

CHADRON STATE COLLEGE

Security, Crime Prevention, and Fire Safety

Policies and Statistics

2023-2024

Chadron State College is located within the city limits of the northwestern Nebraska community of Chadron, a city of approximately 5,500 with an additional 2,200 students. During the academic year, approximately 600 students live in six residence halls. The incidence of crime is very low in this rural part of Nebraska, in the city of Chadron and on the campus. Still, Chadron State College strives to provide a safe environment for all individuals on campus, including students, staff and visitors. However, the primary responsibility for safety and security rests with each individual. CSC policies are designed to ensure a high level of security on campus and our staff works continually to increase the on-campus awareness of crime. Reporting of known crime is a part of Chadron State College's commitment to the safety of the members of our campus community.

TYPES OF POLICY

Chadron State College, Peru State College, and Wayne State College, along with the System Office and the Board of Trustees constitute the Nebraska State College System (NSCS). Policies set forth by the Board of Trustees of the Nebraska State Colleges are referred to in this report as "NSCS Board Policy" and supersede any college policy; otherwise, all other policies are "CSC College Policy".

DISCLOSURE OF CRIME STATISTICS

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990, 20 U.S.C. 1092, Chadron State College annually compiles and releases information regarding crime statistics and policies to prospective students, prospective employees, current students, the U.S. Dept. of Education, and upon request. Each year, an email notification is sent to all currently enrolled CSC students, faculty and staff which includes a link to this report on the [CSC Student Right to Know webpage](#). Paper copies of this report may also be obtained from the office of the Dean of Student Affairs located in Crites Hall at 1000 Main Street, Chadron, NE, 69337.

Crime statistics for the CSC campus, certain non-campus properties, and certain public property areas, which have been reported to the Chadron Police Department and Campus Security authorities for the most recent three calendar years, are disclosed in this publication. A Public Crime Log is maintained by Campus Security and is available upon request.

MAKING IT SAFE FOR OUR STUDENTS

Chadron State College is sensitive to the needs and concerns of all students and actively promotes student respect toward each other. Open communication among students, and between students and the college community, will prevent and/or solve many problems. The primary responsibility for safety and security rests with each individual. Faculty, staff and students must observe all reasonable precautions to ensure their own well-being. Prompt and accurate reporting of criminal incidents is essential to a successful crime prevention program. The college takes steps to educate faculty, staff and students regarding the importance of these programs.

REPORTING CRIMES AND EMERGENCIES

CAMPUS SECURITY AUTHORITIES

Campus Security authorities are those officials to whom reports should be submitted for the purpose of making timely warnings and the annual statistical disclosure. CSC Campus Security authorities are listed below:

Security Authority Title	Phone
CSC Security Supervisor	402-741-0353
Security Officers	308-432-6037
Dean of Student Affairs	308-432-6078
Vice President for Administration and Finance	308-432-6202
Director of Housing and Residence Life	308-432-6479
Associate Director of Housing and Residence Life	308-432-6403
Associate Director of Residence Life	308-432-7015
Assistant Director of Residence Life - Andrews Hall	308-747-2608
Assistant Director of Residence Life - Eagle Ridge	308-747-2619
Assistant Director of Residence Life - Edna Work Hall & Wing	308-747-2611
Assistant Director of Residence Life - High Rise	308-747-2604
Assistant Director of Residence Life - Kent Hall	308-747-2609

Emergency and Serious Injury Accidents Reports

On-Campus – Dial 9-911

Off-Campus – Dial 911

People who see or know of criminal activity or other emergencies on campus may report this in several ways. The campus is directly linked into the local government's Emergency 911 system. **Emergencies and serious injury accidents should be reported by dialing 911 from an off-campus phone or 9-911 from an on-campus phone.** The dispatcher is able to locate the source of the call and the Campus Security officer on duty will be

dispatched. Several agencies from the city, including the fire department/ambulance service, will respond to the campus.

Non-Emergency Reports

Non-emergency calls should be made to 308-432-0510. The Chadron Police Department is on duty 24 hours a day to respond to calls for assistance. Residence hall directors, and resident advisors are also on call 24 hours a day.

Anonymous Reports

Access to the “Report a Crime” form is provided on the [Security website](#) for anyone to anonymously and electronically report any criminal activity.

Reporting Assistance

Accurate crime reporting is essential to the investigative process and confidentiality is maintained. Students, faculty, and staff are encouraged to make accurate and prompt reporting of crimes to Campus Security or the appropriate law enforcement agency. CSC Campus Security will assist students who choose to ask for help in notifying the proper law enforcement officials of offenses committed.

Sex Offense Reporting

If a sex offense occurs, the victim should contact the Chadron Police Department (308-432-0510) or the CSC Title IX Coordinator (308-430-0980). If the victim is not comfortable discussing the situation with any of these, he or she may report the incident to any CSC official or call the office of the President (308-432-6201). **It is vital that evidence of the offense be preserved as it may be necessary to the investigation of the criminal sexual assault.** All allegations of sexual offenses will be immediately and confidentially investigated. If a claim is substantiated, disciplinary action will be taken according to policies developed by the Board of Trustees of the Nebraska State College System. A student found guilty of rape, acquaintance rape, or other sex offenses, forcible or non-forcible, may be subject to probation, suspension or expulsion. Public information concerning registered sex offenders can be obtained at the official Web site of the Nebraska Sex Offender Registry: <https://sor.nebraska.gov/>

Emergency Response Team

Coordinated planning and response is essential for campus safety in emergencies. The CSC Emergency Action Plan (EAP) Team and its members take the campus leadership role in the event of an emergency. The EAP Team reviews emergency response plans and keeps them current as well as works closely with campus, local, state, and federal authorities for emergency planning and coordinated response.

Keep Your Contact Information Current

In order to receive electronic notifications and warnings your cell phone number must be correct. Please check and update all of your contact information in your MyCSC account periodically. For assistance contact the START Office via email at start@csc.edu or call (308) 432-6060.

Emergency Notifications

Depending on the extent of the situation, CSC will take into account the safety of the campus community and initiate to the appropriate segments of the campus, without delay, an emergency notification of a confirmed threat to health or safety; unless issuing a notification will, in the professional judgment of responsible authorities, compromise the efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. The content of the notification and the population to be notified will be determined by the EAP Team.

Timely Warnings

Students, faculty, and staff will be provided timely warning as required by federal law (20 U.S.C. § 1092) as to the occurrence of a serious crime that is thought to be a continuing threat to members of the campus community as soon as pertinent information becomes available. Warnings and notifications will be made through personal notification including text or email messages (if applicable) as well as flyers, the student newspaper, local radio, CSC website, and the employee newsletter. Cell phone numbers that are listed in the CSC student information system will be loaded in the CSC emergency alert system. Questions about adding or updating cell phone numbers should be directed to CSC START Office (308-432-6060).

SAFETY, CRIME, AND SUBSTANCE ABUSE PREVENTION EDUCATION

Students are routinely educated about issues that directly affect their welfare through student programming and contact with faculty and staff. Those issues include health topics, crime, and social and personal concerns. Students are encouraged to seek assistance from an academic advisor, counselor, and/or residence hall advisor in dealing effectively with safety-related needs and concerns.

Crime prevention education, including information addressing rape awareness, acquaintance rape, and other forcible and non-forcible sex offenses, is provided by a variety of sources. These sources include the Chadron radio stations, campus and Chadron newspapers, computer network, and in-service programs sponsored on campus, as well as in fliers distributed throughout the residence halls. Safety and crime experts such as the Chadron Police Department, Dawes County Sheriff's Office and Nebraska State Patrol participate in crime prevention and personal safety programs for residence hall students and other college groups annually. Chadron State College sponsors a variety of drug and alcohol education classes that are required of students who violate the college's drug and alcohol policy.

Prospective students who attend Orientation are acquainted with Campus Security. All students and employees may access the incident statistics and crime information through the Chadron State College website: <https://www.csc.edu/security/>

Students living in the residence halls receive security information from their residence hall director or resident advisor. Safety is also addressed in the [Student-Handbook-2023-2024](#)

An on-campus safety escort service is available. Contact the Chadron Police Department at 308-432-0510 or Campus Security at 308-432-6037 for more information.

