



NORTHWEST CAREER COLLEGE

# 2023 ANNUAL SECURITY REPORT

Providing Quality Education since 1997

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**702-254-7577**

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# **Introduction and Purpose**

## **Campus Safety Policy Statement**

Northwest Career College, “NCC,” is committed to providing a safe learning and working environment for its students, faculty, staff and visitors. Safety is a community wide effort which requires awareness and diligence. On the campus of NCC, we take care to minimize potentially unsafe situations through our policies and procedures as well as encouraging everyone to take responsibility for their own security.

## **Purpose of the Annual Security Report**

The “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” was enacted by Congress and signed into law in November 1990, and amended in 1992, 1998, 2000, and 2008. This law requires post-secondary institutions to provide statistics regarding the incidence of crime on our campus and information on our policies and procedures for maintaining a safe and secure environment for students, employees, and visitors while they are on campus. The Violence Against Women Reauthorization Act of 2013 (VAWA), among other provisions, amended the Clery Act to require institutions to compile statistics for incidents of domestic violence, dating violence, sexual assault, and stalking and to include certain policies, procedures, and programs pertaining to these incidents in their Annual Security Report (ASR).

## **Annual Security Report Preparation Protocol**

NCC reviews its campus security policies and procedures on an annual basis to ensure that they continue to reflect current institutional practices and are compliant with Federal requirements. During this review, the Compliance Department reviews the most recent Campus Safety and Security Reporting guidance documents published by the Department of Education and the previous year’s ASR to identify any policies or procedures that need to be updated.

Upon completion of this review, the Compliance Department prepares recommended updates to NCC’s ASR and presents them to the CEO and the Operations Department for their review, approval, and implementation prior to publication. It is then published on NCC’s website and an email notification is sent to all current students and employees regarding its availability along with the web address for accessing the report.

## **Definitions of Important Terminology**

NCC uses the following definitions throughout the Annual Security Report in reference to the terms listed below:

- **Advisor**: An “Advisor” is defined as “any individual who provides the complainant or the accused support, guidance, or advice regarding the alleged incidents or the complaint process.”
- **Awareness programs**: community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.
- **Bystander intervention**: safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.
- **Complainant**: A “Complainant” is defined as “individual who is alleged to be the victim of conduct that could constitute sexual harassment and/or other related crimes.”

- Consent: An understandable exchange of affirmative words or actions that indicate a willingness to participate in mutually agreed upon sexually explicit touching or sexual penetration. Consent must be informed, and freely and actively given. It is incumbent upon each individual involved in the activity to either obtain or give consent prior to any sexual activity, and again, prior to sexual penetration. If at any time during the sexual interaction any confusion or ambiguity should arise on the issue of consent, it is incumbent upon each individual involved in the activity to stop and clarify, verbally, the other's willingness to continue." (Georgetown University Health Education Services: What is Consent?, 2010.)

Nevada does not have an independent definition of "consent" in the Nevada Revised Statutes (NRS).

- Dating Violence: "Dating violence" means "violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship; the type of relationship; and the frequency of interaction between the persons 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 the definition of domestic violence. (34 C.F.R. § 668.46(a))

Nevada does not have an independent definition of "dating violence" in the Nevada Revised Statutes (NRS).

- Domestic Violence: A felony or misdemeanor crime of violence committed by: a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or, any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. (34 C.F.R. § 668.46(a))

As defined in Nevada (NRS 33.018), "Domestic violence occurs when a person commits one of the following acts against or upon the person's spouse or former spouse, any other person to whom the person is related by blood or marriage, any other person with whom the person is or was actually residing, any other person with whom the person has had or is having a dating relationship, any other person with whom the person has a child in common, the minor child of any of those persons, the person's minor child or any other person who has been appointed the custodian or legal guardian for the person's minor child:

- (a) A battery.
- (b) An assault.
- (c) Compelling the other person by force or threat of force to perform an act from which the other person has the right to refrain or to refrain from an act which the other person has the right to perform.
- (d) A sexual assault.
- (e) A knowing, purposeful or reckless course of conduct intended to harass the other person. Such conduct may include, but is not limited to: (1) Stalking; (2) Arson; (3) Trespassing; (4) Larceny; (5) Destruction of private property; (6) Carrying a concealed weapon without a permit; and (7) Injuring or killing an animal.
- (f) A false imprisonment.
- (g) Unlawful entry of the other person's residence, or forcible entry against the other person's will if there is a reasonably foreseeable risk of harm to the other person from the entry.

As used in this section, “dating relationship” means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement. The term does not include a casual relationship or an ordinary association between persons in a business or social context.”

- Formal Complaint: A “Formal Complaint” is defined as “document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school investigate the allegation of sexual harassment.”
- Hate Crime: A crime reported to local police agencies or to a CSA that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability. (34 C.F.R. § 668.46(a))

Nevada does not have an independent definition of “hate crime” in the Nevada Revised Statutes (NRS).

- Ongoing prevention and awareness campaigns: programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout NCC and including the information described in the paragraphs above.
- Primary prevention programs: programming, initiates, and strategies informed by research and assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in a healthy and safe direction.
- Proceeding: A “Proceeding” is defined as “all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. Proceedings do not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.”
- Respondent: A “Respondent” is defined as “an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.”
- Result: A “Result” is defined as “any initial, interim, and final decision by an official or entity authorized to resolve disciplinary matters within NCC. The result must include a description of any sanctions imposed by NCC, as well as the rationale for the result and the sanctions.”
- Risk reduction: options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- Sexual Assault: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. This includes but is not limited to any offense that meets the following definitions of rape, fondling, incest, or statutory rape.

As defined in Nevada (NRS 200.366), a person is guilty of sexual assault if he or she “(a) Subjects another person to sexual penetration, or forces another person to make a sexual penetration on himself or herself or another, or on a beast, against the will of the victim or under conditions in which the perpetrator knows or should know that the victim is mentally or physically incapable of resisting or understanding the nature of his or her conduct; or (b) Commits a sexual penetration upon a child under the age of 14 years or causes a child under the age of 14 years to make a sexual penetration on himself or herself or another, or on a beast.”

- o Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. (34 C.F.R. § 668 Subpart D Appendix A)

Nevada does not have an independent definition of “fondling” in the Nevada Revised Statutes (NRS).

- o Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. (34 C.F.R. § 668 Subpart D Appendix A)

Nevada does not have an independent definition of “incest” in the Nevada Revised Statutes (NRS).

- o Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females. (34 C.F.R. § 668 Subpart D Appendix A)

Nevada does not have an independent definition of “rape” in the Nevada Revised Statutes (NRS).

- o Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent. (34 C.F.R. § 668 Subpart D Appendix A)

As defined in Nevada (NRS 200.364), statutory sexual seduction means “ordinary sexual intercourse, anal intercourse or sexual penetration committed by a person 18 years of age or older with a person who is 14 or 15 years of age and who is at least 4 years younger than the perpetrator.”

- Sexual Harassment: Unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment. Sexual violence, as OCR uses the term, refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent. A number of different acts fall into the categories of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

As defined in Nevada (NRS 284.065), sexual harassment means “unwelcome sexual advances, requests for sexual favors, or other speech or physical conduct of a sexual nature when: 1. Submission to such speech or conduct is made either explicitly or implicitly a term or condition of a person’s employment; 2. Submission to or the rejection of such speech or conduct by a person is used as the basis for employment decisions affecting that person; or 3. Such speech or conduct has the purpose or effect of unreasonably interfering with a person’s work performance or creating an intimidating, hostile or offensive working environment”

- Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress (34 C.F.R. § 668 Subpart D Appendix A). For the purposes of this definition, the following terms are used:
  - o *Course of Conduct*: Two 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. (34 C.F.R. § 668 Subpart D Appendix A)
  - o *Reasonable Person*: A reasonable person under similar circumstances and with similar identities to the victim. (34 C.F.R. § 668 Subpart D Appendix A)

- o *Substantial Emotional Distress*: significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. (34 C.F.R. § 668 Subpart D Appendix A)

As defined in Nevada (NRS 200.575), stalking means a person “without lawful authority, willfully or maliciously engages in a course of conduct that would cause a reasonable person to feel terrorized, frightened, intimidated, harassed or fearful for the immediate safety of a family or household member, and that actually causes the victim to feel terrorized, frightened, intimidated, harassed or fearful for the immediate safety of a family or household member, commits the crime of stalking.”

- Supportive Measures: “Supportive Measures” is defined as “individualized services reasonably available that are nonpunitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment.”

# **Institutional Security Policies**

## **Institutional Policy Statement**

NCC issues this report and the policies and procedures wherein as a statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address dating violence, domestic violence, sexual assault and stalking, whether the incident occurs on or off campus and when it is reported to a college official.

NCC prohibits the offenses of dating violence, domestic violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the college community. This policy applies equally to all students and employees regardless of the sex, gender, sexual orientation, gender identity, or gender expression of any of the individuals involved.

