Coordinator. Hearing officers will receive appropriate Title IX and trauma informed training.

- Title IX hearing members may include RLNC faculty or staff members. The primary responsibility of a hearing member is to listen to both sides of the complaint. Each hearing member will evaluate the information being provided by both parties to make a decision whether or not a Title IX policy violation took place. Hearing members will receive appropriate Title IX training.

Definitions

RLNC defines sex discrimination and sexual harassment broadly to include any of three types of misconduct on the basis of sex (or gender), all of which jeopardize the equal access to education that Title IX is designed to protect: Any instance of quid pro quo harassment by a school's employee; any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; any instance of sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

Offenses prohibited under RLNC's policy include, but are not limited to, sex discrimination (including sexual orientation discrimination and gender identity or gender expression discrimination), sexual harassment, sexual violence -- to include non-consensual sexual contact, non-consensual sexual intercourse, sexual coercion, domestic/dating violence, stalking, and sexual exploitation.

- Sex Discrimination: Includes sexual harassment and is defined as conduct directed at a specific individual, or a group of identifiable individuals, that subjects the individual or group to treatment that adversely affects their employment, education, or institutional benefits, on account of sex or gender (including sexual orientation, gender identity, and gender expression discrimination). It may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.
- Sexual Harassment: Unwelcome and discriminatory speech or conduct undertaken because of an individual's gender, or is sexual in nature and is so severe, pervasive, or persistent, objectively and subjectively offensive that it has the systematic effect of unreasonably interfering with, or depriving someone of, educational, institutional, or employment access, benefits, activities, or opportunities. Students and visitors who are subject to, or who witness unwelcome conduct of, a sexual nature are encouraged to report the incident(s) to the Title IX Coordinator or any RLNC employee. Employees who are subject to unwelcome conduct of a sexual nature are encouraged to report the incident(s) to the Title IX Coordinator or any RLNC employee. Employees who witness or receive reports of unwelcome conduct of a sexual nature are required to report the incident(s) or reports received to the Title IX Coordinator.
 - Hostile Environment: Sexual Harassment includes conduct that is sufficiently severe, pervasive, or persistent, objectively and subjectively offensive that it alters the conditions of education or employment or institutional benefits of a reasonable person with the same characteristics of the victim of the harassing conduct. Whether conduct is harassing is based upon examining a totality of circumstances, including but not limited to:

- The frequency of the conduct;
- The nature and severity of the conduct;
- Whether the conduct was physically threatening;
- Whether the conduct was deliberate, repeated humiliation based upon sex;
- The effect of the conduct on the alleged victim's mental or emotional state from the perspective of a reasonable person;
- Whether the conduct was directed at more than one person;
- Whether the conduct arose in the context of other discriminatory conduct;
- Continued or repeated verbal abuse of a sexual nature, such as gratuitous suggestive comments and sexually explicit jokes; and
- Whether the speech or conduct deserves constitutional protections.
- Quid Pro Quo Sexual Harassment exists when individuals in positions of authority over the complainant:
 - Make unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature; and
 - Indicate, explicitly or implicitly, that failure to submit to, or the rejection of, such conduct will result in adverse educational or employment action, or where participation in an educational program or institutional activity or benefit is conditioned upon the complainant's submission to such activity.
- Examples of Harassment:
 - An instructor insists that a student have sex with them in exchange for a good grade. This is harassment regardless of whether the student agrees to the request.
 - A student repeatedly sends sexually oriented jokes around in an email list they created, even when asked to stop, causing one recipient to avoid the sender on campus.
 - The instructor probes for explicit details, and demands that students respond even though they are clearly uncomfortable and hesitant.
 - An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend to his clear discomfort.
- Sexual Violence refers to physical sexual acts perpetrated against a person's will, or where a person is incapable of giving consent (*e.g.*, due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence can be carried out by school employees, other students, or third parties.
- Non-Consensual Sexual Contact: Any intentional touching, however slight, whether clothed or unclothed, of the victim's intimate body parts (primarily genital area, groin, inner thigh, buttock or breast) with any object or body part, without consent and/or by force. It also includes the touching of any part of a victim's body using the perpetrator's genitalia and/or forcing the victim to touch the intimate areas of the perpetrator, or any contact in a sexual manner, even if not involving contact of or by breasts, buttocks, groin, genitals, mouth, or other orifice. This definition includes sexual battery and sexual misconduct.
- Non-Consensual Sexual Intercourse: Any sexual intercourse or penetration of the anal, oral, vaginal, or genital opening of the victim, including sexual intercourse or penetration by any part

of a person's body, or by the use of an object, however slight, by one person to another without consent or against the victim's will. This definition includes rape and sexual assault, sexual misconduct, and sexual violence.

- Rape: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator. Sexual penetration means the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.
- Sexual Coercion: The act of using pressure (including physical pressure, verbal pressure or emotional pressure), alcohol, medications, drugs, or force to have sexual contact against someone's will or with someone who has already refused. This includes rape, sexual assault, sexual exploitation and sexual misconduct.
- Dating Violence: Violence between individuals in the following circumstances:
 - The party is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - The existence of such a relationship shall be determined based on a consideration of the following factors:
 - Length of the relationship
 - Type of relationship
 - Frequency of interaction between the persons involved in the relationship
- Domestic Violence: Under RLNC policy means violence committed by a current or former spouse 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;
 - A person similarly situated to a spouse of the victim under Minnesota domestic or family violence laws;
 - Any other person against an adult or youth victim who is protected from that person's acts under Minnesota domestic or family violence laws.
- Advisor: A person who has agreed to assist a complainant or respondent during the Title IX process. The advisor may be a person of the student's choosing, including, but not limited to, an RLNC faculty or staff member, a friend or attorney.
- Complainant: An individual who is alleged to be the victim of conduct that could constitute sexual harassment.
- Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute sex discrimination or sexual harassment.
- Formal Complaint: A document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school investigate the allegation of sexual harassment and stating the date, time, place, name(s) of person(s) involved (e.g. the accused, witnesses) and sufficient detail to make a determination regarding basic elements of the formal complaint process. At the time of filing a formal complaint, a complainant

must be participating in, or attempting to participate in, the education program or activity of the school with which the formal complaint is filed.

- Supportive Measures - Individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment.

Consent

Consent is the act of willingly agreeing to engage in sexual contact or conduct. Individuals who consent to sex must be able to understand what they are doing. Under this policy, “No,” always means, “No,” and the absence of “No,” may not mean, “Yes”.

1. Consent is informed, knowing, and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity.
2. Consent to one form of sexual activity cannot imply consent to other forms of sexual activity.
3. Previous relationships or consent does not imply consent to future sexual acts.
4. Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion. Coercion is unreasonable pressure for sexual activity.
5. In order to give effective consent, one must be of legal age and have the capacity to consent. Incapacity may result from mental disability, intellectual disability, unconsciousness/sleep, age, or use of alcohol, drugs, medication, and/or other substances. Consent given by someone who one should know to be, or based on the circumstances, reasonably should have known to be, mentally or physically incapacitated, is a policy violation. Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack capacity to give knowing consent.

Note: indications of consent are irrelevant if the initiator knows, or should reasonably have known, of the incapacity of the other person.

Examples of when a person should know the other is incapacitated include, but are not limited to:

- The amount of alcohol, medication, or drugs consumed
 - Imbalance or stumbling
 - Slurred speech
 - Lack of consciousness or inability to control bodily functions or movements, or vomiting
 - Mental disability or incapacity
6. Use of alcohol, medications, or other drugs will not excuse behavior that violates this policy.

Reporting

1. Mandatory Reporting

All RLNC employees are responsible for taking all appropriate action to prevent sex discrimination or sexual harassment, to correct it when it occurs, and must promptly report it to

the Title IX Coordinator. Failure to do so may result in disciplinary action, up to and including termination. All RLNC employees are considered responsible employees with a duty to report any incident to the Title IX Coordinator.

2. Confidential Reporting

Resources are available through the RLNC Life Vision Coach and through the Equay Wiigamig Women's Shelter. Family Violence Prevention staff, counselors, victims' advocates are available to speak with any person who wishes to report an incident and remain anonymous. All forms of sexual harassment should be reported, no matter the severity. In addition, RLNC should be made aware of possible threats to the campus community in order to issue timely warnings.

3. Reporting to the Police

RLNC strongly encourages anyone to report sexual violence and any other criminal offenses to the police. This does not commit a person to prosecution, but will allow the gathering of information and evidence. The information and evidence preserve future options regarding criminal prosecution, College disciplinary actions and/or civil actions against the respondent.

4. If the incident happened on campus, it can be reported to the Red Lake Police Department at 911 or 218-679-3313. If the incident happened anywhere else, it can be reported to the local law enforcement with jurisdiction in the location where it occurred. Know that the information you report can be helpful in supporting other reports and/or preventing further incidents.