GENERAL CAMPUS SAFETY

Campus Community Member Role

To help ensure that the campus emergency and safety plans and procedures work effectively students and staff members have important roles in campus safety and crime prevention. All campus members should take responsibility for understanding and following the regulations and information provided by campus officials and within campus publications. Educational and informational sessions are also provided for the benefit of the campus members and attendance at these sessions provides additional knowledge about health, safety, and crime prevention. Up-to-date contact information is essential for personal and mass notification about safety issues. Students, faculty, and staff members should review and update personal and emergency contact information regularly to ensure accurate listing of contact information within MyCSC, the campus information system.

Access to Facilities

Keys to all buildings, except the residence halls, must be requested through and approved by the building manager. The Director of Housing and Residence Life is responsible for keys to the residence halls. All campus buildings are secured after normal working hours and access to them is controlled by personnel in conjunction with Campus Security. Campus Security officers and student employees patrol the campus at night to deter theft, vandalism and fire. Security deficiencies should be reported to either the building manager, Dean of Student Affairs, or Physical Facilities.

The Physical Facilities staff maintains the college buildings and grounds with a concern for safety and security. These individuals inspect campus facilities and make necessary repairs to ensure that appropriate safety and security standards are met.

Residence Halls

Access to campus residence halls is limited to residents, their guests, authorized employees, and others with a specific need to enter the hall. Each hall posts notification to that effect. In general, responsibility for access to the halls and the security within rests with residence hall directors, resident advisors, and occupants of each hall. During the regular academic year, all residence hall doors are locked 24/7, with the exception of move-in weekend and select times for maintenance related needs. During the regular academic year, desks are staffed 24/7.

Campus Security officers patrol the residence hall areas and check the security of the halls during the late night and early morning hours. Security deficiencies are corrected and reported to the office of Housing and Residence Life. The Housing and Residence Life Office notifies Physical Facilities and/or Security regarding necessary repairs and upkeep.

Students who believe the safety of their living arrangements has been jeopardized may request a room/residence hall change from the Director of Housing and Residence Life. If such changes are reasonably available, they will be made immediately. For further information, please contact the Chadron State College Office of Housing and Residence Life at 308-432-6466.

Security Staff

Chadron State College has an interlocal agreement with the Chadron Police Department that provides a Campus Resource Officer and the support of the Police Department to the campus. In addition, Chadron State

College employs a Security Supervisor to hire, train, and supervise a cadre of security workers for campus. The security workers patrol the campus and are responsible for reporting unusual or suspicious activity, building security, and front desk coverage in the evening hours for the residence halls. To contact Campus Security, please call 308-432-6037.

The Campus Security Department works closely with city, county, and state law enforcement agencies. They coordinate information and provide assistance to each other as needed. The Chadron Police Department monitors and records criminal activity at off-campus student organizations which are recognized by the college and that are engaged in by students attending the college.

CONTROLLED SUBSTANCES & ALCOHOL

[Alcohol and Drug Policy](#)

The possession or consumption of alcoholic beverages or illegal drugs on college property is in violation of the policies of the Board of Trustees of the Nebraska State Colleges and this CSC policy. In [NCS Board Policy 3100 Student Conduct](#) provides over 30 acts that shall be considered to constitute misconduct for which an offending student may be subject to disciplinary sanctions. Specific act regarding alcohol and drugs are listed below:

1. Unlawful or unauthorized possession, use, distribution, dispensing, delivery, sale or consumption, manufacture, or being in the presence of any alcoholic beverage, including empty bottles/cans or any alcohol container on any part of the college campus including outdoor areas and parking lots;
2. Alcohol consumption that endangers the health, safety, or property of oneself or another, or requires medical treatment or college staff intervention;
3. Unlawful or unauthorized possession, use, distribution, delivery, dispensing, manufacture or sale, or being in the presence of any drug; being in possession of paraphernalia for drug use, except as expressly permitted by law, or being unlawfully under the influence of any drug unless directed by a licensed physician;

Residence hall staff will call law enforcement to assist in handling situations involving drugs or other controlled substances.

Residents who do not wish to be held accountable for a violation of policy should immediately leave the room/area in which these items are present. Reports of violations may be given to the Assistant Director - Residence Life.

Parents of CSC students under the age of 21 may be notified of alcohol/drug violations in accordance with FERPA guidelines.

MEDICAL MARIJUANA

The possession of a medical marijuana permit does not allow for the possession or use of marijuana in the residence halls. Marijuana obtained for medicinal purposes cannot be stored or used in the residence halls.

Additional information about alcohol and drug abuse education and services is available on the Health Services website in the [Alcohol and Drug Abuse Education and Services](#) section.

MISSING STUDENTS

Missing Student Notification Policy

This policy establishes a framework for cooperation among members of the Chadron State College (CSC) community aimed at locating and assisting students who are reported missing.

1. A student shall be deemed missing when he or she is absent from CSC for more than 24 hours without any known reason.
2. All reports of missing students shall be directed to the Senior Director of Student Affairs and Student Life, the Director of Student Housing, and Campus Security who shall investigate each report and make a determination whether the student is missing in accordance with this policy.
3. Students will be given the opportunity during each semester registration process to designate an individual or individuals to be contacted by CSC no more than 24 hours after the time that the student is determined to be missing. Unless otherwise specified by the student to the Registrar, the College will consider the parent/guardian or other primary emergency contact provided to the College by the student to be the person to be contacted in the event the student is determined to be missing. The student should notify the Emergency Contact that he or she has been designated as an Emergency Contact. A designation will remain in effect until changed or revoked by the student.
4. At any point during a student's enrollment, he or she may choose to register or change Emergency Contact information with CSC by notifying the Registrar. This information is confidential but may be released to CSC Campus Security and the Chadron Police Department staff as necessary to carry out the purposes of this policy.
5. If a missing student is under the age of 18 and not emancipated, the Senior Director of Student Affairs and Student Life is required to notify the custodial parent(s) or guardian(s) of the missing student no later than 24 hours after the determination by the Senior Director of Student Affairs and Student Life and Campus Security that the student is missing.
 1. No later than 24 hours after a student is reported missing, the Senior Director of Student Affairs and Student Life, or his designee, will be responsible for contacting the appropriate Emergency Contacts as established above.
 2. The Senior Director of Student Affairs and Student Life and Campus Security will also notify the Chadron Police Department no later than 24 hours after it determines that the student is missing.
6. The Senior Director of Student Affairs and Student Life, or his designee, shall have the responsibility to make provisions of this policy and the procedures set forth below available to students.
7. The Senior Director of Student Affairs and Student Life, or his designee, will be responsible for filing all related missing person reports with other agencies as may be required and conduct an investigation.
 1. The Senior Director of Student Affairs and Student Life, or his designee, will organize support personnel when a student is determined missing and make appropriate contacts within the university (Counseling Center, Academic Dean of student's school, and Campus Security).

STUDENT CONDUCT

[Code of Student Conduct Policy](#)

Authority for Disciplinary Action

The Board grants authority to the Presidents of the State Colleges to designate appropriate officers, establish representative college committees, render initial decisions and provide appeal procedures in regard to allegations of academic dishonesty, grade appeals, failure to pay a financial obligation, or academic performance, achievement, probation and suspension. All disciplinary sanctions imposed for misconduct identified in [NSCS Board Policy 3100 Student Conduct](#) are to be governed by terms of the policy and the due process requirements set forth in [NSCS Board Policy 3200 Due Process](#). Acceptance of this policy by the students is implied as a condition of enrollment.

Expectations for Students and their Behaviors

Students are responsible to obey the laws of the state and nation, the regulations and policies of the NSCS Board and of the Colleges, and to refrain from any conduct injurious to themselves, to others, or to the reputation or interests of the College.

Off-Campus Conduct

Student misconduct identified under [NSCS Board Policy 3100 Student Conduct](#) or in violation of college regulations or policy, whether occurring on or off the campus, may result in disciplinary action being taken against the student.

Disruptive Behaviors

No student shall engage in any disorderly behavior with intent to disrupt the College's educational environment or the provision of college services. Faculties have a responsibility to maintain an effective learning environment in their classrooms and to deal with any disruptions that interfere. If a faculty member feels that a student is interfering with the right of other students to profit from attendance in that classroom or if they feel that they are being unreasonably hindered in the presentation of subject matter, the faculties have every right to eject the offending student from the class. Prohibited behavior includes, but is not limited to, fighting, making unreasonable noise, refusing to obey a reasonable request by the faculty, using abusive or obscene language or gestures in class, harassment, or threats.