NCC reserves the right to administratively withdraw any student from the school who violates these policies. Employees who violate these policies will be subject to disciplinary action, up to and including termination.

## **Campus Security Features**

### **Personnel-Based Features**

NCC maintains staff at the front desk of each facility listed in the School Catalog during their respective hours of operation. Campus security officers, designated security personnel, and supplemental support personnel are available to coordinate responses to emergencies or criminal activities that occur during business operation hours.

NCC maintains a policy that no students may remain within campus facilities outside of the business hours listed above. The facility is locked before the final staff member leaves the campus.

### **Facility-Based Features**

All campus facilities are equipped with a security system. The security system for each facility is armed whenever no staff members are present. Security system maintenance is provided on a consistent basis to ensure the system remains functional.

NCC maintains video cameras throughout campus facilities to facilitate verification of reports regarding misconduct or criminal behavior. Notice of recording is given in writing at the entrance to campus facilities.

NCC maintains land-line phones throughout the campus should one be needed in case of an emergency.

NCC maintains a well-lit parking lot in addition to safety lights throughout the campus.

## **Campus Security Personnel**

### **Designated Security Personnel**

Students and employees should report the criminal offenses described in 34 CFR § 668.46(c) and the Crime Statistics section of the ASR to the first available Campus Security Officer or to the Vice-President of Operations, Pablo Chacon, for the purposes of making timely warning reports and the annual statistical disclosure:



Security personnel complete training annually on evaluation of relevant evidence and how it should be used during a proceeding; proper techniques for questioning witnesses; basic procedural rules for conducting a proceeding; and avoiding actual and perceived conflicts of interest.

### Supplemental Security Personnel

If a student or employee cannot immediately locate one of the designated security personnel, they are encouraged to locate a member of the Front Office Department for assistance so they may report the criminal offense in a timely manner.

### Campus Security Authorities

In addition to the Designated Security Personnel and the Supplemental Security Personnel identified above, NCC has further designated the following individuals as Campus Security Authorities (as defined in the Clery Act):

- Program Chairs and Lead Instructors;
- Advisors and Directors within the Academic Affairs, Student Development, and Career Services Departments;
- Employees of the Compliance Department; and,
- Any employee that supervises another employee identified as a Campus Security Authority.

### Pastoral or Professional Counselors

NCC does not employ on-campus pastoral or professional counselors. Pastoral counselors and professional counselors who contact NCC regarding a reported crime are directed to speak with designated security personnel. They are encouraged, if and when they deem it appropriate, to inform the persons they are counseling of the procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics contained within this report.

### Law Enforcement Authority and Jurisdiction of Campus Security Personnel

There are no designated campus security personnel with law enforcement authority or jurisdiction. Designated campus security personnel do not have the authority to make arrests. All complaints regarding criminal activities requiring law enforcement are directed to LVMPD, including the enforcement of state under-age drinking laws and federal and state drug laws.

### Written Agreements with Law Enforcement

There is no written memorandum of understanding between NCC and the Las Vegas Metropolitan Police Department for the investigation of alleged criminal offenses.

### Reporting Crimes to Law Enforcement

Designated security personnel are required to promptly and accurately report all crimes to the appropriate police agencies when the victim of a crime elects to, or is unable to, make such a report. NCC requires that designated security personnel respect the wishes of the victim if they decline to make a report or involve law enforcement authorities.

## **Campus Safety Educational Programs**

### Type and Frequency of Programs

NCC conducts educational programs to promote the awareness of dating violence, domestic violence, sexual assault, and stalking. NCC conducts a primary prevention and awareness program for all new incoming students and employees, as well as ongoing prevention and awareness campaigns for the campus on an annual basis.

### Primary Crime Prevention and Awareness Program

The NCC crime prevention and awareness program is presented to all new students during their conditional acceptance period and to all new employees prior to the end of their new employee onboarding experience. The primary prevention and awareness program addresses security procedures and practices and encourages the campus community to look out for themselves and one another and is conducted regularly for new students and employees. The ongoing prevention and awareness campaigns cover similar topic material and are conducted annually for returning students and employees.

The primary crime prevention and awareness presentation includes the following information:

- A statement that NCC prohibits the crimes of dating violence, domestic violence, sexual assault and stalking;
- Definitions of the terms dating violence, domestic violence, sexual assault, stalking, and consent (in reference to sexual activity);
- Crime Prevention Information;
- Risk Reduction Information;
- Bystander Intervention Information;
- Information on NCC's policies and programs to prevent dating violence, domestic violence, sexual assault, and stalking;
- Information on institutional procedures for disciplinary action in cases of alleged dating violence, domestic violence, sexual assault and stalking; and,
- Written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available for victims, within NCC and in the community.

### Ongoing Prevention and Awareness Campaigns

NCC conducts annual prevention and awareness campaigns by distributing prevention and awareness program materials via email with a high-level summary of relevant information in association with publishing its updated ASR in order to continue educating members of the campus community about the importance of these issues.

Staff and students are encouraged to review the personal security recommendations, ways to reduce risk for potential attacks, sexual assault prevention, and guidelines for effective bystander intervention as described in the primary prevention and awareness program described below.

### Crime Prevention Information

NCC expects students and employees to take appropriate precautions to prevent crimes and ensure their own safety and the safety of others. Students and employees are responsible for their own personal possessions. Staff or faculty members have been trained to report all known or suspected criminal activities to designated security personnel.

NCC recommends that students and employees take the following precautions to protect themselves and their property:

- Immediately report suspicious people or activity you observe to designated security personnel, supplemental security personnel, or the nearest available employee if the first two options are unavailable.
- Tell an instructor or staff member if a stranger confronts you on campus or the adjacent property
- When parking, lock your vehicle and remove valuables from plain view
- Avoid carrying large amounts of cash or valuables
- Don't leave purses, backpacks, computers, phones, or other personal items unattended
- Write your name in several places on your textbooks
- Lock up bicycles with high-quality locks
- Walk in groups of at least two people at night
- Lock your office when you leave
- Always report all criminal incidents and losses of property

NCC reserves the right to refuse access to anyone acting in a disorderly or disruptive fashion and to request that such persons leave the premises.

### Risk Reduction Information

NCC firmly believes that no victim is ever to blame for being assaulted or abused. Unfortunately, a person who is the victim of sexual or dating violence is more likely to be re-victimized. If you are being abused or suspect that someone you know is being abused, speak up or intervene. Below are some tips to help reduce your risk, and how to avoid potential attacks.

- Get help by contacting the Student Services Department for support services.
- Learn how to look for “red flags” in relationships so you can learn to avoid some of those characteristics in future partners.
- Consider getting a protective order or stay away order.
- Learn more about what behaviors constitute dating and domestic violence, understand it is not your fault, and talk with friends and family members about ways you can be supported.
- Trust your instincts—if something doesn't feel right in a relationship, speak up or end it.

In order to help prevent sexual assault, students and employees are encouraged to use the practices below to help maintain your own safety and the safety of others.

- Try to come and leave with a group of people you trust.
- Avoid giving out your personal information (phone number, where you live, etc.). If someone asks for your number, take his/her number instead of giving out yours.
- Make sure your cell phone is easily accessible and fully charged.
- Be aware of open buildings where you can use a phone.
- Take major, public paths rather than less populated shortcuts.
- Avoid dimly lit places and talk to campus services if lights need to be installed in an area.

Additionally, although drug and alcohol consumption is prohibited on campus, it is strongly recommended that you observe moderation in consumption of any controlled substances to reduce your risk of being victimized while being under the influence of those substances.

### Bystander Intervention Information

NCC encourages students and employees to be an intervener and stop these incidents before they occur, and to talk to their friends about it so that they will intervene as well. The steps for being an effective bystander explained below are reviewed during the primary prevention and awareness presentation:

- Notice the incident – Bystanders first must notice the incident taking place. Obviously, if they don't take note of the situation there is no reason to help.
- Interpret the incident as a potential emergency – Bystanders also need to evaluate the situation and determine whether it is an emergency—or at least one in which someone needs assistance. Again, if people do not interpret a situation as one in which someone needs assistance, then there is no need to provide help.
- Assume responsibility – Another decision bystanders make is whether they should assume responsibility for giving help. One repeated finding in research studies on helping is that a bystander is less likely to help if there are other bystanders present. When other bystanders are present, responsibility for helping is diffused. If a lone bystander is present, he or she is more likely to assume responsibility.
- Attempt to help – Whether this is to help the people leave the situation, confront a behavior, diffuse a situation, or call for other support/security, you should attempt to help. The best way bystanders can assist in creating an empowering climate free of interpersonal violence is to diffuse the problem behaviors before they escalate.
- Educate yourself and others – Educate yourself about interpersonal violence and share this info with friends. Confront friends who make excuses for other people's abusive behavior. Speak up against racist, sexist, and homophobic jokes or remarks.