Reporting for Faculty and Staff (Non-Student) Instances: Faculty and staff shall report any instances of sexual harassment by another faculty or staff member to the Title IX Coordinator. As stated above, RLNC also strongly encourages reporting any instances to the police.

Employee Obligation to Report (Student Instances): In compliance with Title IX, employees who become aware of a student instance of sexual harassment shall immediately report such instance to the Title IX Coordinator, including the name of the persons involved.

5. Reporting of Student Instances

Students shall report any instances of sex discrimination or sexual harassment to any RLNC employee and/or the Title IX Coordinator. A complaint should be filed as soon as possible. If either the complainant or the respondent is a student, the incident will be addressed through the Title IX process. The report can be made in person, by phone, mail, or email using the contact information listed for the Title IX Coordinator, or by any other means that results in the Coordinator receiving the report. The report can be made any time, even during non-business hours.

After receiving a report or notice of an incident, the Title IX Coordinator will: promptly contact the complainant confidentially to discuss the availability of supportive measures; consider the complainant's wishes with respect to supportive measures; inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and explain to the complainant the process for filing a formal complaint. A complainant's wishes with respect to whether the RLNC investigates should be respected, unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances.

RLNC will promptly take necessary steps to protect the complainant and ensure safety as necessary, including taking interim steps before the final outcome of any investigation once a report or knowledge of sex discrimination or sexual harassment has occurred. Periodic updates on the status of the investigation will be provided to the complainant. If the school determines that the sexual violence occurred, RLNC will continue to take these steps to protect the complainant and ensure their safety as necessary. RLNC will provide the complainant with any available resources, such as victim advocacy, housing assistance, academic support, counseling, disability services, health and mental health services, legal assistance, and assistance in reporting a crime to local law enforcement.

Written Notice of Complaint

Upon receipt of a formal complaint, RLNC will provide written notice to all known parties in sufficient time to give the respondent time to prepare a response before an initial interview. Written notice includes:

- Notice of the grievance process, including any informal resolution process;
- Notice of the allegations, including sufficient detail (i.e., names of known parties, the conduct alleged to be sexual harassment, and the date and location of the conduct, if known) to allow the respondent to prepare a response;
- A statement that the respondent is presumed not responsible for the conduct and that responsibility will be determined at the conclusion of the grievance process;
- Notice of the parties' right to have an advisor (who may be, but is not required to be, an attorney) and to inspect and review evidence; and
- Notice that knowingly making false statements or providing false information in the grievance process is a violation of the code of conduct and subject to disciplinary action.

Investigation

The Title IX Coordinator will make a determination to begin a formal investigation of sex discrimination or a sexual harassment incident which will lead to an institutional action. The coordinator will be available to explain to both parties the process, notify in writing of the receipt of a complaint, and the actions RLNC will take. The burden of gathering evidence and burden of proof must remain on RLNC, not on the parties.

An investigation will be conducted by a RLNC Title IX official. This investigation will include:

- Meeting personally with the complainant, unless extraordinary circumstances prevent a personal meeting
- Meeting personally with the respondent, unless extraordinary circumstances prevent a personal meeting
- Presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made
- Collecting any physical evidence
- Meeting personally with any witnesses, unless extraordinary circumstances prevent a personal meeting with one or more witnesses
- Reviewing any documentary evidence

The investigation of complaints will be adequate, reliable, and impartial. The investigation process can take up to 60 days. When investigating a complaint and throughout the complaint process, RLNC must:

- 1) Ensure that the burden of proof and of gathering evidence rests on RLNC rather than the parties
- 2) Provide an equal opportunity for the parties to present witnesses and evidence
- 3) Not restrict either party's ability to discuss the allegations or gather and present evidence
- 4) Provide the parties with the same opportunities to have others present during interviews or related proceedings, including an advisor
- 5) Provide, to a party who is invited or expected to attend, written notice of the date, time, participants, purpose, and location of any investigative interview, hearing, or other meeting with enough time to allow the party to prepare and participate
- 6) Provide both parties and their advisors an equal opportunity to review all evidence directly related to the allegations in the formal complaint (both exculpatory and inculpatory) at least 10 days prior to the completion of the final investigation
- 7) Prepare a written investigation report that fairly summarizes the relevant evidence and provide the report to both parties and their advisors for review and written response at least 10 days before a hearing or determination of responsibility. RLNC will determine if a Title IX hearing is necessary.

If it is determined that RLNC will proceed with a hearing, the complainant and the respondent will be notified in writing of the hearing date.

Mandatory or Permissive Dismissal

Mandatory dismissal must occur when determined in the course of the investigation that allegation in a formal complaint:

- 1) Did not occur in RLNC's program or activity
- 2) Did not constitute sexual harassment as defined
- 3) Did not occur against a person within the US.

Both parties must receive written notice of a mandatory dismissal and reasons.

Permissive dismissal may occur at any time during the investigation or hearing when:

- 1) A complainant notifies the Title IX Coordinator in writing that they would like to withdraw; or
- 2) The respondent is no longer enrolled or employed by RLNC; or
- 3) Specific circumstances prevent RLNC from gathering evidence sufficient to reach a determination.

Both parties must receive written notice of a permissive dismissal and reasons.

RLNC may still address allegations of misconduct under the Student Code of Conduct.

Institutional Action

1. Mediation is a method of informal resolution. Informal resolutions are prohibited unless a formal complaint of sexual harassment is filed. Mediation may include conflict resolution or a restorative agreement between the parties with a trained Title IX Officer presiding over the mediation. Participation in mediation is not mandatory, but will only take place with the consent of both parties involved. Mediation may only be used:
 - Prior to a Notice of Hearing being issued
 - When a trained Title IX Officer determines this is a suitable option for resolving the concern, and both the Complainant and Respondent agree to use the process
 - When the complaint does not involve sexual violence as defined in the Title IX Policy
 - When both parties acknowledge receipt of written notice of their rights under this policy and both parties provide written, voluntary consent

Mediation is not available when the complaint alleges a RLNC employee harassed a student.

Because the outcomes of voluntary resolution conversations are mutually developed and agreed upon by parties involved, an appeal of the process and its result is not permitted. However, either the Complainant or the Respondent may terminate mediation at any time prior to the entry of a voluntary resolution and proceed with the Title IX hearing. If the parties are unable to agree on a voluntary resolution, the matter will be referred by the Title IX Coordinator to a Title IX Hearing. No offers to resolve the conflict that were made or discussed during the informal voluntary resolution process may be introduced during the Title IX Hearing.

2. Title IX Hearing

The Title IX Coordinator will determine if a hearing is necessary. Mediation is never appropriate in sexual violence cases. If it is determined that RLNC will proceed with a hearing, the complainant and the respondent will be notified in writing of the hearing date, the alleged policy violation and issued a notice to appear at the hearing. The written notice will be hand-delivered directly to the student(s) or mailed to the local address as filed in the Registrar's Office. Students are responsible for providing and maintaining a current local address in the Registrar's Office.

3. The hearing members shall include at least one trauma trained individual in sex discrimination or sexual harassment adjudication, a trained Title IX Officer as the hearing officer, and three members of faculty and staff as hearing members. The selection of the hearing members will be made by the Title IX Coordinator. Criteria for the hearing committee will include:
 - a. Have received all appropriate training
 - b. Not be a current instructor of either party involved
 - c. Have no previous substantive or direct knowledge of the incident
 - d. Have no other perceived conflict of interest as determined by an interview process with the Title IX Coordinator

Description of the duties of the Title IX Hearing Members will include, but not limited to the following:

- Read and understand the Title IX Policy and Procedures, which include the hearing process.
- Read and understand all of the information of the Title IX case provided by the Coordinator prior to the hearing as part of a hearing packet.
- Read and understand the procedures of the Title IX hearing provided by the Coordinator prior to the hearing as part of a hearing packet.
- Have a clear understanding of the incident in question before going into deliberations for a decision.
- Decide the outcome (majority vote) and sanctions, if needed, based on the information presented, hearing notes, and the RLNC Title IX Policy.
- Provide copies of notes, if made, to the hearing officer.

The hearing officer will inform the parties of the decision at the hearing and send a letter as described in this policy.