Refusing a Reasonable Request

A student shall not ignore a summons from the president or other officer of administration of the College, or from a member of the faculty or staff.

Conduct and Discipline

The following acts shall be considered to constitute misconduct at Chadron State College for which an offending student (or student organization) may be subject to disciplinary sanctions:

1. Participation in a demonstration on the campus which materially and substantially **disrupts or obstructs the normal operations**, activities or functions of the College, including unauthorized occupation of College premises;
2. **Failure to evacuate** campus facilities or willfully ignoring any emergency or alarm signal or request to evacuate by appropriate emergency personnel;

3. **Falsification** or willful suppression of any information for or on an application for admission, or falsification or misuse of College identification and other documents;
4. **Misuse of computers** or computing resources, including, but not limited to, violating the following federal regulations: the Copyright Act of 1976 and the Fair Use Guidelines, the Digital Millennium Copyright Act of 1998, and the Technology, Education and Copyright Harmonization Act of 2002;
5. Unlawful or unauthorized **possession**, use, distribution, dispensing, delivery, sale or consumption, manufacture, or being in the presence of any alcoholic beverage, including empty bottles/cans or any alcohol container on any part of the College campus including outdoor areas and parking lots;
6. **Alcohol consumption** that endangers the health, safety, or property of oneself or another, or requires medical treatment or College staff intervention;
7. Unlawful or unauthorized possession, use, distribution, delivery, dispensing, manufacture or sale, or being in the presence of any **drug**; being in possession of paraphernalia for drug use, except as expressly permitted by law, or being unlawfully under the influence of any drug unless directed by a licensed physician;
8. Inflicting **unwanted physical contact** on another person; conduct that intimidates, harasses, or threatens the safety, health, property, or life of others or oneself; participating or contributing to an incident of abuse or assault; causing, provoking or engaging in any fight, brawl or riotous behavior; or inflicting willful and repeated harm through the use of computers, cell phones, and other electronic devices;
9. Any act occurring on the College campus or on the premises of a student housing unit which intentionally **disturbs the peace and quiet** of any person or group of persons;
10. **Sexual harassment, or sexual violence**, as [NSCS Board Policy 3020 Grievance Policy & Procedures for Sexual Harassment & Sex Discrimination](#) defines those terms;
11. Conduct which is unreasonably **dangerous to the health** or safety of other persons or oneself;
12. **Theft** or attempted theft of any property or receipt of stolen property;
13. Damaging or attempting to **damage property** of the College or of another individual;
14. **Using or possessing bombs**, explosives, incendiary devices, or fireworks;
15. **Setting or attempting to set any fire** on the campus or on the premises of any student housing unit, except in fireplaces or other facilities designated for fires;
16. **Failing to report a fire** or any other extremely dangerous condition when known or recognized on the campus or on the premises of any student housing unit;
17. **Possessing or selling firearms**, ammunition, weapons, explosives, or dangerous chemicals on College campus or on the premises of any student housing unit;
18. **Obstructing or failing to comply** with the directions of a law enforcement officer, firefighter, or College official in the performance of his or her duty on College property, on the premises of any student housing unit or at any activity or event sponsored by the College or an organization;
19. **Hazing** any person. Consent of the victim of the hazing will not constitute a defense to an allegation of misconduct for hazing. Hazing shall mean any activity by which a person intentionally or recklessly endangers the physical or mental health or safety of an individual for the purpose of initiation into, admission into, affiliation with, or continued membership with any organization;
20. Committing any unlawful act of **indecent exposure** or public indecency;
21. Participating in any **gambling** activity in violation of the laws of the State of Nebraska or of the United States;
22. **Unauthorized use** of any College property, facilities, equipment or materials;
23. Possessing, producing, manufacturing, or having manufactured without proper authorization, any **key or unlocking device** for use on any College facility or lock;

24. Serious **traffic violations** on the campus, including but not limited to operating any vehicle while intoxicated, speeding, reckless endangerment, or reckless driving;
25. **Violation of any student housing** unit policy, rule or regulation;
26. Failure to redeem or make arrangements to redeem, within one week after receipt of written notice, an **insufficient funds or no account check** submitted to the College for cash or for payment of College goods or services;
27. Abuse of College disciplinary proceedings which includes, but is not limited to, **failure to obey a request** to appear before a disciplinary officer or committee, falsification of testimony, disruption or interference with the orderly conduct of any hearing, attempting to discourage any person from using College disciplinary procedures or participating in such procedures, attempting to influence the impartiality of a member of a disciplinary committee prior to any proceeding, filing a malicious or frivolous complaint, verbal or physical harassment or intimidation of a member of a disciplinary committee prior to, during, or after a proceeding, failure to comply with any sanction imposed, influencing or attempting to influence another person to commit an abuse of disciplinary proceedings, and a violation of the privacy rights of any student or College employee in regard to a disciplinary proceeding;
28. Any act by a student which occurs on the campus, while studying abroad, on the premises of any student housing unit or at any activity or event sponsored by the College or an organization which is in violation of any ordinance of the municipality in which the College resides, shall constitute misconduct;
29. **Falsely setting off** or otherwise tampering with any emergency safety equipment, fire alarm, or other device established for the safety of individuals and/or college facilities;
30. **Harassing** or discriminating against any student, faculty or staff member, as defined in [NSCS Board Policy 3021 Unlawful Harassment \(Other\) Reporting, Policies and Procedures](#), on the basis of race, color, national origin, sex, disability, religion or age; and
31. Any other activity or conduct prohibited by the College in published policies.

Unreasonably Dangerous or Threatening Conduct Toward Self

Student behaviors and actions that are unreasonably dangerous to self or which threaten the student's own safety or health may constitute misconduct under this Policy and may be addressed by the College administration through the disciplinary process. When practicable and appropriate, efforts will be made to advise students regarding voluntary withdrawal options in lieu of initiating disciplinary due process as set forth in [NSCS Board Policy 3200 Due Process](#).

At the discretion of the Vice President responsible for student affairs/services, a student may be allowed to voluntarily withdraw when continued enrollment no longer appears to be in the best interests of the student and/or College in conjunction with mutually agreed upon conditions that will be required for the student to reapply for admission.

Disciplinary Sanctions

Disciplinary sanctions may include warnings, demands for restitution or reimbursement, fines, a period of probation, remedial behavioral requirements, remedial educational requirements, suspension, or expulsion. In the event that a concurrent civil or criminal action for the same behavior which forms the basis of misconduct allegations under the provisions of this policy is in progress, the accused student may request in writing to the Vice President responsible for Student Affairs, or equivalent administrator, that the College delay the continuance of the due process procedures. By requesting to delay until the external civil or criminal proceeding has concluded, the student agrees that he or she shall not attend any College classes or College-sponsored events or activities or shall not enter or use College property without specific written authorization from the Vice President. See [NSCS Board Policy 3100 Student Conduct](#).

Temporary Suspension

Students may be ordered to leave the College campus under temporary suspension pending disciplinary action due process per [NCS Board Policy 3200 Due Process](#) in the event the student's continued presence is believed to threaten the safety or health of another person or for other reasons at the discretion of the Senior Director of Student Affairs. Such order shall be given in writing by the Senior Director of Student Affairs.

Right to Due Process

It is the policy of the Board to grant procedural due process to students accused of misconduct under the terms of [NCS Board Policy 3100 Student Conduct](#). Regarding allegations of academic dishonesty, grade appeals, failure to pay a financial obligation, or academic performance, achievement, probation and suspension each College will devise its own adjudication procedures. However, for allegations of misconduct identified in [NCS Board Policy 3100 Student Conduct](#) that may result in disciplinary sanctions, the due process procedures outlined below shall be followed.

Student Misconduct Appeal

[NCS BOARD POLICY 3200 Due Process](#)

POLICY

1. Informal Resolution

The College may resolve conduct issues informally if warranted by the individual circumstances including, but not limited to the responsiveness of the student, the severity of the offense, a student's prior misconduct, and the health and safety of the student and other members of the campus community. Informal resolution of conduct issues in which two (2) or more students are involved in a physical altercation with one another will not be permitted unless all students involved agree to informal resolution.

2. Disciplinary Sanctions

Disciplinary Sanctions may include warnings, demands for restitution or reimbursement, fines, a period of probation, remedial behavioral requirements, remedial educational requirements, suspension, or expulsion.