Students and employees are given the following tips regarding how to successfully intervene in a situation potentially involving sexual assault, relationship violence, or stalking:

- Approach everyone as a friend;
- Do not be antagonistic;
- Avoid using violence;
- Be honest and direct whenever possible;
- Recruit help if necessary;
- Keep yourself safe; and,
- If things get out of hand or become too serious, contact the police.

# Drug and Alcohol Abuse Prevention Policy

## Policy Statement

NCC has a zero-tolerance policy regarding the possession, use, and sale of alcoholic beverages and illegal drugs. NCC reserves the right to dismiss any student from school who violates this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination.

NCC strives to remain in compliance with the requirements of the Drug-Free Schools and Communities Act. NCC has implemented programs to prevent the abuse of alcohol and use or distribution of illicit drugs both by students and employees both on its premises and as a part of any of the college's activities. NCC has a written policy on alcohol and other drugs and distributes information to students upon enrollment via the official School Catalog.

In recognition of the problems associated with drug and alcohol abuse in society today, NCC also provides the following information to new employees during orientation and new students prior to matriculation.

## Drug and Alcohol Disclosure

- 1) The unlawful possession, use, sale, or distribution of illicit drugs or alcohol on school property or in connection with any school activity is strictly prohibited. This prohibition applies to all students and employees.
- 2) Local/State – Sanctions for possession or distribution of illegal substance in the State of Nevada is a felony, punishable by imprisonment in the State Penitentiary for a minimum of one (1) year. Possession of alcohol, or distribution to any person under the age of twenty-one (21), is punishable by imprisonment for a minimum of six (6) months in a local jail.
- 3) Federal – Penalties for unlawful manufacturing, distribution, and dispensing of controlled substances are provided under the Federal Controlled Substances Act. The nature of the drug or other substance, the amount the drugs or other substance involved and the number of offense determine the penalties.

### Examples of Federal Drug-Trafficking Penalties (Accessed from DEA Website on 9/18/19)

	<b>First Offense</b>	<b>Second Offense</b>
<b>Marijuana ( )</b>	No less than 5 yrs.	No less than 10 yrs.
<b>Heroin (1-999g)</b>	No less than 5 yrs.	No less than 10 yrs.
<b>Cocaine (500-4999g)</b>	No less than 5 yrs.	No less than 10 yrs.

- 4) There are various health risks associated with the use of illicit drugs and the abuse of alcohol. Some of the more common problems are cited below:

Marijuana: Use can lead to an increase in heart rate of up to 50%, a sense of euphoria, acute anxiety, and tremendous mood swings. There is potential for long term physical and psychological damage.

Cocaine: Use can affect the brain in seconds and result in heart or respiratory failure.

- Crack: Use can lead to an intense high within seconds, deep depression, and intense dependency in a short time.
- Amphetamines: Use increases heart and breathing rates, raises blood pressure while often causing blurred vision, dizziness, lack of sleep, or anxiety. Body chemistry is upset which can lead to long term physical problems.
- Alcohol: Use can lead to feeling of confidence and control. Liver, brain, heart, and stomach destruction goes on even without apparent symptoms. Use for a long period of time often causes dependency and may be fatal.

- 5) There is help for our students and employees. NCC does not offer its own assistance program. However, the Student Services Department can provide additional information for a Confidential Referral Program.
- 6) Any student or employee who is a drug or alcohol offender will have disciplinary action imposed by the school. These sanctions may include one or more of the following:
- Mandated referral for the problem with our Confidential Referral Program.
  - Mandated attendance at a local treatment center.
  - Mandated completion of drug rehabilitation program.
  - Mandated probation period not to exceed one month.
  - Possible administrative withdrawal from school if a student.
  - Possible termination from employment if an employee.
  - Possible referral for a local, state, or federal prosecution.

## **Sexual Harassment and Sexual Assault Prevention Policy**

### Policy Statement and Awareness Promotion

NCC strictly prohibits the students and employees from participating in sexual harassment or the crimes of dating violence, domestic violence, sexual assault, and stalking as those terms are defined for the purpose of the Clery Act. The definitions of these terms and the term, “consent,” in reference of sexual activity can be found in the Introduction and Purpose section of this report. NCC utilizes the primary prevention and awareness program and ongoing campaigns described under Campus Safety Educational Programs to promote awareness about these offenses and provide information on risk reduction to create a safe campus environment.

Any of the following types of misconduct will be classified as “sexual harassment,” will be considered to jeopardize the equal access to education that Title IX is designed to protect and will be strictly prohibited.

- Any instance of quid pro quo harassment by a school's employee.
  - o Quid pro quo harassment and Clery Act/VAWA offenses are not evaluated for severity, pervasiveness, offensiveness, or denial of equal educational access, because such misconduct is sufficiently serious to deprive a person of equal access.
- Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access.

- o Where unwelcome sex-based conduct consists of speech or expressive conduct, NCC will balance Title IX enforcement with respect for free speech and academic freedom.
- Any instance of sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

These prohibitions apply to all NCC programs or activities, including any locations, events, or circumstances over which NCC exercised substantial control over both the respondent and the context in which the sexual harassment occurred.

Mandatory Reporting Disclosure

NCC requires mandatory reporting by members of the Campus Security Department to the Title IX Coordinator if an incident report is filed that indicates an alleged incident of sexual harassment has occurred.

NCC does not require mandatory reporting for other employees but are required to provide information to complainants about how to contact the Title IX Coordinator if they want to initiate a Formal Complaint and assist them with reporting any incident(s) to the Title IX Coordinator upon request.

NCC has further designated members of the Student Development Department to serve as confidential resources for students to discuss sexual harassment without automatically triggering a report to the Title IX Coordinator. However, these employees are still required to provide information to complainants about how to contact the Title IX Coordinator if they want to initiate a Formal Complaint and assist them with reporting any incident(s) to the Title IX Coordinator upon request.

Title IX Personnel Information

NCC encourages complainants to report prohibited conduct to the Title IX Coordinator in person, by email, or by phone using the contact information below:

- Leslie Tran, Title IX Coordinator  
titleix@northwestcareercollege.edu  
(702)-254-7577  
7398 Smoke Ranch Road  
Las Vegas, NV 89128

NCC has designated the following individuals to serve as supplemental Title IX Personnel:

- Leslie Tran, Title IX Investigator  
titleix@northwestcareercollege.edu  
(702)-254-7577  
7398 Smoke Ranch Road  
Las Vegas, NV 89128
- Patrick Kenny, Title IX Hearing Officer/Decision-Maker  
titleix@northwestcareercollege.edu  
(702)-254-7577  
7398 Smoke Ranch Road  
Las Vegas, NV 89128

All Title IX personnel (Title IX Coordinators, investigators, decision-makers, people who facilitate any informal resolution process) are required to complete training on the definition of sexual harassment, the scope of the school's education program or activity, how to conduct an impartial investigation, and how to manage the grievance process, including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

All Title IX decision-makers and investigators will receive training on issues of relevance, including how to apply the rape shield protections provided only for complainants, prior to conducting a live hearing.

All Title IX decision-makers will receive training on any technology to be used at a live hearing prior to conducting the hearing.

The materials used to train Title IX personnel are posted on the NCC website and are available for members of the public to inspect at <https://www.northwestcarecollege.edu/title-ix-reporting-information.html>.

### Procedures Victims Should Follow if a Crime of Dating Violence, Domestic Violence, Sexual Assault, or Stalking Has Occurred

The first priority of a victim of sexual assault or domestic violence is to get to a place of safety, then to obtain necessary medical attention as soon as possible. Go to the nearest hospital, who will have a certified ER hospital staff member that is authorized to perform medical/legal examinations. An assault should be reported directly to the local police department.

Although NCC strongly advocates that a victim of dating violence, domestic violence, sexual assault or stalking report the incident to the Las Vegas Metropolitan Police Department in a timely manner, it is the victim's choice to make such a report and the victim has a right to decline involvement with the police. The designated security personnel or supplemental support personnel will assist any student who wishes to notify law enforcement authorities regarding any alleged crime, regardless of whether that crime occurred on or off campus. Students requiring such assistance should contact the designated security personnel or supplemental support personnel for guidance.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining orders of protection related to the incident more difficult. The designated security personnel or supplemental support personnel will provide written information to victims about the importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with the Las Vegas Metropolitan Police Department or other law enforcement agency to preserve evidence in the event that the victim changes his or her mind at a later date.

Physical evidence is crucial in helping to prosecute assailants in cases of rape or sexual assault. Physical evidence must be collected in a timely manner by a certified medical facility. Prior to a medical/legal exam, victims of rape or assault should not bathe, change clothes, douche, use the toilet (if possible), smoke, or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that the evidence may be preserved. If victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted diseases.

Victims of stalking should save evidence such as any letters, notes, e-mails, phone calls, videos, photos, texts, social media postings (i.e. Facebook, Twitter, etc.), computer screenshots, voicemails, or any other form of evidence that would be helpful.