Complainant's Rights:

- Be given a written explanation of the allegations and the hearing process
- Have access to evidentiary material in advance of the hearing
- Be present during the entire hearing
- Be accompanied by an advisor during the hearing -- The advisor is limited to advising the student and may not present the case, or make statements during the proceedings. Students must provide RLNC with the name and contact information for the student's advisor as soon as practical, but at least three (3) days prior to the hearing. If the advisor is an attorney, RLNC's attorney will also be present for the hearing.
- Be given a timely hearing
- Exclude evidence of the victim's past sexual history from discussion during the hearing -- The past sexual history of the victim with persons other than the respondent shall be presumed irrelevant.
- Clarifying that evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual harassment

- Written notification of the outcome of the hearing including any sanctions, remedies/accommodations for the complainant, and additional remedies for the school community
- Written notification of any external counseling services that may be available
- Written notification of options for changing academic, living, transportation, and work site situations if reasonable
- Written notification of an avenue for appeal

Respondent's Rights:

- Be given written notice of the allegations and the hearing process
- Have access to evidentiary material in advance of the hearing
- Be present during the entire hearing
- Have no violation presumed until found responsible
- Be given a timely hearing
- Be accompanied by an advisor during the hearing -- The advisor is limited to advising the student and may not present the case, or make statements during the proceedings. Students must provide RLNC with the name and contact information for the student's advisor as soon as practical, but at least three (3) days prior to the hearing. If the advisor is an attorney, RLNC's attorney will also be present for the hearing.
- Written notification of the outcome of the hearing including any sanctions; remedies/accommodations for the complainant; additional remedies for the school community;
- Written notification of any external counseling services that may be available
- Written notification of options for changing academic, living, transportation, and work site situations, if reasonable
- Written notification of an avenue for appeal

The hearing will include opening statements, each party's evidence and witnesses, and closing statements. Students are permitted to be present during the disciplinary hearing, except during deliberations of the panel. Students are permitted to make statements, present witnesses and present evidence during the hearing which has been previously collected and approved during the investigation process. Witnesses and evidence need to be directly related to the incident. The standard of proof used in RLNC Title IX Hearings is the preponderance of the evidence, which means the determination to be made, is whether it is more likely than not a violation occurred. This is significantly different than proof beyond a reasonable doubt, which is required for a criminal prosecution. In-person hearings are preferred, but video conference hearings may be conducted if the hearing officer determines that the health, safety, and welfare of all participants is better served by the alternate hearing mode.

Outcome

If it is determined under the preponderance of evidence standard (more likely than not to have occurred) that the respondent is not responsible for a Sex Discrimination or Sexual Harassment policy violation the complaint will be dismissed.

If it is determined under the preponderance of evidence standard (more likely than not to have occurred) that the respondent is responsible for a Sexual Harassment policy violation the following sanctions will be considered. The listing of sanctions below is not intended to be exclusive; in addition, sanctions may be imposed singularly or in combination when a violation of this policy is found.

Sexual Discrimination (includes gender discrimination) may include the following sanctions of the student(s) found responsible.

- Restriction – A limitation on a student’s privileges for a period of time and may include but not be limited to the denial of the use of facilities or access to parts of campus, denial of the right to represent RLNC, or denial of participation in extracurricular activities.
- Service Project – Community service or an education class or project beneficial to the individual and campus or community.
- Probation Level I – A specified period of time during which the student is placed on formal notice that they are not in good social standing with RLNC and that further violations of regulations will subject them to suspension or expulsion from RLNC.
- Suspension – If warranted by the severity of the incident, exclusion from enrollment in classes and other privileges or activities for a definite period of time, not to exceed three (3) years and until the conditions which are set forth in the hearing outcome letter are met. Students who are suspended from RLNC are not permitted on campus or in campus buildings, facilities, or activities at any time for any reason during the period of suspension, unless otherwise directed by the Dean of Student Success. Conditions, to conclude a suspension and reinstatement process, will be stated in the written notification. Notation on the transcript is not made, however, a permanent record of the action is maintained in the student’s record. Any refund of tuition or fees will be subject to RLNC's normal withdrawal policy.
- Expulsion – Termination of student status for an indefinite period. The conditions for readmission, if any, shall be stated in the hearing outcome letter. Notation on the transcript is not made, however, a permanent record of the action is maintained in the student’s record. Any refund of tuition or fees will be subject to RLNC's normal withdrawal policy. Expulsion should be reserved and used only in cases involving the most severe instances of misconduct.

Sexual Harassment may include the following sanctions on the student(s) found responsible.

- Restriction – A limitation on a student’s privileges for a period of time and may include, but not be limited to, the denial of the use of facilities or access to parts of campus, and denial of the right to represent RLNC.
- Service Project – Community service or an education class or project beneficial to the individual and campus or community.
- Behavioral Change Requirement – Required activities including, but not limited to, seeking academic counseling, substance abuse assessment, decision making class, writing a reflection paper, etc.
- Probation Level II – Adds to Level I the stipulation that students are prohibited from participating in any extracurricular activities not directly associated with academics (e.g., intramural sports,

attending athletic events, student organizations/clubs/associations, leadership positions within housing or other organizations.) Students must apply to get off Conduct Probation Level II by submitting documentation of their significant proactive efforts to become good citizens of the community and engage in responsible, productive behavior.

- Suspension – If warranted by the severity of the incident, exclusion from enrollment in classes and other privileges or activities for a definite period of time, not to exceed three (3) years, and until the conditions which are set forth in the hearing outcome letter are met. Students who are suspended from RLNC are not permitted on campus or in campus buildings, facilities, or activities at any time for any reason during the period of suspension, unless otherwise directed by the Dean of Student Success. Conditions to conclude a suspension and reinstatement process will be stated in the written notification. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student’s record. Any refund of tuition or fees will be subject to RLNC's normal withdrawal policy.
- Expulsion – Termination of student status for an indefinite period. The conditions for readmission, if any, shall be stated in the hearing outcome letter. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student’s record. Any refund of tuition or fees will be subject to RLNC's normal withdrawal policy. Expulsion should be reserved and used only in cases involving the most severe instances of misconduct.

Sexual Violence may include the following sanction on the student(s) found responsible.

- Expulsion – Termination of student status for an indefinite period. The conditions for readmission, if any, shall be stated in the hearing outcome letter. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student’s record. Any refund of tuition or fees will be subject to RLNC's normal withdrawal policy. Expulsion should be reserved and used only in cases involving the most severe instances of misconduct.

Both parties will be notified at the same time of the outcome, in writing by certified mail or other agreed upon form of notice, within five (5) business days after the hearing. Both parties have the right to appeal the decision reached through the hearing proceedings within five (5) days after the hearing.

Appeal Procedures

An appeal is not a new hearing, but is a review of the record of the original hearing. It serves as a procedural safeguard for the student. The burden of proof shifts from RLNC to the student(s) found responsible for the policy violation. The student(s) must show one or more of the listed grounds for an appeal.

1. Appeals must be submitted in writing to the RLNC President within five (5) working/school days of receiving the decision. Failure to file an appeal within the prescribed time constitutes a waiver of any right to an appeal.

2. The appeal must cite at least one of the following criteria as the reason for appeal and include supporting argument(s):
 - a. The original hearing was not conducted in conformity with prescribed procedures and substantial prejudice to the complainant or the respondent resulted.
 - b. The evidence presented at the previous hearing was not, “sufficient,” to justify a decision against the student or group.
 - c. New evidence which could have substantially affected the outcome of the hearing has been discovered since the hearing. The evidence must not have been available at the time of the original hearing. Failure to present information that was available is not grounds for an appeal.
 - d. The sanction is not appropriate for the violation. This provision is intended to be utilized when a determined sanction is inherently inconsistent with RLNC procedures or precedent. Simple dissatisfaction with a sanction is not grounds for overturning a sanction under this provision.
3. The RLNC President will review the record of the original hearing, including documentary evidence. It is the President’s discretion to convert any sanction imposed to a lesser sanction, to rescind any previous sanction, or to return a recommended sanction to the original hearing committee for review/or reconsideration. If there is new evidence (unavailable at the time of the hearing through no fault of the parties) which is believed to substantially affect the outcome, or evidence presented at the previous hearing(s) was, “insufficient,” to justify a decision against the student or group, or a finding that a substantial procedural error resulting in prejudice occurred, the matter may be remanded to either a rehearing of the entire matter or reconsideration of specific issues. If remanded to the original hearing committee, either or both students may appeal the committee’s decision to the President and the procedures set out above shall control the appeal.
4. The final decision will be communicated in writing by the RLNC President to the appealing student(s). The decision will be communicated within ten (10) working/school days of receiving the written recommendation. Both parties will be notified of the final outcome of the appeal.
5. The decision of the RLNC President on appeal shall be final.

RLNC Officers and Designees

The designation of a RLNC official responsible for prescribed actions shall automatically include the official’s designee in instances where an official is unable, unavailable, or has concluded that the official may have a conflict of interest that causes the official to recuse from involvement in the matter. The official’s designee shall have the same authority as the official in matters involving this policy.

Recordkeeping Protocol

RLNC will document all reports and complaints of sex discrimination and provide copies of those reports to the Title IX Coordinator. The RLNC Title IX Office will maintain a secured electronic file system of all Title IX cases, reports, and complaints by academic year. The cases will include all information related to the individual case, which includes, but is not limited to, the initial complaint, letters sent to all parties, response from the respondent, immediate assistance, investigation notes, mediation agreement if applicable, notice of a hearing, committee selection, hearing notes, hearing decision, written notice of the outcome, and any recordings made of the hearing or in the course of the investigation. The time period to maintain the case records will be no less than seven (7) years from the date of RLNC's final action or decision (whether through report of the investigation, mediation, or hearing.) The confidential reporting of the number of incidents and types will be sent to RLNC Security for the preparation of the Annual Crimes Report.