3. Withdrawal

At the discretion of the senior student affairs officer, a student may be allowed to voluntarily withdraw when continued enrollment no longer appears to be in the best interests of the student and/or College in conjunction with mutually agreed upon conditions that will be required for the student to reapply for admission. The senior student affairs officer will work with the Vice President for Academic Affairs to determine what, if any, academic penalties would apply. Any unresolved conduct issues will remain pending and must be resolved as a condition of readmission. Additional conditions may include, but not be limited to, the length of time a student must wait to reapply and/or the length of time a student has to reapply for admission.

4. Notice

- a. The student shall be notified in writing by an appropriate College official that they are accused of misconduct. The student shall be made aware of ground which would justify such action by way of the student handbook or other published College regulation.
- b. The student shall be notified that they may elect one of three (3) courses of action. The student shall be advised of a date (deadline) by which such an election must be communicated to the appropriate College official.
 - i. Option 1: The student may admit the alleged violation and request, in writing, that the appropriate College official take whatever action seems appropriate.
 - ii. Option 2: The student may admit the alleged violation in writing and request a hearing before the appropriate hearing panel designated by the College. The hearing panel will determine the appropriate sanctions.
 - iii. Option 3: The student may deny the alleged violation, in which case, the appropriate College official shall refer them to the appropriate hearing panel designated by the College. The hearing panel will determine responsibility and the appropriate sanctions.
- c. The student's decision can be binding, if freely and knowingly made, even though suspension, expulsion or the imposition of a stigmatizing sanction might result.
- d. Students should be advised in writing of all risks associated with any waiver of due process rights and provided a reasonable amount of time to consider their decision and to confer with a family member or advisor.
- e. If the student fails to respond to the appropriate College official in a timely manner according to the date (deadline) and/or fails to elect one (1) of the three (3) courses of action, the appropriate College official may address the alleged misconduct without providing further due process.

5. Option 1 Procedure

- a. If the student chooses to admit the alleged violation and that the College take appropriate action, the College may address the alleged misconduct without providing further due process.

6. Option 2 or 3 Procedure

- a. If the student selects either to admit the alleged violation and have a hearing panel determine appropriate sanctions or deny the alleged violation and have a hearing panel determine responsibility and the appropriate sanctions, a hearing shall be conducted in accordance with this section within ten (10) class days, unless the student requests an extension in writing, which shall not be unreasonably denied.
 - i. Requests for an extension should be directed to the senior student affairs officer.
 - ii. Students studying abroad shall be under the direction of the accompanying College official until the student's return to campus, at which time, if needed, the due process procedures will commence.
- b. Prior to the hearing, the student shall be entitled to the following:
 - i. Written notification of the time and place of the hearing with reasonable time allowed to prepare a presentation and defense;
 - ii. A written statement of the allegations (incident or behavior) with sufficient particularity so that the student may prepare their defense;
 - iii. The grounds which would justify disciplinary action cited in the student handbook or Board Policy and the possible sanctions that may be imposed;
 - iv. Written notification of the names of the witnesses who are directly responsible for having reported the allegations, or if there are no such witnesses, written notification of how the allegations came to the hearing panel's attention; and

- v. A copy of all documentary evidence to go before the hearing panel.
- c. Members of the hearing panel shall have the opportunity to examine the case file beforehand.
- d. The student shall be entitled to appear in person before the hearing panel, and may call witnesses on their behalf. If the student does not appear before the hearing panel, the hearing shall be held in their absence.
- e. The student shall be entitled to be accompanied by a person of their own choosing from the College community to assist in the proceedings or by counsel at the student's expense. An attorney or advisor, if present at the request of the student, may be present to counsel the student, but may not directly participate in the hearing by making oral presentations or arguments, examine or cross examine a witness, or object to testimony of a witness or to the introduction of other evidence.
- f. Members of the hearing panel shall have the opportunity to question the accused and witnesses at the hearing.
- g. The student shall be entitled to ask questions of the hearing panel or any witness.
- h. The student shall be entitled to an expeditious hearing of the case.
- i. Hearings are closed to the public.
- j. An audio recording of the hearing will be made and kept by the College consistent with document retention schedules.
- k. The student shall be entitled to an explanation in writing of the reasons for any decisions rendered against them and the discipline imposed, and shall be given access to the hearing panel's decision for their personal records.
- l. Technical rules of evidence or procedure need not be employed in the hearing proceedings. Hearsay evidence is not required to be excluded, but a finding of misconduct on hearsay evidence alone is not appropriate in hearings, including a serious disciplinary case such as suspension or expulsion.
- m. A student's misconduct shall be determined by a preponderance of the evidence standard.
- n. Hearing decisions need not be unanimous. A simple majority vote shall be sufficient.
- o. The student shall be notified of their right to appeal the decision of the hearing panel to the senior student affairs officer.
- p. Appeals must be in writing and are due to the senior student affairs officer within five (5) class days after the student received the hearing panel's decision. If the senior student affairs officer was a member of the hearing panel, the student may submit the appeal directly to the President.
- q. Appeals must be based on one (1) of the following grounds:
 - i. Procedural due process was violated;
 - ii. The sanction was excessive;
 - iii. The evidence did not support the decision; or
 - iv. Substantive new information is available that was not available at the hearing.
- r. Should the student appeal, any action assessed by the hearing panel shall be suspended until acted upon by the President.
- s. Appeals of the President's decision may be submitted to the Chancellor but shall be limited to allegations that fair procedural due process has not been provided in accordance with this policy.
- t. Appeals to the Chancellor must be in writing and are due within five (5) days after the student receives the President's decision.

- u. Should the student appeal, any action assessed by the hearing panel shall be suspended until acted upon by the Chancellor.
7. Hearing Panel
- a. The hearing panel shall be the decision-making body acting independently of the President.
 - b. The hearing panel designated by the College shall be composed of College administrators, faculty staff, and/or students. Such selection shall be at the approval of the President or designated Vice President or Dean. Individuals serving on the panel need not be disqualified because they have superficial knowledge of the background of the case, or because they may not be the participants. The basic test shall be whether or not the panelist can judge the case fairly, without bias or prejudice, and solely on the evidence presented.

SEXUAL ASSAULT, DOMESTIC VIOLENCE, & STALKING

[NSCS Board Policy 3020 Sexual Violence or Sex Harassment Reporting, Policies and Procedures](#)

A. PURPOSE

The Colleges prohibit discrimination on the basis of sex and are committed to providing an environment free from sexual harassment and sex discrimination. The Colleges take reports of sexual harassment seriously and are committed to providing an impartial and fair process to all parties.

Colleges and universities receiving federal funding, including the Nebraska State Colleges, are required by Title IX of the Education Amendments of 1972 and 34 CFR Part 106 to not discriminate on the basis of sex in their educational programs or activities, including admission and employment. Inquiries about Title IX or 34 CFR Part 106 can be made to the Colleges' respective Title IX Coordinators or to the Assistant Secretary of the Department of Education.

This policy constitutes the Nebraska State Colleges' Grievance Policy and Procedures for addressing sexual harassment, including how a student, or others reporting on behalf of a student, may report or file a formal complaint of sexual harassment and how the Colleges will respond to prevent, correct, and discipline behavior found to violate this policy or principles of equal opportunity and access and to provide individualized supportive measures to all impacted students.

B. DEFINITIONS

1. **Advisor:** An individual selected by the Complainant and/or Respondent to guide them through the grievance process and accompany them to all meetings, including the hearing.
2. **Complainant:** An individual who is alleged to be the victim of sexual harassment.
3. **Confidential Employee:** A College employee who does not have an affirmative duty to report incidents of Sexual Harassment to the Title IX Coordinator, including but not limited to medical or mental health professionals, licensed student counselors, nurses and athletic trainers.
4. **Education Program or Activity:** The College's education programs or activities include locations, events, or circumstances in which the College exercised substantial control over both the Respondent and the context in which the Sexual Harassment occurred, including any building owned or controlled by a student organization official recognized by the College.