## Procedures for Reporting a Crime of Dating Violence, Domestic Violence, Sexual Assault, or Stalking

A complainant or any third party may report a crime of Dating Violence, Domestic Violence, Sexual Assault, or Stalking by filing a Formal Complaint with the Title IX Coordinator. All procedures described above under “Procedures for Reporting Sexual Harassment” will be followed under these circumstances.

In addition to the reporting procedures described for sexual harassment, the following steps should be taken to report the crime if an alleged instance of dating violence, domestic violence, sexual assault, or stalking occurs within NCC’s Clery geography:

1. The victim should locate one of the designated security personnel to file an incident report regarding the alleged crime. The victim should seek assistance from supplemental security personnel if they are unable to locate one of the designated security personnel in a timely manner.
2. The designated security personnel will have the victim fill out a report detailing all pertinent information regarding the offense and will provide written information to victims about the importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.
3. The designated security personnel will then encourage the victim to report the alleged crime to the Las Vegas Metropolitan Police Department in a timely manner and will provide them with the contact information for victim advocates at LVMPD listed above. They will then provide the student or employee a written explanation of the student’s or employee’s rights and options at this time to:
  - Be assisted by campus authorities in notifying law enforcement authorities if the victim chooses
  - Decline to notify such authorities.
  - Obtain a protective order issued by the following courts:
    - o Protective Orders for Stalking and Harassment, Sexual Assault, and Harassment in the Workplace may be obtained from the Las Vegas Justice Court, located at 200 Lewis Avenue, 2nd floor, Las Vegas, NV 89155. The required forms and directions for completing them can be accessed at <http://www.civillawselfhelpcenter.org/self-help/harassment-protection/protection-from-stalking-aggravated-stalking-or-harassment>. The Court may be contacted at 702-671-3116 for additional information.
    - o Protective Orders from Domestic Violence may be obtained from the Family Violence Intervention Office, located at 601 North Pecos Road, Las Vegas, Nevada 89101. The required forms and directions for completing them can be accessed at <http://www.clarkcountynv.gov/sheriff-civil/Pages/tpo.aspx>. The Intervention Office may be contacted at 702-455-3400 for additional information.
4. The designated security personnel will then make a copy of the document for the student and place the original report in the Campus Crime Report file. This report will be retained permanently in this file.
5. The designated security personnel will report the incident to the Chief Executive Officer.
6. The Chief Executive Officer will review the report and initiate disciplinary proceedings as detailed in the section below.

The victim is responsible for obtaining orders of protection, “no-contact” orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court. No such orders will be issued by NCC. However, NCC will assist in the enforcement of such orders while the victim is on campus, should those orders be issued by the

proper authorities. The designated security personnel at NCC will assist any student who wishes to notify law enforcement authorities regarding any alleged crime, regardless of whether that crime occurred on or off campus. Students requiring assistance should contact the designated security personnel or supplemental security personnel for guidance.

NCC will provide written notification to victims about victim services available off-campus through LVMPD related to counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services. Victim advocates at LVMPD can be reached at (702) 828-2955 and can direct victims to the listed services. Additional information regarding victim services can be found online at <https://www.lvmpd.com/en-us/Pages/VictimServices.aspx>.

NCC will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. NCC is obligated to comply with a student's reasonable request for a living and/or academic situation change following an alleged sex offense. NCC will make reasonable accommodations and take protective measures whenever possible to assist in the continuation and completion of the victim's educational program if the victim requests them and they are reasonably available, regardless of whether the victim chooses to report the crime to law enforcement. Determinations regarding accommodations are made by the Chief Executive Officer and School Director.

NCC will complete publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)), while maintaining privately the personal information needed for documentation of follow-up and resolution to the offense. NCC will also attempt to maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of NCC to provide the accommodations or protective measures.

### Procedures for Reporting Sexual Harassment

A complainant or any third party may report sexual harassment by filing a Formal Complaint with the Title IX Coordinator. At the time of filing a formal complaint, a complainant must be an employee or must be a student participating in or attempting to participate in the education program or activity of the school with which the formal complaint is filed. While parents and guardians do not become complainants (or respondents), parents and guardians may also act on behalf of parties (including by filing formal complaints) in matters such as reporting sexual harassment and/or other related crimes. When the Title IX Coordinator signs a formal complaint on behalf of a complainant, the Title IX Coordinator is not a complainant or a party during a grievance process and will comply with requirements for Title IX personnel to be free from conflicts and bias.

A formal complaint may be filed with the Title IX Coordinator in person, by mail, by electronic mail, by electronic form submission, or by using the contact information listed for the Title IX Coordinator within the About Us section of the NCC website. A document filed by a complainant in paper or via electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint, will also be treated as a formal complaint.

When a complainant or third party reports to NCC that a student or employee has been a victim of sexual harassment or the crimes dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus, the Title IX Coordinator will promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a Formal Complaint. They will explain that supportive measures are designed to restore or preserve a complainant's equal educational access (without

treating a respondent as responsible until after a fair grievance process has occurred), irrespective of whether the complainant files a Formal Complaint. The Title IX Coordinator will provide the student or employee with a written explanation of the student's or employee's rights and options.

Finally, the Title IX Coordinator will explain to the complainant that NCC will respect their wishes about whether or not to proceed with a formal investigation into the incident unless the Title IX Coordinator determines that it is not clearly unreasonable in light of the known circumstances to sign a formal complaint and initiate an investigation over the wishes of the complainant. Such a decision would be made if the Title IX Coordinator determines that such action is needed for the safety and security of the campus community at large.

### Victim Rights and Confidentiality

When a student or employee reports to NCC that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, NCC will provide the student or employee a written explanation of the student's or employee's rights and options in accordance with the requirements of 34 CFR § 668.46(b).

NCC will attempt to protect the confidentiality of victims of sexual harassment, dating violence, domestic violence, sexual assault and stalking to the fullest extent of the law. The designated security personnel will work with the victim to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal complaint. Additionally, personally identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant.

NCC does not publish the name of a crime victim when completing publicly available recordkeeping, including Clery Act reporting disclosures. NCC will also attempt to maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality will not impair the ability of NCC to provide the accommodations or protective matters.

### General Procedures for Resolving Formal Complaints of Alleged Sexual Harassment, Dating Violence, Domestic Violence, Sexual Assault, or Stalking

NCC will keep confidential the identity of complainants, respondents, and witnesses, except as may be permitted by FERPA, as required by law, or as necessary to carry out a Title IX proceeding.

NCC will treat complainants and respondents equitably throughout all institutional proceedings and will apply all provisions, rules, or practices that are part of its grievance process for handling formal complaints of sexual harassment equally to both parties.

NCC will provide remedies any time a respondent is found responsible and treat respondents equitably by not imposing disciplinary sanctions without following the procedures for institutional investigations, hearings, and disciplinary action described herein. Remedies will be designed to maintain the complainant's equal access to education and may include the same individualized services described elsewhere as supportive measures. However, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

NCC will not restrict the rights of complainants or respondents protected under the U.S. Constitution, including both parties' First Amendment, Fifth Amendment, and Fourteenth Amendment rights, when complying with Title IX. Furthermore, NCC will not use, rely on, or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

## Rights of the Complainants and Respondents during Title IX Proceedings

All complainants and respondents are entitled to a prompt, fair, and impartial proceeding. Proceedings will be:

- Completed within reasonably prompt timeframes, including a process that allows for the extension of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay;
- Conducted in a manner that:
  - o Is consistent with NCC's policies and transparent to the accuser and accused;
  - o Includes a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
  - o Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
  - o Provides timely and equal access to the accuser, the accused, and appropriate officials to information that will be used during informal and formal disciplinary meetings and hearings (as permitted by state and federal laws);
- Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused; and,
- Conducted by officials who, at a minimum, receive annual training on the issues related to the Title IX procedures listed in this document.

## Procedures for Informal Resolution of Formal Complaints of Alleged Sexual Harassment, Dating Violence, Domestic Violence, Sexual Assault, or Stalking

Prior to the initiation of institutional hearings and disciplinary action, NCC may discretionarily choose to offer and facilitate informal resolution options. Such an offer may be made prior to or after a formal complaint has been filed. However, NCC will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

If informal resolution options are offered, NCC will clearly communicate to both parties that NCC does not require waiver of the right to a formal investigation and adjudication of formal complaints of sexual harassment as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right as a student or employee. Additionally, NCC will clearly communicate to both parties that NCC does not require them to participate in an informal resolution process and that any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint at any time prior to agreeing to a resolution. Finally, NCC will clearly communicate that both parties must give voluntary, informed, written consent to attempt informal resolution and will collect documentation of such consent.

If both parties agree to pursue an informal resolution option, NCC will also ensure that any person who facilitates such an informal resolution is trained and/or experienced in professional mediation. Informal resolution options will be initiated within ten (10) business days of securing both parties' written consent. Informal resolution options will be conducted over a ten (10) business day period. The facilitator will then issue a written summary of the resolution report within a ten (10) business day period.