Prevention and Education

1. Education

RLNC requires all employees to take the following educational trainings on an annual basis. Employees may be required to be recertified on demand. Failure to have a certification of this required training may result in appropriate disciplinary action. Additional in-person trainings are also offered periodically and on request.

2. Bystander Intervention

If you witness a policy violation, or behaviors that may lead to a policy violation, there are a variety of things you can do as a bystander, including:

- Divert the intended victim (e.g. "help me out of here; I don't feel well")
- Distract the perpetrator (e.g. "looks like your car is being towed")
- Delegate to a person of authority (e.g. if at a nightclub let the bartender/bouncer know of the situation)
- Direct, confront the perpetrator (e.g. "don't speak to him/her in that manner; you are going to get yourself into trouble")

3. Risk Reduction Tips

Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to blame victims, and with recognition that only those who commit sexual violence are responsible for those actions, these suggestions may nevertheless help you reduce your risk of experiencing a non-consensual sexual act.

- Make your limits known as early as possible.
- Be aware of your alcohol intake. Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
- Take care of your friends or colleagues and ask that they take care of you.

4. Potential Aggressor

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you reduce your risk for being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
- **DON'T MAKE ASSUMPTIONS** about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go; or about whether they are physically and/or mentally able to consent.
- If there are any questions or ambiguity, then you **DO NOT** have consent.

Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension, and communicate better. You may be misreading them. You must respect the timeline for sexual behaviors with which they are comfortable.

- Don't take advantage of someone's drunkenness or drugged state, even if they did it to themselves.
- Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size.
- Don't abuse that power. Understand that consent to one form of sexual behavior does not automatically imply consent to other forms of sexual behavior.
- Silence and passivity cannot be interpreted as an indication of consent.
- Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

Training

Training on sexual misconduct: discrimination, harassment, and violence is included in RLNC's education program.

In-person training for student groups and students will be conducted through a variety of presentations, student orientation, and other meetings. In-person training for Active Bystander Intervention skills may include: On-going campus campaigns and information at a variety of events concerning the policy and appropriate behaviors, including Bystander Intervention. Informational website and brochures devoted to educating students will be presented at prevention workshops. When in-person training is neither practical nor safe, alternative modes of training shall be utilized.

Mandatory training for employees will be provided through in-person training on sexual misconduct: discrimination, harassment, and violence, and mandatory reporting through new employee orientations and other periodic training opportunities and upon request. In-person training for Active Bystander Intervention skills may include: ongoing campus campaigns and information at a variety of events, concerning the policy and appropriate behaviors, including Bystander Intervention. Informational website and brochures devoted to educating employees.

Available Resources to all of the RLNC community:

Minnesota Help – 651-291-0211 (or 211 in Minnesota)/800-861-7361

Minnesota Domestic Violence Hotline – 866-223-1111

National Domestic Violence Hotline - 1-800-799-7233 (SAFE)

Rape, Abuse & Incest National Network Hotline - 1-800-656-4673 (HOPE)

Communication Services for the Deaf (TTY) - 1-800-252-1017 (TTY)

Communication Services for the Deaf (Voice) - 1-866-845-7445 (Voice)

Women of Nations – 651-222-5836 (24 hour crisis line)/651-251-1619/800-209-1266

Retaliation

The Federal civil rights laws, including Title IX, make it unlawful to retaliate against an individual for the purpose of interfering with any right or privilege secured by these laws. This means that if an individual brings concerns about possible civil rights problems to a school's attention, including publicly opposing

sexual harassment or filing a sexual harassment complaint with the school or any State or Federal agency, it is unlawful for the school to retaliate against that individual for doing so. It is also unlawful to retaliate against an individual because he or she testified, or participated in any manner, in an Office for Civil Rights (OCR) or school's investigation or proceeding. Therefore, if a student, parent, teacher, sponsor coach, or other individual complains formally or informally about sexual harassment or participates in an OCR or school's investigation or proceedings related to sexual harassment, the school is prohibited from retaliating (including intimidating, threatening, coercing, or in any way discriminating against the individual) because of the individual's complaint or participation. Individuals who, apart from official associations with RLNC, engage in retaliatory activities will also be subject to RLNC's policies insofar as they are applicable to third-party actions.

RLNC will take steps to prevent retaliation against a student who filed a complaint either on their own behalf or on behalf of another student, or against those who provided information as witnesses. Complaints of retaliation will follow the same process of investigation, hearing, and appeal.

If it is determined under the preponderance of evidentiary standard (more likely than not to have occurred) that a student is responsible for retaliation, the following sanction will be imposed.

- Suspension – Exclusion from enrollment in classes and other privileges or activities for a definite period of time, not to exceed three (3) years and until the conditions which are set forth in the hearing outcome letter are met. Students who are suspended from RLNC are not permitted on campus or in campus buildings, facilities, or activities at any time for any reason during the period of suspension, unless otherwise directed by the Dean of Student Success. Conditions to conclude a suspension and reinstatement process will be stated in the written notification. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student's record. Any refund of tuition or fees will be subject to RLNC's normal withdrawal policy.

Free Speech and Academic Freedom

Members of the RLNC community enjoy significant free speech protections guaranteed by the First Amendment of the United States Constitution. This policy is intended to protect members of the RLNC community from discrimination and is not designed to regulate protected speech. No provision of this policy shall be interpreted to prohibit conduct that is legitimately related to course content, teaching methods, scholarship, or public commentary of an individual faculty member or the educational, political, artistic, or literary expression of students in classrooms and public forums. However, freedom of speech and academic freedom are not limitless and do not protect speech or expressive conduct that violates federal or state anti-discrimination laws.

Availability of other Complaint Procedures

In addition to seeking criminal charges through local law enforcement, members of the RLNC community may also file complaints with the following entities, regardless of whether they choose to file a complaint under this procedure:

Office for Civil Rights
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Customer Service Hotline: (800) 421-3481
Email: OCR@ed.gov

Office of Civil Rights:
Kansas City Field Office: OCR.KansasCity@ed.gov, (816) 268-0550;
Washington D.C.: OCR@ed.gov 1-800-421-3481

Equal Employment Opportunity Commission:
Oklahoma City Field Office: 1-800-669-4000;
Washington D.C.: 1-800-669-4000, Eeoc.gov/contact/

Sex Offender Policy

The Campus Sex Crimes Prevention Act, which became effective on October 28, 2002, is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. This Act requires colleges to issue a statement advising the campus community where information concerning registered sex offenders may be obtained, and makes the college responsible for providing the name, address, birth date, place of employment, school attended, and offense to any individual on campus requesting information concerning sex offenders attending or employed by the college.

The Minnesota Bureau of Criminal Apprehension maintains a list of all sex offenders required to register in the State of Minnesota. This database is updated daily and can be found at <https://por.state.mn.us/Home.aspx>. The Red Lake Nation also maintains a sex offender list on the Tribes and Territories Sex Offender Information System located at redlake.nsopw.gov. Both websites are also linked on the RLNC Campus Safety webpage at <https://www.rlnc.edu/campus-safety>. The RLNC Campus Security Office also maintains a list of names and information for all known sex offenders enrolled at, or employed by, the College. This sex offender list is available for the college community to view at the RLNC Campus Security Office.

Additionally, federal and state laws require sex offenders to take certain steps upon enrollment in an institution of higher education, regardless of whether their enrollment is full or part time. Pursuant to the Campus Sex Crimes Prevention Act, individuals are required to register as a sex offender in the jurisdiction where their residence is located and in the jurisdiction where the college they attend is located. In order to comply with federal and state registration requirements related to college enrollment, a sex offender must register within five (5) days of attendance at a college by reporting in person to the Campus Security Department. Students who fail to register their status as sex offenders are in violation of the registration act and face arrest and expulsion from the college.

Sex Offenders and the Community Library

The RLNC is home to the Medweganoonind Library and Tribal Archives that serves both the college and the Red Lake community. The Medweganoonind Library is dedicated to serving all members of the Red Lake Nation.

Of course, we must look out for the wellbeing of all students when it comes to sex offenders, but the library will not ban registered sex offenders from using library resources, including public computers. To that end, all individuals are welcome in the library, but based on individual behavior, some individuals may be excluded due to inappropriate behavior that takes place while using the library that violates the library policies. The misconduct procedure from the Medweganoonind Library Handbook will be followed in any and all cases of inappropriate behavior from any library user.

To ensure safety and security of RLNC students and visitors, all registered sex offenders seeking to use library services or attend community events must register with Campus Security (as students have a right to know and be notified of sex offenders on campus). Additionally, all patrons of the library or community events are to remain in the designated areas and are not to enter other areas of the campus building unrelated to the event unless approved by Campus Security. If a library patron has concerns about a potential sex offender in the library, please direct all questions and comments to the Director of Library Services.

It is the responsibility of the sex offender to know their personal restrictions. All members of the community are welcome to attend public events hosted by the college. If inappropriate behavior warrants a question about sex offender status or restrictions, a response is requested. If an individual refuses to answer, they may be asked to leave the RLNC campus or the Red Lake Police Department may be called.