5. **Employee:** An individual paid by the College to perform specific duties, including faculty and staff, whether employed part-time or full-time. This definition excludes student-employees and third-party contractors unless otherwise noted.
6. **Forcible Sex Offense:** Any sexual act directed against another person without the consent of that person including instances in which the person is incapable of giving consent.
7. **Formal Complaint:** A statement filed and signed by a Complainant or the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting the College investigate the allegation(s) of Sexual Harassment.
8. **Incapacitation:** Incapacitation refers to a state in which a person is mentally or physically incapable of resisting or appraising the nature of their conduct.
9. **Preponderance of the Evidence Standard:** A preponderance of the evidence is the greater weight of the evidence indicating it is more likely than not the alleged conduct occurred. This is the standard of review used by the decision-maker to determine whether a respondent has violated this policy.
10. **Respondent:** An individual who is alleged to have engaged in conduct constituting sexual harassment.
11. **Student:** An individual currently enrolled or registered in the College's education program or activity or who has completed the immediately preceding term and is eligible for re-enrollment.
12. **Supportive Measures:** Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available and without fee or charge to the Complainant and Respondent before or after the filing of a report of sexual harassment or Formal Complaint.
13. **Title IX Coordinator:** The College employee or contractor responsible for responding to reports of Sexual Harassment and conducting investigations of Formal Complaints. For purposes of this policy, references to Title IX Coordinator also refers to a designee assigned to assume all or some of the responsibilities of the Title IX Coordinator.
14. **Witness:** An individual who has relevant information regarding allegations of Sexual Harassment.

C. POLICY

1. Scope

1.1. This policy applies to all students located within the United States, including traditional students, online or distance education students, and students participating in dual enrollment programs, regardless of whether the other party involved is a fellow student, an employee, or a third party. Policy 5011 applies to employees alleged to have committed sexual harassment.

1.2. This policy applies to students and conduct occurring within the Colleges' education programs and activities, which include:

- The physical campus of the College;
- Areas owned or controlled by the College;
- Locations, events, or circumstances in which the College exercises substantial control over both the Respondent and the context in which the sexual harassment occurs; and
- Any building owned or controlled by a student organization officially recognized by the College.

2. Prohibited Conduct

Sexual Harassment is prohibited and includes the following types of conduct set forth below.

2.1. Quid Pro Quo Harassment occurs when an employee of the College conditions the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct.

2.2. Severe, Pervasive, and Objectively Offensive and Unwelcome conduct occurs when an individual's unwelcome conduct is determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the College's education program or activity.

- Unwelcomeness and objective offense are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident(s) occurred and any similar previous patterns that may be evidenced.

2.3. Sexual Assault is an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation which includes:

- Forcible 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 that person.
- Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will, or not forcibly or against the person's will in instances where the person is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- Sexual Assault with an Object: To use an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the person is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- Forcible Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, including, but not limited to, the buttocks, groin, and breasts, forcibly and/or against that person's will, or not forcibly or against the person's will in instances where the person is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Nebraska State law.
- Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent of 16.

2.4. Dating Violence

Violence committed by a person who is or has been in a social relationship or a romantic or intimate nature with that person.

- The existence of such a relationship shall be determined based on a consideration of the length and type of relationship and the frequency of interaction between the individuals involved in the relationship.
- Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating Violence does not include acts covered under Domestic Violence.

2.5. Domestic Violence

A felony or misdemeanor crime of violence committed by:

- A current or former spouse or intimate partner of a person;
- A person with whom the person shares a child in common;
- A person who is cohabitating with, or has cohabitated with, another person as a spouse or intimate partner;
- A person similarly situated to a spouse of the other person under the domestic or family violence laws of Nebraska;
- Any other person against an adult or youth the Complainant who is protected from the person's acts under the domestic or family violence laws of Nebraska

2.6. Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of other or suffer substantial emotional distress.

- Course of conduct means two (2) or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling.

2.7. Sexual Exploitation

Engaging in conduct where one party takes non-consensual or abusive sexual advantage of another person for their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Prostituting another person;
- Non-consensual visual or audio recording of sexual activity;
- Non-consensual display or distribution of photos, images, or information of an individual's sexual activity or private body parts;
- Non-consensual voyeurism;
- Coercing someone against their will to engage in sexual activity, or
- Knowingly transmitting a sexually transmitted disease (STD) without disclosing STD status.

2.8. Retaliation

Intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured under Title IX or 34 CFR Part 106, or because the individual made a complaint or report, testified, assisted, participated, or refused to participate in an investigation, proceeding, or hearing under this policy.

3. Consent

3.1. Consent is positive cooperation in an act or an expression of the intent to engage in an act. The presence or absence of consent must be based on the totality of the circumstances, including the context in which the conduct occurred.

- Consent to a sexual act must be given by an individual voluntarily, and with knowledge and understanding of the nature of the act and their participation in it.
- A person may express their consent or lack of consent verbally, physically, or through conduct in a manner understood by a reasonable person under the circumstances.
- Consent can be withdrawn by any party at any time through words or conduct.
- Consent cannot be inferred from silence or passivity alone.
- A person need not resist verbally or physically when it would be futile to do so as understood by a reasonable person under the circumstances.
- Consent to one type of sexual activity does not necessarily constitute consent to another type of sexual activity.

3.2. A person lacks the capacity to consent when they:

- Are incapacitated by drugs or alcohol;
- Are unconscious, passed out, asleep, coming in and out of consciousness;
- Have a mental or physical disorder, illness, or disability that renders them incapacitated; or
- Are forced, coerced, intimidated, or deceived into providing consent.

4. Reporting Sexual Harassment

4.1. Any person may report sex discrimination, including Sexual Harassment, to the College by contacting the Title IX Coordinator. Such contact may be made verbally either in person or by telephone or in writing by delivering a written document in person, by mail, or by email.

4.2. For purposes of this policy, the following employees are required to report incidents of sexual harassment to the Title IX Coordinator.

- President
- Vice Presidents
- Academic Deans
- Title IX Coordinator and designees
- Deans of Students and Associate Vice Presidents for Student Affairs
- Housing/Residence Life Staff including:
 - Directors
 - Managers
 - Assistant Directors
 - All Residence Hall Advisors
- Athletic Directors and Associate Athletic Directors
- All Coaches
- Campus Security Officers

4.3. Medical or mental health professionals employed by the College, including licensed student counselors, nurses, and athletic trainers are Confidential Employees and respect and protect confidential communications from students, faculty, and staff to the extent they are legally able and/or required to do so.

4.4. A confidential employee may report sexual misconduct to the Title IX Coordinator without identifying the person(s) affected by the sexual misconduct or providing other confidential information and may offer to the affected person(s) information, resources, and reporting options.

4.5. All College employees, including Confidential Employees, are required by state law to report allegations or reasonable suspicion of child abuse or neglect, including sexual assault or abuse of a person eighteen (18) years of age or younger, to either law enforcement or the Department of Health and Human Services. The Child Abuse and Neglect Hotline is (800) 652-1999.

4.6. Law Enforcement and Judicial Involvement

- A Complainant can choose to report the conduct only to the College, only to law enforcement, or to both the College and law enforcement.
- If a report to law enforcement is made, the College will cooperate with any law enforcement investigation.
- Regardless of whether law enforcement chooses to prosecute a reported offense, the College may pursue disciplinary action against a student or employee alleged to have committed Sexual Harassment.
- A Complainant may obtain medical care for the purpose of collecting and preserving physical evidence of an alleged offense.
 - Health care providers are required to report to law enforcement when an injury appears to have been received in connection with, or as a result of, the commission of an actual or attempted sexual assault.
 - Additional information about the options for reporting to law enforcement and evidence collection is available in the Nebraska Medical Sexual Assault Protocol.
- Parties may also pursue judicial remedies such as orders of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal, civil, or tribal courts.
 - Parties are responsible for notifying the College of any orders issued by criminal, civil, or tribal courts and should provide a copy of such order to the Title IX Coordinator as soon as reasonably possible.
 - The Title IX Coordinator may discuss with the party options regarding enforcing the order within a College Educational Program or Activity.

4.7. Student Privacy and Disclosure of Information

- The College appreciates the privacy concerns inherent in allegations of
- Sexual Harassment and will take reasonable steps to avoid disclosure of the names of students or other identifying information to third parties. Disclosure may be made consistent with Board Policy 3650 or if:
 - Prior written permission is given by the student;
 - The disclosure is necessary to conduct an investigation;
 - The disclosure is necessary to implement a Supportive Measure;
 - The disclosure is necessary to pursue disciplinary action; or
 - The disclosure is otherwise required by law.

- The College is required by the Clery Act, 20 U.S.C. § 1092(f) to include information about reports of criminal sexual misconduct in annual security report statistics. These reports do not identify the individuals involved.
- Student Athletes are subject to disclosure requirements set forth in Board Policy 3740.