NCC may request approval from both parties for a good cause extension of no more than ten (10) business days if unable to secure a facilitator who is trained and/or experienced in professional mediation within the original timeframe. The facilitator may also request approval from both parties for an extension of no more than ten (10) business days if needed to conduct the resolution meetings or issue the resolution report.

## Procedures for Institutional Proceedings in Cases of Alleged Dating Violence, Domestic Violence, Sexual Assault, or Stalking

NCC will initiate an investigation of any formal complaint (as defined above) filed by a complainant or signed by a Title IX Coordinator within five (5) business days. NCC will also send written notice of the allegations to both parties (complainants and respondents) upon receipt of a formal complaint. NCC maintains the primary responsibility for gathering evidence and affirms that the burden of proof remains with NCC, not on the parties. NCC also affirms that it will not restrict the ability of the parties to discuss the allegations or gather evidence throughout the course of the proceedings. NCC may, at its discretion, consolidate formal complaints into a single disciplinary proceeding where the allegations arise out of the same facts.

The investigation will be managed by the Vice-President of Operations. The Vice-President of Operations will serve as the Investigator except for in cases where the Vice-President of Operations has a perceived or real conflict of interest, at which time an alternative representative lacking a perceived or real conflict of interest will be designated. In all cases, the Investigator will receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and how to conduct an investigation and issues of relevance, including how to apply the rape shield protections provided for complainants.

The institutional investigation and subsequent disciplinary hearings shall provide a prompt, fair, and impartial process from initiation to the final result.

The proceedings will be managed by the Chief Executive Officer, serving in their capacity as the Hearing Officer, i.e. Title IX decision-maker. The Chief Executive Officer will serve as the Hearing Officer except for in cases where the Chief Executive Officer has a perceived or real conflict of interest, at which time an alternative representative lacking a perceived or real conflict of interest will be designated. In all cases, the Hearing Officer will receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking; how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability; and issues of relevance, including how to apply the rape shield protections provided for complainants.

Standard disciplinary proceedings will be used by NCC for all types and circumstances of allegations regarding dating violence, domestic violence, sexual assault, and stalking. Disciplinary proceedings will begin as soon as possible, but never more than five (5) business days from the date that the incident was reported. Throughout the duration of the disciplinary proceedings, NCC will ensure that it sends written notice of any investigative interviews, meetings, or hearings to the parties involved at least one (1) business day in advance. Both the accuser and the accused are entitled to the opportunity to have others present during all disciplinary proceedings, including the opportunity to be accompanied by an advisor of their choice to any meeting, proceeding, or hearing. This advisor may be, but need not be, an attorney. NCC will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding.

An initial, live, disciplinary hearing will be conducted by NCC's Title IX Hearing Officer. Live hearings will be conducted with all parties, witnesses, advisors, and other participants appearing at the hearing virtually, utilizing both audio and video feeds. This will ensure that the parties are always located in separate rooms but that they can still see and hear each other. NCC will create an audiovisual recording of any live hearings conducted in this fashion for records purposes. These audiovisual recordings will be made available to the parties upon request.

At this initial hearing, the Hearing Officer will explain NCC's policies and procedures related to investigations, hearings, and disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking as detailed below.

Both the accuser and the accused will be given the opportunity to share details regarding the alleged incident, present fact and expert witnesses, and present other inculpatory and exculpatory evidence. Such evidence can be submitted by both parties and, in accordance with guidance provided by Department of Education's Office for Civil Rights (OCR), may include statements made by the parties and witnesses during the investigation, including emails or text exchanges between the parties leading up to alleged sexual harassment. All evidence submitted will be thoroughly reviewed by members of the hearing review board to confirm its authenticity and affirm it has not been doctored or manipulated before the hearing. NCC recognizes the importance of maintaining the privacy of a party's medical, psychological, and similar treatment records and therefore will not attempt to access or use such records unless submitted by the party as evidence or unless it obtains the party's voluntary, written consent to access and use such records.

In addition to the opportunities afforded both parties to present details, witnesses, and evidence, each party is also allowed to have an advisor present at the initial hearing as described above. If either party wishes to proceed with cross-examination at the live hearing, it must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally. If a party does not have an advisor present at the live hearing, NCC will provide, without fee or charge to that party, an advisor of NCC's choice to conduct cross-examination on behalf of that party.

Each party's advisor will be permitted to ask the other party and any witnesses all relevant questions and follow-up questions, including those questions challenging credibility. Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the Hearing Officer must first determine whether the question is relevant and explain to the party's advisor asking cross-examination questions any decision to exclude a question as not relevant. In accordance with rape shield protections for complainants, questions and evidence about a complainant's prior sexual behavior will be deemed irrelevant unless offered to prove that someone other than the respondent committed the alleged misconduct or offered to prove consent.

If a party or witness does not submit to cross-examination at the live hearing, the Hearing Officer will not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the Hearing Officer cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions. Furthermore, in accordance with guidance provided by Department of Education's Office for Civil Rights (OCR), the Hearing Officer may also consider police reports, Sexual Assault Nurse Examiner documents, medical reports, and other documents, even if these documents contain statements that were made by a party or witness who is not cross-examined during the live hearing.

Upon completion of the live hearing, the Hearing Officer is then required to complete an objective evaluation of all relevant evidence (inculpatory and exculpatory). The facts of the case, the input of both parties, and any other available evidence will be evaluated by the Hearing Officer. The Hearing Officer is obligated to avoid credibility determinations based on a person's status as a complainant, respondent, or witness throughout the assessment process.

Within five (5) business days of the initial hearing, the Hearing Officer will generate an investigative report that fairly summarizes the relevant evidence collected prior to and during the live hearing. The Hearing Officer will then send a copy of this investigative report and all evidence directly related to the allegations to the parties, and their advisors, for their review. These documents will be provided in electronic format (or hard copy upon request). The parties, and their advisors, will then have ten (10) business days to inspect, review, and respond in writing to the investigative report and any relevant evidence.

Once the ten (10) business day response period has elapsed and all parties, and their advisors, have had the opportunity to respond to the documents mentioned above, the Hearing Officer will review and evaluate all information provided in the responses, as well as the original information submitted prior to and during the initial hearing. The Hearing Officer will use the clear and convincing evidence standard when evaluating the available information and making a final determination. This standard of evidence is utilized to evaluate all formal complaints and disciplinary proceedings arising from allegations of dating violence, domestic violence, sexual assault and stalking, regardless of whether the respondent is a student or an employee (including a faculty member).

The Hearing Officer will then make a final determination, which represents the culmination of the proceedings, and will document that determination in writing within five (5) business days of the end of the response period. This written determination will include the Hearing Officer's determination regarding responsibility with findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, any disciplinary sanctions imposed on the respondent, and whether remedies will be provided to the complainant. This written determination will be provided to both parties simultaneously and will include information about how to file an appeal. This written determination will be distributed as soon as possible but no later than three (3) business days following the date of determination. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of all written notices described above.

NCC will allow complainants and respondents to request short-term, good cause delays or extensions of the time frames listed throughout the procedures above. Such requests for a good cause extension will be assessed on a case-by-case basis but shall not exceed a total of ten (10) business days over the course of the proceedings.

#### Procedures for Dismissing of a Formal Complaint

NCC will dismiss allegations of conduct that do not meet the Final Rule's definition of sexual harassment or did not occur in a school's education program or activity against a person in the U.S. NCC may make this determination upon initial review of the formal complaint, after the initial disciplinary hearing, or after the parties submit responses to the investigational report and accompanying evidence. Such dismissal is only for Title IX purposes and does not preclude NCC from addressing the conduct in accordance with its Conduct Policy outlined in the School Catalog.

Furthermore, NCC may, at its discretion, dismiss a formal complaint or allegations therein if the complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations therein, if the respondent is no longer enrolled or employed by the school, or if specific circumstances prevent the school from gathering sufficient evidence to reach a determination.

NCC will provide both parties with written notice of a dismissal (mandatory or discretionary) and the reasons for the dismissal. Both parties will receive written notice of a dismissal as soon as possible, but no later than three (3) business days following NCC's determination that the complaint is being dismissed.

#### Procedures for Appealing a Determination Regarding Responsibility in Cases of Alleged Dating Violence, Domestic Violence, Sexual Assault, or Stalking

Any party involved in an investigative proceeding as described above is eligible to appeal a determination regarding responsibility or to appeal the dismissal of a formal complaint or any allegations therein.

If a party seeks to appeal such a determination, they must submit their appeal by responding in writing within five (5) business days of receipt of the final, written determination provided by the Hearing Officer. Furthermore, the appeal must be based on one or more of the following allegations in order to be considered:

- Procedural irregularity that affected the outcome of the matter
- Newly discovered evidence that could affect the outcome of the matter, or
- Title IX personnel had a conflict of interest or bias, that affected the outcome of the matter.

### Sanctions and Protective Measures

Possible sanctions that NCC may impose following the results of any institutional disciplinary proceedings for an allegation of dating violence, domestic violence, sexual assault, and stalking can include issuing a verbal warning, issuing a written warning, placing an accused student on a professionalism probation, dismissal of an accused student from school, or termination of an accused employee.