Procedures

1. All registered sex offenders who enroll in courses at RLNC, must indicate their status as a registered sex offender on their admissions application.
2. All registered sex offenders who apply for employment positions at RLNC must indicate their status as a registered sex offender on their employment application.
3. All registered sex offenders who attend public events at the College must indicate their status as a registered sex offender to Campus Security prior to attending the event.

4. Upon enrollment of a registered sex offender, the Vice President of Operations and Academic Affairs or designee will meet with the college's Campus Security Supervisor or designee within five (5) days to review the student's class schedule and determine appropriate restrictions.
5. Upon employment of a registered sex offender, the Human Resources Director or designee will meet with the college's Campus Security Supervisor or designee prior to the employee's start date to review the employee's schedule and workplace location and determine appropriate restrictions.
6. After determining the appropriate restrictions for a particular student, employee, or community member the Campus Security Supervisor will contact the registered sex offender student/employee/community member for a meeting to discuss the restrictions which will be in place while the student/employee/community member is on the college's campus.
7. During the meeting with the Campus Security Supervisor (or designee) and the registered sex offender student/employee/community member, the Campus Security Supervisor will provide the student/employee/community member a written letter containing the restrictions the student/employee/community member must abide by while on the college's campus and will discuss each restriction verbally with the student/employee/community member. During this meeting, the student/employee/community member will also be advised that his/her failure to comply with the restrictions outlined in the letter may result in denial of enrollment, access to campus, and possible legal repercussions.
8. If a sex offender student is enrolled in a college class along with a student who is under the age of 18, the Vice President of Operations and Academic Affairs will notify the instructor of the class of the student's status as a sex offender. The Vice President of Operations and Academic Affairs will also determine if there are other college staff members who need to be notified of a student's status as a registered sex offender in order to protect persons under the age of 18 on the college's campus. In some circumstances, the registered sex offender may be required to enroll in a course section that does not contain minors.
9. The Campus Security Supervisor or designee will notify the Directors of the Oshkiimaajitahdah Ojibwe Immersion Headstart Program as well as any other college program solely serving students under the age of 18, of all registered sex offenders enrolled in or employed by RLNC.
10. The college's Campus Security Office will maintain a database of all registered sex offender students and employees. The database will contain identifier information as outlined in the Campus Sex Crimes Prevention Act. This information will be available for review by any person requesting information on registered sex offenders enrolled or employed by the college.

Student Code of Conduct

RLNC expects students to conduct themselves in a manner that is conducive to learning and that is respectful to others. This applies both on-campus and at college-sponsored activities off-campus. In addition, all students at RLNC must comply with the applicable laws that govern the Red Lake Reservation. Students who do not comply with college regulations, or who commit violations of a serious nature, may be suspended or dismissed from RLNC. Persons who are not students or employees of the

college are required to abide by the RLNC policies and student-conduct regulations while on campus property. Each student is responsible for becoming familiar with and complying with the standards of conduct at RLNC and reporting the actions of others, including, but not limited to:

- Obstruction/disruption of the teaching, research, administration, disciplinary procedure, or any other college duty or function, including its public service functions. The participation in a demonstration on campus, which materially and substantially disrupts or obstructs the normal functioning of the college, including unauthorized occupation of the premises.
- Falsification, forgery, alteration or use of college documents, records, instruments of identification with intent to defraud the college, or an act of academic dishonesty (See Academic Integrity).
- Failure to comply with orders or directives of college officials, faculty, security officers, or any other law enforcement/fire department personnel acting in the performance of their duties.
- Unauthorized entry or use of the college facilities or equipment.
- Disorderly conduct or lewd, indecent behavior, conduct or expression, including abusive language.
- Conduct, which is physically abusive to others or threatens to endanger the health, life or safety of others or oneself on college property.
- Sexual abuse/harassment conduct which is sexually abusive to others or which includes, but is not limited to, sexual intimidation, unwanted touching, sexual contact/assault, or any other uninvited behavior of a sexually explicit nature.
- Hazing, initiation activities in all forms which include, but are not limited to, striking, laying hands upon, treating with violence, or threatening to do bodily harm to another person with the intent to punish/injure.
- Unauthorized use or possession of firearms, other weapons, explosives, firecrackers, or chemicals within or upon the grounds, buildings or any other facilities of the college.
- Theft, or the attempted theft, of property of the College or persons of the College.
- Vandalism, including, but not limited to, defacing, graffiti, trashing or attempting to damage property of the college or of another individual.
- Excessive noise or any act occurring on the college campus, which intentionally disturbs the peace and quiet of any person or group of persons.
- Illegal gambling activities in violation of the law.
- Misuse of college telephones, including, but not limited to, charging any long-distance calls, or making other telephone calls of an offensive, obscene, or illegal nature to or from any telephone on campus.
- The use, sale, distribution, possession of alcohol, or any drug, including prescription medication used in an unauthorized manner is strictly prohibited and may result in disciplinary action up to, and including, expulsion.
- Unauthorized solicitation of individuals and/or distribution of materials.
- Negligent or harmful parental/guardian supervision of children on campus.

Public Code of Conduct

RLNC expects all persons to conduct themselves in a manner that is conducive to learning and that is respectful to others. This applies both on-campus and at college-sponsored activities off-campus. In addition, all persons at RLNC must comply with the applicable laws that govern the Red Lake Reservation. Individuals who do not comply with college regulations, or who commit violations of a serious nature, may be suspended from RLNC. ***Persons who are not students or employees of the college are required to abide by the RLNC policies and student-conduct regulations while on campus property or attending campus events.*** Actions that violate standards of conduct at RLNC include, but are not limited to:

- Obstruction/disruption of the teaching, research, administration, disciplinary procedure, or any other college duty or function, including its public service functions. The participation in a demonstration on campus, which materially and substantially disrupts or obstructs the normal functioning of the college, including unauthorized occupation of the premises.
- Failure to comply with orders or directives of college officials, faculty, security officers, or any other law enforcement/fire department personnel acting in the performance of their duties.
- Unauthorized entry or use of the college facilities or equipment.
- Disorderly conduct or lewd, indecent behavior, conduct or expression, including abusive language.
- Conduct, which is physically abusive to others or threatens to endanger the health, life or safety of others or oneself on college property.
- Sexual abuse/harassment conduct which is sexually abusive to others or which includes, but is not limited to, sexual intimidation, unwanted touching, sexual contact/assault, or any other uninvited behavior of a sexually explicit nature.
- Hazing, initiation activities in all forms which include, but are not limited to, striking, laying hands upon, treating with violence, or threatening to do bodily harm to another person with the intent to punish/injure.
- Unauthorized use or possession of firearms, other weapons, explosives, firecrackers, or chemicals within or upon the grounds, buildings or any other facilities of the college.
- Theft, or the attempted theft, of property of the College or persons of the College.
- Vandalism, including, but not limited to, defacing, graffiti, trashing or attempting to damage property of the college or of another individual.
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- Unauthorized solicitation of individuals and/or distribution of materials.

- Negligent or harmful parental/guardian supervision of children on campus.

Disciplinary Actions for Violation of Code of Conduct

Appropriate disciplinary actions will be enforced upon any individual who has violated the code of conduct at RLNC. In compliance with the standards of conduct the following sanctions are consistent with Tribal, State and Federal laws, and may be imposed for violation of the standards of conduct cited in this policy. Campus Safety and Security Officers will provide written notices of disciplinary action.

Disciplinary actions may include, but are not limited to:

- Warning (verbal or written).
- Suspension (restricted from entering RLNC during a designated timeframe). Length of suspension may vary from a minimum of 45 days to a maximum of a calendar year depending on the severity of the circumstances.
- Where appropriate, referral for prosecution may be made. One or more other sanctions may be imposed for violation of college regulations in relation to the offense.

Appeal Process

Violators will be notified of the disciplinary action implemented. If the individual is suspended from the college campus, a timeframe will be indicated. Once the disciplinary action has been completed, the individual may appeal to the Governance Committee to have the suspension removed. The appeal should include a summary of what led to the disciplinary action and how the individual plans to correct this behavior in the future.

Trespass to Property

Individuals who violate RLNC's Code of Conduct may be subject to suspension from the College for a designated period of time. The head of security may address immediate concerns of any violation to ensure the safety of everyone at RLNC. Any individual who has been suspended from RLNC and knowingly enters or remains on the premises of RLNC after being notified against trespass will be reported to the Red Lake Tribal Police.