5. Role of the Title IX Coordinator

5.1. Each College is required to designate one or more employees as Title IX Coordinator. Chadron State College's Title IX Coordinator is:

- Morgan Cullan
 Email: titleixcoordinator@csc.edu
 Phone: (308) 430-0980
 Address: Crites Hall 336
 1000 Main Street, Chadron, NE 69337
<https://www.csc.edu/titleix/>

5.2. The Title IX Coordinator is responsible for responding to reports of Sexual Harassment at the College by ensuring:

- The coordination of supportive measures;
- The facilitation of informal resolutions of Formal Complaints, when appropriate;
- The investigation of Formal Complaints of Sexual Harassment; and
- The creation of an investigative report which summarizes and assesses the credibility of the available evidence and synthesizes the areas of dispute and agreement.

5.3. The Title IX Coordinator may utilize the services of designees, other employees, and/or contracted services to satisfy the requirements of this policy

6. Response to Reports of Sexual Harassment

6.1. Upon receipt of a report of Sexual Harassment, the Title IX Coordinator will promptly meet with the Complainant for the following purposes:

- To discuss the report, review the availability of Supportive Measures, and determine the Complainant's wishes regarding Supportive Measures;
- To listen to the Complainant's account and ask questions to gain a better understanding of the nature of the alleged incident;
- To explain the policy, the definition of Sexual Harassment, and the Grievance Process; and
- To discern the Complainant's wishes for next steps with respect to the Grievance Process.

6.2. The Title IX Coordinator must determine whether the alleged conduct can be addressed under this policy or whether the alleged conduct may be more appropriately addressed pursuant to a different Board or College policy or process.

- If the determination cannot be made based upon the information available, the Title IX Coordinator may seek additional information for purposes of making the determination; however, the Title IX Coordinator cannot conduct an investigation unless a Formal Complaint has been submitted.

- If the alleged conduct is determined not to fall within this policy, the Title IX Coordinator will refer the Complainant and the report to the appropriate College official. The responsibility for facilitating any Supportive Measures will depend upon the circumstances.

6.3. Supportive Measures

- Supportive Measures must be reasonable and are offered to restore and preserve equal access to the College's education programs and activities without unreasonably burdening the other party, to protect the safety of all parties or the educational environment, and/or to deter Sexual Harassment.
- All parties are treated equitably when offered Supportive Measures.
- The College may also utilize Supportive Measures as supplemental tools in disciplinary action, sanctions, or Informal Resolutions.
- Requests for Supportive Measures must be made directly to the Title IX Coordinator, who will facilitate implementation.
- Supportive Measure may include, but are not limited to the following:
 - Referral to counseling services;
 - Reasonable academic accommodations;
 - Changes to on-campus housing;
 - Changes to employment situations;
 - Use of Campus Security escort services;
 - Bi-lateral no contact orders; and
 - Other similar measures.

6.4. Emergency Removal of Respondents

- The College may remove a Respondent from the College's education program or activity on an emergency basis if, after conducting an individualized safety and risk assessment, it determines that the Respondent presents an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment.
- Decisions to remove a Respondent on an emergency basis will be made by the Vice President, Associate Vice President, or Dean responsible for Student Affairs as designated by the President based upon the outcome of the individualized safety and risk assessment.
- If removal is deemed appropriate, the party can challenge the decision by submitting a written appeal per Section 7.10 of the policy.

7. Grievance Process

7.1. Formal Complaint

- In order to commence the Grievance Process, the Complainant must submit a signed Formal Complaint alleging Sexual Harassment against a Respondent(s) and requesting the College investigate the allegations.
- At the time of filing the Formal Complaint, the Complainant must be participating in or attempting to participate in the College's education program or activity.
- The Title IX Coordinator may sign a Formal Complaint on behalf of the Complainant. However, the Title IX Coordinator does not become a party to the Formal Complaint.

7.2. Notice of Allegations

- Upon receipt of a Formal Complaint, the Title IX Coordinator will provide the Complainant and Respondent a Notice of Allegations and Investigation.
- The Respondent's notice must include sufficient detail known at the time for the Respondent to respond. The Title IX Coordinator will provide the Respondent with sufficient time to review the Notice of Allegations prior to Respondent's initial investigatory interview.

7.3. Advisor:

- Parties are entitled to select an Advisor of their choice at any time throughout the Grievance Process. Parties must have an Advisor during the hearing on a Formal Complaint, as the Advisor is responsible for asking the other party and all witnesses any relevant questions on behalf of their advisee. In all other instances throughout the grievance process (including interviews, meetings, and correspondence), the party will speak for themselves.
 - The College will maintain a list of employees who may be available to act as an Advisor.
 - If a party has selected an Advisor, the party should notify the Title IX Coordinator of the individual's name and contact information. The party will be asked to sign a FERPA waiver to allow information to be shared. A party's Advisor may accompany them to any meetings and assist in guiding the party through the Grievance Process.
 - The Title IX Coordinator provides information and updates to the parties involved. It is each party's responsibility to share information and updates with their Advisor as needed throughout the Grievance Process. However, circumstances may arise in which communications from the Title IX coordinator may need to include the Advisor.
 - If an Advisor is an attorney, their participation is subject to the same limitations as any non-attorney Advisor.
- If at the time the Pre-Hearing Meeting is scheduled, a party does not yet have an Advisor, the College will appoint one for them without any fee or charge to the party.

7.4. Grievance Process Overview

- The Grievance Process is a fair and impartial process during which all parties will have an opportunity to provide their account of the alleged incident, respond to the other party's account, and review evidence directly related to the allegations. All relevant inculpatory and exculpatory evidence will be objectively evaluated.
- Individuals cannot be required to participate in the Grievance Process.
- A Respondent is presumed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Grievance Process.
- The burden of proof and the responsibility for gathering evidence rests on the College, not the parties.
- Credibility determinations are not based on a person's status as a Complainant, Respondent, or Witness.
- Parties are prohibited from knowingly making false statements or submitting false information during the Grievance Process.
- The Complainant has two (2) options to resolve a Formal Complaint of Sexual Harassment:
 - The College investigates the allegations and completes an investigatory report, and after a hearing, a determination regarding responsibility is made; or
 - At any point during the process prior to a determination regarding responsibility, the Complainant and Respondent both agree to Informal Resolution.

- The College strives to complete the Grievance Process within sixty (60) business days from the date the Respondent receives Notice of the Allegations and Investigation unless good cause exists to extend this timeline under Section 7.12.

7.5. Investigation

- The Title IX Coordinator assigned to the matter may conduct the investigation or assign the investigation to a Designee, another College employee sufficiently trained to conduct the investigation, or a third-party investigator, all of whom are referred to as the “Investigator” for purposes of this policy.
- The Investigator will endeavor to complete the investigation in a timely manner.
- The Investigator is responsible for gathering evidence through:
 - Interviews of the Complainant, Respondent, and any Witness(es);
 - Collecting physical, written, video, recorded, text messages, and similar information, regardless of the format, that may provide relevant information regarding the allegations set forth in the Formal Complaint.
 - If a party wishes for their medical records, prior educational records, or other records that are external to the College to be considered in the Grievance Process, they must provide written consent for those records to be released to the College and make arrangements for the records to be provided to the College.
- Once the evidence has been gathered, the Investigator will provide both parties with electronic copies of the evidence obtained from the investigation that is directly related to the allegations, including both inculpatory and exculpatory evidence. If the Investigator is a person other than the Title IX Coordinator, the Investigator will also provide the evidence to the Title IX Coordinator.
 - The parties will have ten (10) calendar days to submit a written response to the Investigator for purposes of correcting or clarifying the evidence or provide additional relevant information.
 - Any written responses received from the parties will be included in the Investigative Report.
 - A party’s failure to respond will be taken as their confirmation that the evidence provided is accurate and complete for purposes of the Grievance Process.
- The Investigator will then prepare the Investigative Report that organizes and fairly summarizes the relevant evidence and synthesizes areas of dispute and agreement between the parties.
- The Investigator will provide the Investigative Report and any additional evidence not previously provided to the parties to the parties electronically at least ten (10) calendar days prior to the Hearing. If the Investigator is a person other than the Title IX Coordinator, the Investigator must also provide the Investigative Report and evidence to the Title IX Coordinator. The parties shall have ten (10) calendar days to provide a written response to the Investigative Report to the Investigator.