NCC may offer a range of protective measures to a victim following an allegation of dating violence, domestic violence, sexual assault, and stalking. These protective measures can range from allowing the student to switch classes or shifts of their program of study, up to and including enforcement of restraining orders and other legal orders of protection issued on behalf of the victim. Specific protective measures provided by NCC for any given student victim will be determined on a case-by-case basis during disciplinary proceedings. These determinations will be made by a board of school representatives who have received training on the investigation process.

### Prohibitions Against Retaliation

NCC prohibits all parties who have knowledge of institutional proceedings related to a Formal Complaint from retaliating against any of the parties involved.

NCC will consider any attempt to charge an individual with code of conduct violations that do not involve sexual harassment but arise out of the same facts or circumstances as a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX as constituting retaliation. However, NCC may charge an individual with a code of conduct violation for making a materially false statement in bad faith during a Title IX grievance proceeding, and such action would not constitute retaliation. However, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a bad faith materially false statement.

NCC will not consider the exercise of rights protected under the First Amendment as constituting retaliation unless the exercise of those rights is otherwise prohibited for confidentiality reasons.

### **Information Regarding Registered Sex Offenders**

Law enforcement agency information provided by the State of Nevada concerning registered sex offenders can be found online at <http://www.nvsexoffenders.gov/sorstart.aspx>. In order to conduct a geographical search for registered sex offenders, you can visit <http://www.nvsexoffenders.gov/GeographicalSearch.aspx> and enter the applicable information. Please note, the information provided is intended for community safety purposes only and should not be used to threaten, intimidate, or harass anyone listed in this registry.



## **Procedures for Reporting Crimes**

### Policy Statement

NCC strongly encourages victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. NCC also strongly encourages victims or witnesses to report any of the crimes detailed in the ASR to the Las Vegas Metropolitan Police Department in a timely and accurate manner.

Criminal actions occurring on campus should be immediately reported by both students and employees to the first available Campus Security Officer and/or the local police. Front office personnel can also assist in locating a Campus Security Officer upon request for the purpose of reporting a crime. The Vice-President of Operations maintains a log of all criminal activity reported in accordance with the Clery Act as well as the crime reports associated with any entries.

### Confidential Reporting Protocol

NCC respects the privacy of its students and faculty and designated security personnel maintain confidentiality with regard to the reporting of crimes that occur on campus whenever possible by ensuring verbal reports are made in private and asking that students submit written reports directly to them in a sealed envelope or via email.

Crimes reported confidentially are logged in the campus crime log in the same manner as other crimes. However, if a crime is reported confidentially and there was only one witness to the criminal activity, NCC will encourage the witness to release NCC to pursue appropriate sanctions in accordance with the student or employee Code of Conduct.

### Referral to Law Enforcement

Major offenses including but not limited to rape, domestic violence, dating violence, stalking, murder, aggravated assault, robbery, auto theft, etc. are reported to the Las Vegas Metropolitan Police Department and joint investigative efforts between NCC and local agencies are initiated. NCC respects the victim's autonomy and authority to decline to report the incident to the police directly but will report any incidents to law enforcement that it feels may impact the security of the campus community such as those listed above.

The prosecution of all criminal offenses is conducted at the Municipal or Justice Courts levels. There is no written memorandum of understanding between NCC and the Las Vegas Metropolitan Police Department.

Victims or witnesses may decline to assist NCC and/or the police with their investigation prior to initiation or at any time prior to resolution. Victim or witness participation in the follow-up investigation is not required for the crime to be included in the annual disclosure of crime statistics.

## **Timely Warning Reports**

### Policy Statement

NCC reports to the campus community on crimes described in 34 CFR § 668.46(c) and the Crime Statistics section of the ASR which are reported to campus security authorities or local police agencies and deemed to represent a threat to the students and employees. NCC will report in a manner that is timely and that withholds as confidential the names and other identifying information of victims, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)), and that will aid in the prevention of similar

crimes. The Campus Security Officers will consult with the campus's Vice President of Operations to decide whether to issue a timely warning on a case-by-case basis based on the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts.

NCC is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

### Timely Warning Notification Content

Timely Warning Reports disseminated to the NCC campus population include a description of the crime, date and approximate time of occurrence, the location of the crime, and a description of the suspect. Incident Resolution Emails disseminated to the NCC campus population will include the same information as the Timely Warning Reports, as well as information on the resolution (if applicable).

### Timely Warning Notification Protocol

The manner of dissemination to alert the campus community may include one or more of the following methods: e-mail, voice mail, and text messages. NCC may also utilize the school's mobile app, the school's website, the school's learning management system, or its social media pages to post relevant warnings, updates, and advisories. NCC may also decide to issue an alert about a crime occurring outside of NCC's Clery geography if it determines such a notification to have value to the student and employee populations, although such a crime would not be included in the annual report.

If there is an immediate threat to the health or safety of students or employees occurring on campus, NCC follows its emergency notification procedures and is not required to issue a timely warning based on the same circumstances. The Vice-President of Operations provides adequate follow-up information to the community as needed after resolution of the emergency.

## **Procedures for Reporting Life-Threatening Emergencies**

Any life-threatening emergency should be immediately reported by students or employees to local authorities by dialing 911. After activating the emergency response team, the student or employee reporting the emergency should then notify the first available Campus Security Officer or Front Office representative so that they can provide notice to the staff and affected faculty (if not already informed). If a criminal offense precipitated the life-threatening emergency, NCC will also issue a timely warning report and record the offense in the log of all criminal activity.

## **Emergency Response and Evacuation Procedures**

### Policy Statement

NCC will immediately notify students and employees upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus. NCC will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

## Response to Emergency Reports

NCC responds to reports of emergencies and criminal actions as it deems appropriate under the circumstances. NCC may contact local law enforcement authorities, emergency medical services, local fire departments, or other outside agencies or entities.

In the case of a major offense, NCC will conduct an investigation after resolution of the emergency into any activities that occurred on campus by reviewing available video tapes and time clocks and speaking to staff and student witnesses to determine the facts of the offense and determine NCC's response to the crime. NCC will use the clear and convincing evidence standard in determining whether or not disciplinary action is required under the Student Code of Conduct.

## Emergency Assessment Grid

An Emergency Assessment Grid has been created with varying levels of emergencies, what those emergencies include in each level, as well as who to contact when that emergency occurs. The Emergency Assessment Grid was then further broken down to ensure that all NCC employees have a clear understanding of how to handle a particular emergency and the necessary communication measures needed to de-escalate and resolve the emergency.

The Emergency Assessment Grid is posted on all entrances and exits to offices and classrooms within the campus so all employees have clear access on how to handle an emergency that arises in a timely manner.

EMERGENCY LEVEL	DESCRIPTION	CONTACT / ESCALATION <i>If an emergency should arise, follow the escalation contact protocols</i>
LEVEL 1 Minor Emergency	Incidents involving a limited area that causes minimal impact or interruption to the campus/workplace.	<ul style="list-style-type: none"><li>● Interdepartmental conflict<ul style="list-style-type: none"><li>○ Notify Supervisor</li></ul></li><li>● Non-life-threatening injury</li><li>● Elevator out of order<ul style="list-style-type: none"><li>○ Notify VP of Operations</li></ul></li><li>● FERPA violation<ul style="list-style-type: none"><li>○ Notify VP of Student Relations</li></ul></li><li>● Internet Unavailable</li><li>● Campus NEXUS Unavailable</li><li>● Telephones Unavailable</li><li>● CANVAS Unavailable<ul style="list-style-type: none"><li>○ Notify Supervisor</li></ul></li><li>● Supervisor to Notify Director of IT</li></ul>

<p>LEVEL 2 Moderate Emergency</p>	<p>A significant emergency that disrupts an entire department, building, or classrooms that may require assistance from the Security team or an external organization.</p>	<ul style="list-style-type: none"> <li>● Power Outages <ul style="list-style-type: none"> <li>○ Follow Department Contingency Plan</li> </ul> </li> <li>● Flood <ul style="list-style-type: none"> <li>○ Follow Evacuation Plan</li> </ul> </li> <li>● Civil Unrest <ul style="list-style-type: none"> <li>○ Notify CEO and VP of Operations</li> </ul> </li> <li>● Infectious Disease <ul style="list-style-type: none"> <li>○ Follow Health Security Plan</li> </ul> </li> <li>● Gang Activity</li> <li>● Stalking</li> <li>● Break-Ins</li> <li>● Vandalism &amp; Suspicious Activity <ul style="list-style-type: none"> <li>○ Call 911 (if applicable)</li> <li>○ Follow de-escalation procedures</li> <li>○ Notify Supervisor</li> </ul> </li> </ul>
<p>LEVEL 3 Major Emergency</p>	<p>A major emergency that involves multiple buildings or impacts the entire campus and the surrounding community.</p>	<ul style="list-style-type: none"> <li>● Medical Emergency <ul style="list-style-type: none"> <li>○ Call 911</li> <li>○ Notify Supervisor <ul style="list-style-type: none"> <li>▪ Supervisor to Notify Employee Services</li> </ul> </li> </ul> </li> <li>● Hostage</li> <li>● Sexual &amp; Gender-Based</li> <li>● Violence</li> <li>● Human Trafficking</li> <li>● Dating Violence <ul style="list-style-type: none"> <li>○ Call 911</li> <li>○ Notify Title IX Coordinator</li> </ul> </li> <li>● Gas Leaks</li> <li>● Earthquakes</li> <li>● Fire</li> <li>● Lockdown</li> <li>● Acts of Terrorism</li> <li>● Active Shooter</li> </ul>