Emergency Procedures

Medical Emergencies

Life-threatening injury or illness, or death

- Call 911 or local emergency responders at 679-3313. Notify Campus Security. When reporting a medical emergency, provide the following information: type of emergency, location of the victim, condition of the victim, any dangerous conditions.
- Give full attention to the victim(s).
- Do not attempt to move a person who is ill or injured unless he/she is in immediate danger of further injury.
- Isolate the affected student/staff member, if possible.
- Disperse onlookers and keep others from congregating in the area.
- Check breathing: clear airway if necessary. Ensure victim is in position to facilitate breathing.
- Help stop bleeding. Apply pressure on wound or elevating wound to stop or slow bleeding. Use gloves or other items to protect self/others from body fluids.
- Check for vital signs; initiate first aid, if trained to do so.
- Comfort victim(s); offer reassurance that medical attention is on the way.
- After immediate medical needs have been met, remain to provide emergency personnel with pertinent information regarding the incident.

Non-life-threatening injuries or illness

- Notify campus security.

Suicide

Suicide Threat

- Consider any student reference to suicide as serious.
- Do not leave the student alone.
- Notify Director of Counseling, Campus Security, President, and Vice President of Operations and Academic Affairs.
- Stay with the student until suicide interventionist staff arrives.
- Do not allow student to leave school without appropriate supervision.

Suicide Attempt in School

- Notify Security, President, Vice President of Operations and Academic Affairs, Vice President of Student Success, or other appropriate staff.
- Remove objects that the suicidal person can use to inflict self-harm.
- Call 911 or local law enforcement at 679-3313, if the person needs medical attention, has a weapon, or needs to be restrained.
- Remain calm, reassure other students, and calm the suicidal person.
- Stay with the suicidal person, or area, to prevent others from witnessing a traumatic event.
- Initiate first aid.
- Do not allow the student to leave school without appropriate supervision.

Staff Responsibilities

- Contact family or emergency contact if suicidal person is a student or staff member.
- Determine a safe and appropriate area for suicidal person to remain until emergency response team arrives.
- Call 911 or local law enforcement at 679-3313.
- Notify the President/Vice President of Operations and Academic Affairs and Director of Counseling.
- Obtain proof of psychological consultation before permitting students to return to school (Student Success Staff: Director of Counseling, Continuing Education and Extension or Student Success Counselor).
- Implement post-crisis procedures.
- Initiate a grief counseling plan, if appropriate.

Suicide Completion

President/Vice President of Academics and Operations/Life Vision Coach will:

- Confirm death with law enforcement.
- Contact affected employees (face-to-face or via email as appropriate).
- Arrange for Wellness Counselors to provide counsel to students/employees.
- Identify and provide immediate support for students immediately affected.
- Convene with Campus Safety & Security Committee and Student Success to determine follow-up.

Hazardous Material

Only trained and authorized personnel are permitted to respond to hazardous materials incidents.

If an incident occurs at Red Lake Nation College

- Notify College President.
- Call 911 and the local hazardous materials hotline at 679-3959 to report the type and/or location of hazardous materials.
- Move students from immediate danger.
- Notify Head of Security.
- Notify Gas Company.
- Do not reenter building until given “all clear” signal from emergency responders.

Building Administrator Responsibilities

- Determine the name of the chemical, its location, and if the chemical is spreading rapidly.
- Contain (seal off) the spill or spill area.
- Close doors.
- Do not allow school personnel to attempt to clean up the spill; trained personnel will remove it.
- Refer to Materials Safety Data Sheets and On-Site Chemical Management Plan for guidance.
- Fire department personnel in charge will determine additional shelter-in-place or evacuation actions.
- Shut off heating, cooling, and ventilation systems in the contaminated area to reduce spread of contamination.
- Seek treatment for any students or employees exposed to the chemical through inhalation, skin exposure, swallowing, or eye exposure.
- Notify College President.
- Designate a responsible adult or administrator (most likely Head of Security) to meet with fire or law enforcement agents to give them an update and facility diagram/site plan upon arrival.
- Notify family if students are evacuated, according to college FERPA policies.
- Resume normal operations after fire department official approval.
- If evacuation is not ordered, be aware of and remain alert for any change in health conditions of students and employees, especially respiratory problems. Seek medical attention if necessary.
- File required reports.

If an Incident Occurs Near Campus

Fire or law enforcement will notify RLNC officials regarding the need for sheltering or evacuation.

Faculty Procedures

- Evacuate class to an upwind or crosswind location.
- Bring class roster and building keys.

- Do not allow students to go elsewhere within the building.
- Check for students that may be in the restrooms.
- Remain with students until directed to do otherwise by college administration.
- Take roll call and immediately report any missing students to college administration.
- Supervise students and give factual information regarding the emergency situation.
- Do not reenter school until fire department officials authorize building is safe.

Fire Emergencies

In the event of fire, smoke from a fire

- Sound the building's fire alarm by pulling the nearest fire alarm station. If no pull station is close, alert security or any staff member of the college.
- The first staff person aware of the fire should contact.
- Evacuate students, employees, visitors, and tenants to the designated area.
- Follow primary fire drill routes whenever possible. Follow alternate route if primary route is blocked or dangerous. See map, located in classroom.
- If trapped by fire, go to Shelter-in-Place Procedures.

Building Staff and Faculty Responsibilities

- Notify fire department (call 911 or Red Lake Fire Department, 679-3473) and College President.
- Insure hallway fire doors are closed to help contain the fire.
- Meet with local fire or law enforcement agents upon arrival and will give them an update and a building diagram.
- After consulting with officials, move students to relocation centers if weather is inclement or building is damaged.
- Ensure no one reenters the building until they are declared safe by fire or law enforcement personnel.
- Notify staff of termination of emergency.
- Report incident (even if it is a false alarm) to the fire department.

Faculty Procedures

- Take class roster, building keys and any other materials you deem essential.
- Turn off the lights.
- Feel the door to determine temperature: If it's NOT hot, proceed out into the hall and close the door (do not lock it). If the door is hot, select another route out of the room.
- Prior to exiting the building, check the surrounding area outside for danger.
- Walk to designated evacuation sites.
- Account for all students; report missing students.

- Remain with students until directed to do otherwise by authorized officials.

If you discover a fire on your floor

1. Manually activate the fire alarm system.
2. If safe to do so, immediately exit the building, closing the doors behind you.
3. Call the Red Lake Nation Police at 218-679-3313.

Once fire alarm is activated

1. Check the door for heat to ensure it is safe to exit the room you are in.
2. Walk to the nearest exit (do not use elevators in event of fire).
3. Those who are unable to evacuate the building rapidly should move to a stairwell landing and wait for assistance from trained first responders.
4. Notify police or fire department personnel if you know someone is trapped.
5. Gather outside at a designated area (Pow wow grounds) and do not attempt to re-enter the building until instructed to do so by police or college officials.

If Trapped in a Room

1. Place wet cloth material around or under the door to prevent smoke from entering the room.
2. Close as many doors as possible between you and the fire.
3. Be prepared to signal outside but **DO NOT BREAK GLASS** unless absolutely necessary as outside smoke may be drawn into the room.

If Caught in Smoke

1. Drop to hands and knees and crawl toward the exit.
2. Stay low to the floor, as smoke rises to the ceiling level.
3. Hold your breath as much as possible.
4. Breathe shallowly through your nose and use a filter such as your shirt or a towel.

Use a Fire Extinguisher

When safe to do so, use the nearest fire extinguisher to fight small fires.

Fire Extinguisher Instructions:

1. Pull safety pin from handle.
2. Aim at the base of the fire.
3. Squeeze the trigger handle.
4. Sweep from side to side at the base of the fire.

Vehicle Accidents

What to do at the Scene of an Automobile Accident Involving a College Vehicle:

1. Check for injuries and render aid as appropriate. Call 911 for assistance.
2. Remain calm and cooperative and not argumentative. Remember that you are representing the RLNC.
3. Be prepared to report the accident. Gather as much information as possible at the scene including the following:
 - The other driver's name, phone number and insurance information.
 - Information about other vehicles involved (year, make, license plate numbers).
 - The names and phone numbers of any potential witnesses.
 - Road and weather conditions.
4. Do not admit fault and do not make any claims regarding the college's insurance or coverage to anyone else involved in the accident.
5. Inform the parties involved that the accident will be reported to the college's insurance provider and that a claims adjuster will contact them. Be sure to get their names, phone numbers, and insurance information.
6. Make every attempt to contact the police and file a report.

Weather Emergencies

Classes may be cancelled due to extreme weather conditions, unsafe highway conditions, or other circumstances that would threaten the health and safety of college students, faculty, and staff. The President or Vice President of Operations and Academic Affairs will determine campus-wide cancellation of classes. Notifications will be sent through Populi and received via text message and email. Notices will also be posted on the RLNC Facebook page. Students are responsible for keeping their contact information up-to-date in the Populi Student Information System.

Severe Thunderstorms

Severe thunderstorms include the possibility of damaging lightning, winds, hail, and flash flooding. Students, faculty, and staff should "shelter-in-place" away from windows. If lightning is heavy and frequent, computers and other electrical appliances should be turned off. Under no circumstances should floodwaters be crossed, either by foot or car.