7.6. Pre-Hearing

- After the completion of the Investigation Report, the Title IX Coordinator shall designate a hearing chairperson. The College has the discretion, but is not required, to designate two (2) additional hearing panelists to conduct the hearing with the hearing chairperson.
- Once a designation is made, the Title IX Coordinator will:
 - Provide written notice to the parties of the designated hearing chairperson and additional panelists when applicable.
 - Provide the Investigative Report and evidence electronically to the hearing chairperson.
 - Schedule a tentative hearing date, time, and location for the hearing.

- If a party has a concern regarding bias or conflict of interest with respect to the hearing chairperson or a panelist, the party must inform the Title IX Coordinator in writing of the basis for the concern.
 - The Title IX Coordinator will provide notice of the concern raised to the other party.
 - The Title IX Coordinator is responsible for determining whether a bias or conflict of interest exists.
 - The Title IX Coordinator will inform both parties in writing of their decision regarding whether the hearing chairperson or panelist will be retained or removed and if applicable the individual appointed to replace them.
- The Title IX Coordinator will assist the hearing chairperson in scheduling a pre-hearing meeting with the parties and Advisors for purposes of determining a date, time, and location of the hearing, identifying witnesses, reviewing the conduct of the hearing, and the relevancy of evidence.
 - The pre-hearing meeting may take place remotely via electronic means or in-person.
 - The hearing chairperson, in consultation with the Title IX Coordinator, may choose to conduct separate pre-hearing meetings with the parties if warranted by the circumstances or requested by one or both of the parties.
 - If the parties wish to call specific witnesses, beyond those the hearing chairperson intends to call, the parties must provide the hearing chairperson with the names and contact information of the witnesses.
- The hearing chairperson, with the assistance of the Title IX Coordinator, is responsible for providing notices and summoning witnesses for the hearing.
- If the College has elected to use a hearing panel, the hearing chairperson, with the assistance of the Title IX Coordinator, will provide the Investigatory Report, evidence, witness lists, and hearing information to the hearing panelists.
- The hearing panelists may also request the attendance of witnesses at the hearing.

7.7. Hearing

- The College will conduct a live hearing as soon as practicable after the pre-hearing meeting.
- The College shall create an audio, audio-visual recording, or transcript of any Hearing and make it available to the parties for inspection and review.
- The hearing chairperson is responsible for directing the conduct of the hearing.
- The Title IX Coordinator shall provide logistical assistance with respect to the hearing and be present at the hearing to provide clarification regarding policy and process.
- The Investigator must be present at the hearing to answer questions or clarify information with the Investigatory Report.
- Each party's Advisor will be permitted to present relevant evidence and ask relevant questions of the other party and witnesses
 - The hearing chairperson and any hearing panelists are also entitled to ask questions of witnesses during the hearing.
 - The hearing chairperson and any hearing panelists are also entitled to ask questions of witnesses during the hearing.
 - After each question asked by an Advisor or hearing panelist, the hearing chair must determine whether the question is relevant and instruct the individual whether they may answer. If a question or evidence is excluded based upon relevance, the hearing chairperson must provide a reason in the written Determination of Responsibility.

- With respect to determining relevance, questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless:
 - Offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant;
 - Concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent
- All parties, advisors, witnesses, and other participants are expected to conduct themselves in a respectful and civil manner. The hearing officer can require the removal of any person who fails to do so; however, the hearing officer must take steps to ensure that the removal of the individual does not negatively affect the fairness of the process.

7.8. Deliberations and Determination of Responsibility

- In determining whether Sexual Harassment occurred and whether a Respondent is responsible for the Sexual Harassment, the decision-maker(s) shall use the preponderance of the evidence standard.
- If a hearing panel is being utilized, the hearing panel will convene within forty-eight (48) hours of the end of the hearing to reach a decision as to responsibility.
- If a hearing panel is being utilized, the decision will be based upon majority vote, with the hearing chairperson and each hearing panelist having a vote.
- The hearing chairperson is responsible for providing a written determination regarding responsibility including any sanctions or disciplinary action within ten (10) calendar days of the conclusion of the hearing.

7.9. Sanctions and Remedies

- Subsequent to a determination of responsibility, the College may take disciplinary action, impose sanctions and apply remedies which may include, but are not limited to: warnings, disciplinary probation, loss of privileges, restitution, remedial work assignments, remedial education requirements, service requirements, remedial behavioral requirements, College housing relocation or suspension, removal from College housing, suspension, and expulsion.
- Remedies including disciplinary action and informal resolutions are designed to restore or preserve the Complainant's equal access to the College's education programs and activities.

7.10. Appeal

- The Complainant and/or the Respondent may appeal decisions to the President, including a determination regarding responsibility; a decision regarding dismissal of a Formal Complaint; and/or a decision to remove a student on an emergency basis. Appeals must be submitted to the President and Title IX Coordinator in writing within five (5) calendar days of the hearing chairperson sending their decision.
- The Title IX Coordinator will provide written notice to both parties of the appeal and provide them both five (5) calendar days to submit to the President and Title IX Coordinator a written statement in support of or challenging the decision being appealed.
- The Title IX Coordinator will provide the President the record of the investigation and hearing.
- A Party may challenge a decision to remove them on an emergency basis under Section 6.4 of this policy that the Vice President, Associate Vice President or Dean responsible for Student Affairs as designated by the President erred in determining that they represented an immediate threat to the physical health or safety of any student or other individual.

- The permissible bases for appeal of a determination of responsibility or dismissal of a Formal Complaint are:
 - Procedural irregularity that affected the outcome;
 - New evidence that was not reasonably available at the time the determination was made that could have affected the outcome; or
 - The Title IX Coordinator, designee, hearing chairperson, or hearing panelist had a conflict of interest or bias for or against a party or Complainants or Respondents generally that affected the outcome.
- The President, or when appropriate his designee, will send or cause to be sent a written decision regarding the appeal and the rationale for the decision as soon as practicable.
- If an appeal is filed, the determination of responsibility does not become final unless and until it is upheld by the President. If no appeal is filed, the determination of responsibility becomes final after the period for appeal has passed.

7.11. Informal Resolution

- At any time after a Formal Complaint is filed but prior to reaching a determination regarding responsibility, the parties may request to engage in an Informal Resolution process established by the College.
- Both parties must provide voluntary, written consent to participate in Informal Resolution.
- Informal Resolution cannot be used to resolve allegations that an employee sexually harassed a student, including allegations involving a student-employee if the alleged conduct occurred in the context of their employment.
- The Title IX Coordinator assigned to the matter may facilitate the Informal Resolution process or assign a Designee, another College employee or a third-party, all of whom are referred to as the Facilitator for purposes of this section.
- The Facilitator will provide the parties with written notice disclosing the allegations, the requirements of the Informal Resolution process, and the consequences resulting from participation in the process.
- The Facilitator can present a framework of potential remedies to guide the parties in negotiation, facilitate the process, and assist in reducing any agreement to writing, but the parties themselves must come to an agreement.
- The parties may not bind the College to a resolution that the College does not deem appropriate. The Title IX Coordinator, in consultation with appropriate College officials, is responsible for reviewing and determining whether any agreement reached through the Informal Resolution process is appropriate.

7.12. Temporary Delays and Extensions of Time

- The College may temporarily delay the grievance process or provide limited extensions of time for good cause.
- Either party may request a temporary delay of the grievance process or an extension of time for good cause by submitting a written request to the Title IX Coordinator.
- For purposes of this section, good cause may include, but not be limited to:
 - The absence or unavailability of a party, an Advisor, a Witness, or other person necessary to the grievance process;
 - Concurrent law enforcement activity; or
 - The need for language assistance or disability accommodation.

- The Title IX Coordinator will notify the parties in writing of any delay in the process or extensions of time and the reasons for any such delay or extension.

7.13. Dismissal of a Formal Complaint

- **Mandatory Dismissal:** The College is required to dismiss a Formal Complaint if:
 - The alleged conduct, if proven, would not constitute Sexual Harassment as defined in this policy.
 - The alleged conduct did not occur in the College's education program or activity; or
 - The alleged conduct did not occur against a person in the United States.
- **Permissive Dismissal:** The College may dismiss a Formal Complaint if:
 - The Complainant withdraws a Formal Complaint in writing;
 - The Respondent is no longer enrolled in or employed by the College; or
 - Specific circumstances prevent the College from gathering evidence sufficient to reach a determination.
- The parties will receive written notice of any dismissal including the basis for the dismissal.
- Parties may appeal the dismissal of a Formal Complaint pursuant to Section 7.10 of this policy.
- Allegations dismissed under a mandatory dismissal may be addressed pursuant to Board Policy 3100 under the Student Code of Conduct.