**1. Level 1 – Minor Emergency**

- A department or building incident that can be resolved with existing College resources or limited outside help. A Level 1 incident is usually a one-dimensional event that has a limited duration and little impact on the campus community beyond those using the space/building in which it occurred. The Emergency Contact, as listed below in the Emergency Contact Guide, should be advised and updated regarding Level 1 situations.
  - For **student-related issues**, the student’s Instructor/Program Chair should be immediately notified, followed by contact with the Director of Academic Affairs for additional escalation/coaching procedures, if necessary.
  - For **employee-related issues**, the employee’s direct Supervisor should be immediately notified, followed by contact with the Executive of the respective department for additional escalation/coaching procedures, if necessary.
  - For **non-NCC affiliates/guests**, Campus Security should be immediately notified, followed by contact with the VP of Operations for additional escalation procedures, if necessary.

## 2. Level 2 – Moderate Emergency

- o An emergency that impacts a sizable portion of the campus and/or outside community. Level 2 emergencies may be single or multi-hazard situations, and often require considerable and timely coordination both within and outside the College.
- o Level 2 emergencies also include imminent events on campus or in the general community that may develop into a major College crisis or a full disaster.
- o The Emergency Contact, either the VP of Operations or the Chief Executive Officer, should be notified as soon as possible in the event that a Level 2 emergency has occurred or is occurring. Should the emergency need additional emergency services, contact 911.
- o Depending on the type of emergency, upon activation of the procedures listed in Emergency Response Manual (ERM)/Evacuation Plan, the Emergency Contact will communicate with a member or members of the Executive Team. The ERM will be activated as soon as possible and a plan for managing the emergency will be developed.

## 3. Level 3 – Major Emergency

- o A catastrophic emergency event involving the entire campus and surrounding community. Immediate resolution of the disaster, which is usually multi-hazard, is beyond the Emergency Contact capabilities of campus.
- o Contact local resources 911 (Las Vegas Metropolitan Police and/or Las Vegas Fire and Rescue) to see if the assistance of further State and/or Federal resources is necessary. Procedures followed by College personnel will be similar to those outlined above with respect to Level 3 emergencies.
- o Alert and update the community as needed through the Mass Employee and Student Emergency Notification Process (email/text blast to all NCC affiliates, Namely Announcement to all employees, Northwest website, and media via Chief Executive Officer).

### Emergency Contact Guide

NAME	TITLE	BLDG.	OFFICE	CELL	EMAIL
Northwest Career College	Front Office	MC	702-254-7577	N/A	
Patrick Kenny	Chief Executive Officer	MC	702-254-7577	702-682-4055	Patrick.Kenny@northwestcareercollege.edu
Dr. Thomas Kenny	Chief Information Officer	MC	702-254-7577	702-496-8724	Thomas.Kenny@northwestcareercollege.edu
Dr. Stephanie Kenny	Chief Academic Officer	MC	702-254-7577	702-496-6016	Stephanie.Kenny@northwestcareercollege.edu
Michael Kenny	Chief Financial Officer	MC	702-254-7577	702-677-0039	Michael.Kenny@northwestcareercollege.edu
Pablo Chacon	Vice President of Operations	MC	702-254-7577	702-480-6271	Pablo.Chacon@northwestcareercollege.edu
Employee Services		MC	702-254-7577	N/A	Employeeservices@northwestcareercollege.edu

### Emergency Notification Protocol

#### 1. Emergency Notification Defined

- o An Emergency Notification is a notification that is immediately circulated to the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. Emergency Notifications are provided to the student and staff population in instances in which an actual emergency has occurred on campus or in an adjacent building.

## 2. When Notifications are Provided

- o Notifications are provided as soon as possible, while taking into account the safety of the student population and community and ensuring that any notification will not compromise the mitigation of the emergency. Examples of on-campus emergencies include: terrorist incidents, armed intruder(s), gas leak, or bomb threats. In the event of an actual emergency, students and employees will be notified in the following ways:
  - The campus community at large will be notified by e-mail to prevent anyone off campus from becoming involved in the emergency. Students and staff are responsible for regularly checking their e-mail prior to coming to campus; and,
  - Designated security personnel will personally visit each classroom, lab, and office; advise those present of the nature of the emergency; and instruct those present as to what action they should take. Possible actions may involve waiting for further information, moving to another part of the building, or evacuating the building.
    - If designated security personnel are unable to reach a classroom, lab, or office due to the circumstances of the emergency, they will utilize NCC's phone system to contact the individual(s) and notify them of the emergency.
- o Designated security personnel may designate a supplemental support employee to contact 911 in case of an emergency that requires dissemination of information to the larger community. The information needed for such a notification will be provided to the employee via the email alert. The Vice-President of Operations will be responsible for ensuring notification to the larger community occurred properly upon completion of in-person notifications to the affected parties on campus.

## Mass Employee & Student Emergency Notification Process

1. In the case of a minor or major emergency on campus, the Employee Services Department will be responsible for notifying all staff/faculty:
  - o When the incident occurs
  - o When the incident is resolved
2. Below are the types of incidents that would initiate this procedure to go into effect:
  - o Flood on Campus
  - o Water unavailable on Campus
  - o Electricity out on Campus
  - o Gas Leak on Campus
  - o Fire on Campus
  - o Elevator – out of order
  - o Restrooms – out of order
  - o Internet unavailable on Campus
  - o Wireless Internet unavailable on Campus
  - o Telephones unavailable on Campus
  - o CampusNEXUS/Portal/NAS/CANVAS unavailable
3. In the case of these types of emergencies, the following steps should be taken by ANY staff member who has identified an issue:
  - o The staff member who identifies the issue should send an email to the following parties with a brief description of the issue at hand (ie. Elevator is non-functional).
    - VP of Operations
    - Chief Executive Officer
  - o The Operations Department will investigate the problem and see if any of our on-site specialists can resolve the issue (ie. Facilities, IT, etc.).

- o If no immediate resolution is available, Operations will send an email to the Employee Services designated representative with the details of the situation.

4. Employee Services will communicate the details of the situation at hand with the appropriate group, in the appropriate method, using the following grid.

<b>Type of Incident:</b>	<b>Method of Communication:</b>	<b>Groups Contacted: (BCC:)</b>
<i>Non-Life Threatening Injury</i>	Email	<a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>
<i>Drugs on Campus</i>	Email (all)	<a href="mailto:students@northwestcareercollege.edu">students@northwestcareercollege.edu</a> <a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>
<i>Flood on Campus</i>	Namely, Email (all)	<a href="mailto:students@northwestcareercollege.edu">students@northwestcareercollege.edu</a> <a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>
<i>Natural Disaster</i>	Namely, Email (all) Text (all)	<a href="mailto:students@northwestcareercollege.edu">students@northwestcareercollege.edu</a> <a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>
<i>Weapon Possession</i>	Email (all)	<a href="mailto:students@northwestcareercollege.edu">students@northwestcareercollege.edu</a> <a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>
<i>Physical Altercation</i>	Email	<a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>
<i>Medical Emergency</i>	Email	<a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>
<i>Acts of Terrorism</i>	Namely, Email (all) Text (all)	<a href="mailto:students@northwestcareercollege.edu">students@northwestcareercollege.edu</a> <a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>
<i>Active Shooter</i>	Namely, Email (all) Text (all)	<a href="mailto:students@northwestcareercollege.edu">students@northwestcareercollege.edu</a> <a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>
<i>Bomb Threat</i>	Namely, Email (all) Text (all)	<a href="mailto:students@northwestcareercollege.edu">students@northwestcareercollege.edu</a> <a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>
<i>Water unavailable on Campus</i>	Namely, Email (all)	<a href="mailto:students@northwestcareercollege.edu">students@northwestcareercollege.edu</a> <a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>

<i>Power Outages on Campus</i>	Email (all) Text (all)	<a href="mailto:students@northwestcareercollege.edu">students@northwestcareercollege.edu</a> <a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>
<i>Gas Leak on Campus</i>	Email (all) Text (all)	<a href="mailto:students@northwestcareercollege.edu">students@northwestcareercollege.edu</a> <a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>
<i>Fire on Campus</i>	Email (all) Text (all)	<a href="mailto:students@northwestcareercollege.edu">students@northwestcareercollege.edu</a> <a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>
<i>Elevator – out of order</i>	Namely Email (all)	<a href="mailto:students@northwestcareercollege.edu">students@northwestcareercollege.edu</a> <a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>
<i>Restrooms – out of order</i>	Namely Email (all)	<a href="mailto:students@northwestcareercollege.edu">students@northwestcareercollege.edu</a> <a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>
<i>Wireless Internet Unavailable</i>	Email and Text	<a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>
<i>CANVAS Unavailable</i>	Email	<a href="mailto:students@northwestcareercollege.edu">students@northwestcareercollege.edu</a> <a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>
<i>CampusNEXUS/Portal/ NAS Unavailable</i>	Email	<a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>
<i>Telephones unavailable on Campus</i>	Email	<a href="mailto:staff@northwestcareercollege.edu">staff@northwestcareercollege.edu</a> <a href="mailto:faculty@northwestcareercollege.edu">faculty@northwestcareercollege.edu</a>

5. When the issue has been determined that the situation has been resolved – Employee Services will be notified with the details of resolution.