Tornadoes

A tornado WATCH is a forecast of the possibility of tornadoes in a large area; conditions are favorable for a tornado to develop. Normal activities should continue with the following precautions taken:

1. Upon issuance of a tornado watch through the weather monitor, public communications or police, College officials should be alerted of the situation.
2. The emergency weather monitor or local radio station should be monitored constantly by College officials.

A tornado WARNING means that a tornado has been sighted or indicated by weather radar and may be approaching. The following steps should be taken immediately:

1. Take shelter. Students, faculty, and staff should take measures to protect themselves. Move immediately to basements, center hallways or bathrooms if time permits. Stay away from windows and large, open rooms. Take cover under heavy objects if possible and hold on to it. In building hallways, sit with your back to the walls, put your head between your knees and cover with your hands to protect your head.
2. Do not bother with opening or closing windows.
3. If you are outside, seek shelter in a building if time permits. Otherwise, lie down in a ditch or low area with your hands covering the back of your head and neck.
4. Do not stay in cars.
5. Students, faculty, and staff should remain in the safety area until local emergency personnel or college administrators give notice that it is clear.

Snow and Ice Storms

Public warning is issued by the National Weather Bureau through the radio and television media when a severe snowstorm, blizzard, or ice storm is anticipated. Employees will be notified by administrative officers if contingency plans or special duties are required of them. The decision to suspend classes will be made by the Vice President of Operations and Academic Affairs in consultation with the President.

Building/System Problem or Failure

Brief power outages are a common occurrence. In the event of an extended power outage, contact the Maintenance Worker or Campus Security.

Hostage/Shooter Situation

Hostage incidents, campus shooters and other terroristic situations occur in college and schools across America. The following statements are guidelines for handling the situation to maximize your ability to be safe and secure. Every incident is unique and you should remain calm and use the best judgment possible in your actions for each situation.

Faculty, staff and students MUST follow directions by local authorities and administrative officers in all threatening situations.

Initial Instructions

- If a threatening person, with or without a weapon is suspected, immediately take cover and barricade/secure yourselves and others in a locked campus location. Avoid running in open grounds areas outside of buildings.
- Notify the police (911). Relate details of the situation and the last known location of the suspected person(s).
- Notify a college officer (use call list) with the same information.

Information Concerning Controlling/Managing the Situation

- The appropriate college personnel will declare an emergency and will work with local authorities in determining and carrying out an appropriate response. In most cases, this would include notifying personnel in other buildings and instructing personnel to remain in their current, secured location when possible. Lock doors and or barricade doors. **DO NOT ALLOW PERSONNEL TO LEAVE/ENTER THE AREA UNLESS IT CAN BE DETERMINED THAT THE ACTION DOES NOT COMPROMISE SAFETY OF ALL PERSONNEL IN THE AREA.**
- Personnel will be instructed to lock-down/barricade themselves in offices, classrooms or other rooms as possible and move to the furthest point in the room away from windows and doors. Close the blinds for concealment, cover the door window and turn off the lights.
- Personnel will be instructed to avoid use of campus phones, cell phones, etc. unless specifically requested to assist with essential campus communications.
- Securing yourself in locations with access to phones, e-mail and /or communication radios if feasible is beneficial.
- The command station for a hostage/shooter incident will be the President's office. If this area is involved in the attack, the Student Services Office will serve as the back-up command center.
- Mass email communication will be sent out apprising personnel of the ongoing situation. If feasible, personnel may be asked to respond to the e-mail messages confirming receipt and /or actions taken.

If you are in contact with a suspected shooter/perpetrator, please note the following suggestions:

- As in any emergency, try to remain calm and avoid sudden movements.
- Don't speak unless spoken to.
- Comply with instructions from the perpetrator as best you can.
- Be observant and alert.

Remain in your secured campus location until local authorities arrive to safely escort you to safety. **DO NOT LEAVE A SAFE, SECURED AREA UNLESS SPECIFICALLY INSTRUCTED OR ESCORTED BY LOCAL AUTHORITIES!**

Witness to a Hostage Situation

- If the hostage-taker is unaware of your presence, do not intervene.
- Notify Administrative Staff or security.
- Call 911 or local law enforcement at 679-3313
- Give dispatcher details of situation; ask for assistance from the hostage negotiation team.
- Seal off the area near the hostage scene.
- Law enforcement will take control of hostage scene.
- Document all activities.

Taken as a Hostage

- Cooperate with hostage-taker to fullest extent possible.
- Calm students, if present.
- Treat the hostage-taker with respect and as normally as possible.
- Ask permission to speak; do not argue or make suggestions.

Administrator Responsibilities

- May initiate lockdown procedures or evacuation.
- Notify College President.
- Coordinate with law enforcement.
- Prepare news/information release, as appropriate.
- Account for all students, record injuries after hostage-taker is contained.
- Apprise staff of situation, as appropriate.
- Initiate Post-Crisis Intervention Procedures, if necessary.

Emergency Lockdown Procedure

One method of securing the College is to implement lockdown procedures. Other threats may override lockdown, such as a confirmed fire, intruder in classroom, etc. Lockdowns may be initiated in non-threatening circumstances to keep people away from areas where there may be a medical emergency or disturbance. There are two levels of lockdown:

1. Lockdown with Warning/ Restricted Movement (Soft Lockdown) – The College has been notified of a potential threat outside of the building.
2. Lockdown with Intruder (Immediate Lockdown) – A threat is inside the building.

In all lockdown situations

- Secure room by locking and shutting the door.
- Turn off lights if threat involves an intruder.
- Close open windows. Cover windows that face the hall. Use discretion for covering outside windows.
- If the situation does not involve an intruder, have students remain in their seats.
- If the situation does involve an intruder, move students away from windows and doors.
- Keep students calm and quiet.
- Ignore College alarms.
- If the situation gets worse, use your discretion for leaving the room.
- Stay under restriction until all clear signal is given.

Lockdown with Warning/ Restricted Movement Procedures

- Campus security will inform College faculty and College Administrators “SOFT Lockdown / restricted movement”.
- Direct all students/faculty/staff/visitors to come inside the building.
- Lock exterior doors.
- Clear hallways, restrooms and other rooms that cannot be secured.
- Pull shades or cover windows.
- Keep students away from windows.
- Control all movement, but continue classes.
- Stay under restriction until all clear signal is given.

Lockdown with Intruder Procedures (these actions happen rapidly)

- Campus security will inform College faculty and College Administrators: “IMMEDIATE Lockdown/ restricted movement”.
- Direct all students/faculty/staff/visitors to nearest classroom or secured space.
- Students/faculty/staff outside the building should not enter the building.
- Lock classroom doors.
- Do not lock exterior doors.
- Move people away from windows and doors.
- Turn off lights.
- Do not respond to anyone at the door until, “all clear,” is given.
- Keep out of sight.
- Campus security will inform College faculty and College Administrators when all clear signal is given.

Bomb Threats

There appear to be two explanations for why someone would report that a bomb is going to go off in a particular building: 1) the caller has definite knowledge or has reason to believe that an explosive or incendiary has or will be placed, and they want to minimize personal injury or property damage; or 2) the caller wants to create an atmosphere of anxiety and panic at the organization where the device is reportedly located.

When receiving such a call, try to remember the following:

1. When the caller has communicated the threat, stay calm and do not panic. Record the time of day.
2. Keep the caller talking; the more s/he says, the more you can learn. Record every word that the caller says.
3. If the caller does not indicate the bomb's location and the time of detonation, attempt to gain this information.
4. Inform the caller that the building is occupied and the detonation of the bomb could result in the death of innocent people. Try to reason with the person.
5. Listen closely to the voice of the caller to note the following: age, sex, race, accent, speech impediment or if the caller sounds drunk, nervous, etc.
6. Pay particular attention to any strange background noises, such as street noises, motors, TV, radio programs or anything else that may assist law enforcement agencies in determining the origin of the call.
7. Notify the College President or other administrator of the call immediately after the caller hangs up. Upon further instructions from the administrator, call the emergency number (911) and be prepared to relay all pertinent information.
8. Do not discuss the call with anyone else; carefully follow additional instructions from the police/fire authorities and campus administrator. Wait at the same location for law enforcement officers to arrive so that they may talk with you.

Critical Information

- All bomb threats are to be taken seriously until assessed.

General Procedures

Received threat by:

Phone

- Remain calm and do not hang up (leave the receiver off hook).
- Signal assistance to notify security and the College President.
- Activate "Caller ID" if available.
- Seek information from caller and make note of as many details as possible.

Written Note

- Notify police, security and the President of the College.
- Preserve evidence by touching the note as little as possible.
- Place note in a paper bag if available.
- Photograph words written on walls.
- Rewrite the threat on another paper exactly as it reads and add the date, time, and unusual situations surrounding the discovery.

Email

- Notify College President.
- Do not delete the message.
- Contact IT to record information.

Verbally

Identify the person making the threat if the identity is unknown make note:

- Gender.
- Type and color of clothing.
- Body size.
- Distinguishing features.

Finding a suspicious object:

- Do not touch the object.
- Do not turn on/off any electrical items.
- Do not use the phone.
- Leave the area and contact the college president.