COUNSELING

Students who have experienced any crime or assault are encouraged to contact college counseling services at 308-432-6232. The Panhandle Mental Health Center (877-492-7001) is a counseling service provider. A student's privacy will be protected. Professional mental health and pastoral counselors are encouraged; if and when they deem it appropriate, to inform persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Students may request a change in an academic schedule or living accommodations, if available and reasonable, and can submit a request to the Title IX Coordinator for short-term escort service to and from class.

CAMPUS CRIME STATISTICS

The following is a summary of crime incidents reported to Chadron State College by the Chadron Police Department for January 1, 2020 through December 31, 2022.

Report of Criminal Offenses	On-Campus (Includes Res Halls)			Residence Halls			Non-Campus Building or Property			Public Property		
	'22*	'21*	'20*	'22*	'21*	'20*	'22*	'21*	'20*	'22*	'21*	'20*
Homicide												
<i>Murder & Non-Negligent Manslaughter</i>	0	0	0	0	0	0	0	0	0	0	0	0
<i>Negligent Manslaughter</i>	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses												
<i>Forcible</i>	2	6	1	2	4	1	2	0	0	0	0	1
<i>Non-Forcible</i>	0	0	0	0	0	0	0	0	0	0	0	4
Rape	2	3	1	2	2	1	1	0	0	0	0	5
Fondling	0	3	0	0	2	0	1	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	1	0	0	1	0	0	0	0	0	0	1
Dating Violence	0	3	0	0	3	0	0	0	0	0	0	1
Stalking	0	1	0	0	1	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	1	0	0	1	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Arrests (Referrals for Campus Disciplinary Action)												
Liquor Law Violations	0(30)	1(21)	0(22)	0(30)	0(21)	0(22)	0(0)	0(0)	0(0)	0(0)	0(0)	0(0)
Drug Abuse Violations	1(7)	5(8)	3(2)	0(5)	4(6)	3(2)	0(1)	0(0)	0(0)	0(1)	0(0)	0(0)
Weapons: Carrying, Possessing, Etc.	1(12)	1(2)	0(0)	1(12)	1(2)	0(0)	0(0)	0(0)	0(0)	0(0)	0(0)	0(0)

*No victims of crimes reported were identified as being intentionally selected because of a category of prejudice. For further information, contact the Chadron Police Department at 308-432-0510 or Dean of Student Affairs at 308-432-6280.

CAMPUS CRIME STATISTICS DEFINITIONS

Murder/Non-Negligent Manslaughter: the willful (non-negligent) killing of one human being by another.

NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

Negligent Manslaughter: the killing of another person through gross negligence.

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

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

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

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned - including joy riding)

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

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

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadones); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

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

Larceny: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Vandalism: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

Sex Offenses-Forcible

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

A. Forcible Rape

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

B. Forcible Sodomy

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

C. Sexual Assault With An Object

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

D. Forcible Fondling

The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Sex Offenses-Non-forcible

Unlawful, non-forcible sexual intercourse.

A. Incest

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

B. Statutory Rape

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

Hate Crime

A hate crime is a crime that manifests evidence that the victim was intentionally selected because of the perpetrator's bias in a belief whether actual or perceived of the victim's race, gender, religion, national origin, sexual orientation, gender identity, ethnicity or disability.

Unfounded Crime

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

FIRE SAFETY

FIRE SAFETY SYSTEMS

Fire safety and education is a cooperative effort between CSC and the Chadron Community. Communication and planning regarding fire safety is coordinated through administrative and residence hall staff and includes emergency evacuation procedures, alarm and extinguisher inspections, as well as fire education programs offered through local and state agencies. Fire Alarm Systems installed in the campus buildings are equipped with horns and strobes for occupant notification. The panel monitors smoke detectors, heat detectors and/or pull stations in order to detect fire. This fire alarm system is inspected every six months for proper operation by licensed personnel.

SELECTED FIRE POLICIES

The following actions are a violation of student conduct:

- **Setting or attempting to set any fire** on the campus or on the premises of any student housing unit, except in fireplaces or other facilities designated for fires;
- **Failing to report a fire** or any other extremely dangerous condition when known or recognized on the campus or on the premises of any student housing unit;
- **Possessing or selling firearms**, ammunition, weapons, explosives, or dangerous chemicals on College campus or on the premises of any student housing unit;
- **Obstructing or failing to comply** with the directions of a law enforcement officer, firefighter, or College official in the performance of his or her duty on College property, on the premises of any student housing unit or at any activity or event sponsored by the College or an organization
- **Falsely setting off** or otherwise tampering with any emergency safety equipment, fire alarm, or other device established for the safety of individuals and/or college facilities;

Open Flame and Hazard Prohibitions

Open Flame Policy

Open flames and devices are prohibited within CSC buildings except in specific controlled lab environments such as science. The definition of an open flame includes any lighting or heat-generating device which produces smoke or a flame/ember that is not protected. Examples include candles (with or without wicks), warmers, incense, smoking, burning, halogen lamps, oil or tiki lamps, torches, plug-in oil/scent devices, etc. Exceptions may be requested at least one week in advance of the event to the Vice President of Administration and Finance, (308-432-6202, Sparks Hall, Room 226).

Campus Clean Air Policies

[Designated Smoking Areas - CSC Campus Policy](#)

Smoking is prohibited in campus facilities and vehicles except as designated below. Smoking on the grounds of CSC is allowed as long as such use is not within close proximity (defined as within 10 feet) of any facility entrance or work site, unless other restrictions prevail. Signage reflecting this policy and smoking product waste receptacle placement will be the responsibility of the CSC Department of Physical Facilities (432-6225, Physical Facilities, Room 115). Noncompliance with these provisions will be handled in accordance with existing employee and student disciplinary policies.

Residence Hall Smoking Regulation

The CSC Residence Halls are “Smoke Free” and smoking in the residence halls is not allowed. All members of the CSC community are asked to comply with this regulation. The regulation is in place to promote and support the health of residential students and staff.

Electronic cigarettes, vaping and hookahs are banned from the residence halls. Students who smoke outside a residence hall must do so in designated areas and far enough from the building to avoid having smoke drift into the residence hall. Cigarette butts, packaging and other tobacco debris must be disposed of properly.

See the following documents for additional information:

[Student-Handbook-2023-2024](#)

FIRE REPORTING

If you are the first person to observe a fire in a campus building, do not try to put it out. Activate the building fire alarm through the nearest box. Leave the building using the nearest evacuation route. Buildings are to be reentered only after the appropriate officials have indicated that there is no longer an emergency. Turning in a false alarm or tampering with alarm equipment, in addition to being a state violation, is interpreted as endangering the lives of others and may result in suspension from the college and/or civil court action.

Additional information regarding campus fire emergency procedures and regulations are available in the Residence Life Handbook: [Student-Handbook-2023-2024](#)

CAMPUS FIRE STATISTICS

Name of Facility	Street Address	Number of Fires			Number of Fire Related Injuries			Number of Fire Related Deaths		
		2022	2021	2020	2022	2021	2020	2022	2021	2020
Andrews Hall	1051 Chapin Street	0	1 (unintentional) \$0 Damage	0	0	0	0	0	0	0
High Rise	501 East 10th Street	0	2 (unintentional) \$0 Damage	0	0	0	0	0	0	0
Kent Hall	1050 Shelton Street	2 (unintentional) \$0 Damage	1 (unintentional) \$0 Damage	1 (unintentional) \$0 Damage	0	0	0	0	0	0
Brooks Hall	245 East 10th Street	0	0	0	0	0	0	0	0	0
Edna Work Hall/Wing	1065 Main Street	1 (unintentional) \$0 Damage	0	1 (unintentional) \$0 Damage	0	0	0	0	0	0
Eagle Ridge -1	709 East 12 th Street	0	0	0	0	0	0	0	0	0
Eagle Ridge -2	715 East 12 th Street	0	0	0	0	0	0	0	0	0
Eagle Ridge -3	721 East 12 th Street	0	0	0	0	0	0	0	0	0

10/1/2023