Evacuation

- If a decision is made to evacuate, notify staff via text system by stating “evacuate building”.
- Do not use cell phones, radios, or fire alarm system due to risk of activating device.
- Do not mention “bomb threat”.
- Ensure adequate staff are able to assist students with special medical needs and or physical needs.
- Alter exit routes accordingly if location of the device is known.
- Leave all items behind, and undisturbed.
- Close but do not lock the classroom door.
- Proceed to the designated relocation areas.
- Take a roll call and notify college president of missing students/faculty/staff.

Threat of Violence

Should you discover that there is a violent or potentially violent person in the building, take the following steps:

1. Only confront the person as a last resort to save your life.
2. Call 911 or the Red Lake Nation Police.
3. As soon as possible, provide the following information to the police:
 - Request an ambulance if anyone is injured.
 - The location of the suspect.
 - Description of the suspect including name (if known), gender, race, height, hair color, clothing description, weapons seen or indicated, what they said, whether or not they indicated a specific target, direction of travel if they left, and any other information requested.
 - Building name and location.
 - Floor and room.
 - Any hazardous materials that may be present.
4. Notify staff, faculty, and administrators of the situation.
5. Take shelter in the nearest, secure area.

Weapons

Student/faculty/staff believe a weapon has been brought on campus

Immediately notify campus security and a staff administrator, instructor or law enforcement; give the following information:

- Name of person suspected of bringing the weapon.
- Location of the weapon.
- Whether the suspect has threatened anyone.
- Any other details that may prevent the suspect from hurting self or others.

Instructors who suspect that a weapon is in the classroom

- Stay calm; do not call attention to the weapon.
- Notify campus security, a staff administrator or neighboring instructor.
- Do not leave the classroom.

If the suspect becomes threatening

- Do not try to disarm him/her.
- Back away with your hands up.
- Remain calm.

Staff Administrator Responsibilities

- Call law enforcement at 679-3313 to report that a weapon is suspected on campus.
- Notify the President of the college.
- Ask a Staff Administrator or campus security and a law enforcement officer to participate in questioning the suspect.
- Determine the best time and place to approach the person considering the following:
 - Need assistance from law enforcement.
 - Type of weapon.
 - Safety of persons in the area.
 - State of mind of the suspect.
 - Accessibility of the weapon.
- Separate suspect from the weapon; if possible.
- Document all activities related to a weapons incident and follow up with campus security.

Shooting

These procedures apply to snipers inside or outside of the building or any other firearm threat that poses immediate danger from an intruder or participants in a demonstration. In preparation for such an emergency, contact local law enforcement to identify response methods and capabilities. Provide them with updated building diagrams.

Staff Administrators/security

- Staff Administrator may order lockdown procedures.
- Assess the situation including shooter's location, injuries and potential for additional shooting.
- Call 911 or local law enforcement at 679-3313 give as much detail as possible about the situation.
- Secure the school: get students/faculty/staff to safe shelter.
- Notify the College President.
- Care for the injured if it is safe to do so until emergency responders arrive.
- Do not expose yourself to danger.
- Refer media to college president per media procedures.
- Initiate post-crisis procedures.

Staff and Student Procedures

If outside:

- Get inside the building as soon as possible.
- If unable to get inside, crouch to become as compact as possible, put something between self and shooter.
- Do not gather in groups.

If inside:

- Turn off the lights, lock all doors and windows, and close the curtains.
- Do not talk.
- Stay until an “All Clear” signal is given by Staff Administrator.
- Bring students into classrooms if safe to do so.
- Take roll call and notify the Staff Administrator of any missing or additional students/faculty/staff.

Sniper Attack (outside of building)

- Direct students to take cover behind items.
- Do not allow students to gather in groups.
- Notify Staff administrators.
- Call 911 or local law enforcement at 679-3313.
- Ignore alarms to evacuate the building.
- Institute a lockdown for the building’s occupants.
- Remove students from any rooms that are near the sniper attacks.
- Warn students and staff returning to the building to stay away.
- Wait for further direction from law enforcement.

Chemical or Biological Threat

If a telephone threat references a chemical or biological device or package:

- Follow safety procedures in Bomb Threat and Hazardous Materials Sections.

This section addresses the receipt of a suspicious letter/package by mail/delivery service containing a chemical or biological threat.

General Procedures

- Ensure gloves, plastic container, and plastic bags are available near mail room.
- Look for characteristics that make you suspicious of the content when sorting mail/packages such as:
 - Excessive postage or weight
 - Misspelling of common words
 - Oily stains, discoloration, or odor

- No return address
- A city or state in the postmark that does not match the return address
- Package that is unanticipated or sent by an unknown party.

Letter/package Contains Written Threat (no suspicious substances)

- Notify College President and the Security Supervisor.
- Call 911 or local law enforcement at 679-3313.
- Call Minnesota Duty Officer at 1-800-4222-0798, or 651-649-5451.
- Have individual who opened letter/package place it into a container or plastic bag.
- Limit access to area where letter/package was opened; do not allow it to be handled.
- Turn the letter/package over to law enforcement.
- Document all activities.

Letter/package Contains Suspicious Substance

- Notify College President and Security Supervisor.
- Call 911 or local law enforcement at 679-3313.
- Separate individuals who had direct contact with letter/package; remove all other, uninvolved students and staff from the area.
- Limit access to area where letter/package was opened; do not allow it to be handled.
- Have individual who opened letter/package place it into a container or plastic bag.
- Minimize contact with the letter/package.
- Follow emergency response officials' directives regarding decontamination and change of clothing for those who had contact with letter/package.

Building Administration Responsibilities

- Notify Tribal Chairperson
- Determine whether evacuation is necessary; if it occurs, staff and instructors should:
 - Take class roster and building keys.
 - Process to designated evacuation area.
 - Take roll call and notify building administrator of missing students/staff.
 - Remain with students until directed otherwise by authorized officials.
- Direct the relocation and transportation of student in collaboration with Transportation Services if warranted:
 - Red Lake Humanities Center
 - Ponemah School, Boys and Girls Club
 - Elementary Complex, Bus garage
- Notify families and Red Lake community.
- Implement post crisis procedures.

Interpersonal Emergencies

Crime Prevention on Campus

If you see a crime, report it to campus administration and the Red Lake Police Department.

Preventing Thefts

- It is your responsibility to protect college and personal property from theft. Lock your door when you leave your office, classroom, or lab, even for a short time.
- Do not loan your college keys to anyone.
- Immediately report lost or stolen keys to administration.
- Keep purses, briefcases, and wallets locked inside your desk or cabinet. Do not bring large sums of money to work.
- Secure your computer; both physically and through password protection.
- Watch for suspicious activity or individuals in your area.

Behavior Concerns

The Director of Counseling, Continuing Education and Extension offers counseling services to students. Students, faculty and staff may also voice concerns about the behavior of other individuals. The Director of Counseling, Continuing Education and Extension will seek appropriate guidance and resource referrals to address the situation.

Post-Crisis Intervention Procedures

Assess the situation to determine the need for post-crisis interventions for students, faculty, staff, and families. Provide post-crisis briefings as appropriate and work to reestablish school and classroom routine as quickly as possible. When doing so, consider the following interventions:

- Defusing(s): Brief conversations with individuals or small groups held soon after an incident to help better understand and cope with the effects of the incident.
- Provide defusing sessions, conducted by trained individuals, for students, faculty, and staff as quickly as possible after the emergency.
- Grief Counseling: Monitor and support students, faculty, and staff's by providing ongoing opportunities for them to talk about their fears and concerns. They may have more questions as time passes.
- Identify and monitor at-risk students.
- Provide individual crisis or grief counseling, if necessary.
- Conduct outreach to homes, if necessary.

- Provide follow-up referral for assessment and treatment if necessary.

Student Success Responsibilities

- Send letter to students.

President/Vice President of Academics and Operations/Life Vision Coach duties:

- Identify a 24-hour contact person or agency responsible for post-crisis assessment and interventions.
- Effectively coordinate mental health or professionals from federal, state and non-government agencies who respond to offer post-crisis aid in crisis situations.



Red Lake Nation College

Campus Safety and Security and Emergency Preparedness Plan Acknowledgement

This manual has been prepared for your information and understanding of the emergency preparedness plan and procedures of Red Lake Nation College (RLNC). Please read it carefully. Upon completion of your review of this manual, sign the statement below, and return it to your supervisor (or other designated individual) by the due date. A copy of this acknowledgment appears at the back of the manual for your records.

I, _____, have received and read a copy of the *Red Lake Nation College Campus Safety and Security and Emergency Preparedness Plan* that outlines the emergency response of Red Lake Nation College, as well as my responsibilities as an employee.

I have familiarized myself with the contents of this manual. By my signature below, I acknowledge, understand, accept and agree to comply with the information contained in the *Campus Safety and Security and Emergency Preparedness Plan* provided to me by Red Lake Nation College.

(Employee signature)

Date: _____