- o NOTE: Employee Services will communicate the details of the resolution using the same method of communication provided in step 4.

6. After the resolution has been communicated to all parties, Operations will put together a “write up” of the situation, including:

- o Details of the events (ie. Type of incident – Location of Incident)
- o Length of downtime/issue (ie. Internet was down for 2.5 hours)
- o Method of resolution (ie. Called in 3<sup>rd</sup> party to reset network card)
- o Steps taken to ensure this issue does not occur again, as provided by the specialist on campus (ie. We have reinforced the bathroom’s water pipe so that it will never have a leak again).

7. Any issues of this type will be reviewed by the Operations team in their upcoming meeting to ensure that we can resolve any macro-level issues that may have caused these individual issues.



## Procedure Review and Exercise Protocol

Emergency response and evacuation procedures are reviewed and simulations are conducted annually during scheduled training sessions. These procedures are all discussed with employees during their new employee onboarding.

Emergency response and evacuation procedures are also evaluated using a minimum of one announced test evacuation each summer during school hours to practice coordination between campus security personnel for successful execution of a campus lockdown and campus evacuation. Unannounced tests may be conducted at any time at the discretion of the Vice-President of Operations.

Participants are interviewed by the designated security personnel after the test to obtain feedback about the effectiveness of the drill. They also receive reminders about the emergency response and evacuation procedures from employees and the Vice-President of Operations prior to announced tests and are reminded about the availability of these procedures in hard copy via the ASR.

For each test, the Vice-President of Operations is responsible for recording a description of the exercise, the date, the time the test started and ended, and whether it was announced or unannounced.

Evaluations and corrective action reports, which are designed for assessment and evaluation of emergency plans and capabilities, are completed after each test to ensure everyone involved in the emergency response and notification procedures understands his or her role and responsibility. The Vice-President of Operations will assess whether the test met its goals or not and propose any necessary adjustments to improve subsequent tests.

## **Comparison of Timely Warnings and Emergency Notifications**

A timely warning is a notification with the intent of a warning regarding a criminal incident in a nearby area. Timely warnings are triggered by crimes that have already occurred but represent an ongoing threat. Warnings are provided to enable people to protect themselves and are issued as soon as the pertinent information is available. Timely warnings are distributed to the student and staff populations after a crime has occurred to inform members of the campus community of the crime that occurred and the resolution that was implemented (if resolved). They are circulated in order to aid in the prevention of similar crimes on or near the campus.

An Emergency Notification is a notification that is immediately circulated to the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. Emergency Notifications are provided to the student and staff population in instances in which an actual emergency is occurring on campus or in an adjacent building. Notifications are provided as soon as possible, while taking into account the safety of the student population and community and ensuring that any notification will not compromise the mitigation of the emergency. Examples include: a terrorist incident, an armed intruder, a gas leak, or a bomb threat.

## **Monitoring of Noncampus Criminal Activity**

NCC is required to monitor and record through local police agencies criminal activity by students at noncampus locations of student organizations officially recognized by NCC, including student organizations with noncampus housing facilities. However, there are no officially recognized student organizations with noncampus meeting locations, therefore there are no locations where crime is monitored or reported outside of NCC's designated Clery geography.

## **Missing Student Procedures**

NCC does not provide any on-campus student housing facilities and therefore does not maintain policies regarding missing student notifications.

## **Fire Safety Procedures**

NCC does not provide any on-campus student housing facilities and therefore does not maintain a fire safety log or fire safety statistics for such facilities or prepare an annual fire safety report.

## **FERPA Disclosure**

NCC's compliance with nationally implemented VAWA Regulations does not constitute a violation of FERPA nor compromises the privacy of students, staff, or faculty.

## **Prohibition on Retaliation**

The Vice-President of Operations, another employee, officer or agent of NCC, and NCC itself will not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this policy.

# **Crime Statistics**

## **Annual Disclosure of Crime Statistics**

### Method for Compilation of Crime Statistics

The Vice-President of Operations maintains a log of all criminal activity reported on campus and is responsible for requesting additional information annually regarding statistics for crimes that occurred on or within NCC's Clery geography from the local police agency. The crime log is used in combination with police data to prepare the annual crime statistics listed in this report. These crime statistics are also published online using the United States Department of Education's Campus Safety and Security Data Analysis Cutting Tool.

### Inspection Protocol

NCC will make the crime log for the most recent 60-day period open to public inspection during normal business hours. NCC will make any portion of the log older than 60 days available within two business days of a request for public inspection. Parties interested in reviewing the crime log should request to speak with the Vice-President of Operations in order to fulfill the request.

## **Crime Recording Policies**

### Policy Statement

NCC includes in its crime statistics all criminal incidents and alleged criminal incidents listed in the various subsections of the Crime Statistics section of this report occurring on or within its Clery geography that are reported to a CSA for purposes of Clery Act reporting.

NCC records a crime statistic for the calendar year in which the crime was reported to local police agencies or to a CSA. NCC obtains additional information regarding statistics for crimes that occurred on or within NCC's Clery geography from the local police agency. The statistics of this section do not include the identification of the victim or the person accused of committing the crime in accordance with 34 CFR § 668.46(c).

### Crime Recording Protocol

Designated security personnel are required to make an entry or an addition to an entry to the log within two business days of the report of the information to the campus security department, unless that disclosure is prohibited by law or would:

- Jeopardize the confidentiality of the victim;
- Jeopardize an ongoing criminal investigation;
- Jeopardize the safety of an individual;
- Cause a suspect to flee or evade detection; or,
- Result in the destruction of evidence.

Designated security personnel are required to disclose any information withheld under these circumstances once the adverse effect described above is no longer likely to occur.

### Contents of Daily Crime Log

This log contains all relevant information needed to compile the crime statistics listed in this report, including:

- Name and contact information for victim or witness (to ensure all crimes are properly counted);
- Nature, date, time, and general location of the crime;
- Date and time the crime was reported; and,
- Disposition of the complaint.

All criminal incidents and alleged criminal incidents that are reported to a CSA occurring on or within NCC's Clery geography are recorded in the crime log, whether or not they are Clery Act crimes.

### Recording Multiple Offenses during a Single Incident

The UCR Hierarchy Rule does not apply to the crime log. If multiple Criminal Offenses are committed during a single incident, all of the offenses are recorded in the log. When counting criminal encounters in which more than one offense was committed during a single incident for crime statistics disclosure purposes, NCC adheres to the requirements of the Hierarchy Rule in the Summary Reporting System (SRS) User Manual as found in 34 C.F.R. § 668 Subpart D Appendix A.

### Pastoral or Professional Counselor Protocol

NCC is not required to report statistics for crimes reported to a pastoral or professional counselor. However, pastoral counselors and professional counselors who contact NCC regarding a reported crime are encouraged, if and when they deem it appropriate, to inform the persons they are counseling of the procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics contained in this report.

## Clery Geography

Crime statistics reported within this document include all crimes committed within NCC’s Clery geography. The location categories used by NCC for the purpose of recording all crimes and criminal offenses listed in this section are in accordance with 34 CFR § 668.46(c) and include:

- On-Campus (defined as in or on buildings and properties that are part of NCC’s campus);
  - o The campus includes the following locations:
    - 7398 Smoke Ranch Road, Las Vegas, NV 89128;
    - 2420 Professional Court, Las Vegas, NV 89128;
    - 2440 Professional Court, Las Vegas, NV 89128;
    - 2471 Professional Court, Las Vegas, NV 89128;
    - 7361 Prairie Falcon Road, Suite #130 & 160, Las Vegas, NV 89128; and,
    - 1776 Warm Springs Road, Suite #200, Las Vegas, NV 89119.
- Noncampus (defined as buildings and properties that are owned or controlled by NCC, used in direct support of NCC’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of NCC’s campus);
  - o The noncampus geography includes the following locations:
    - Not applicable.
- Public Property (defined as public property immediately adjacent to and accessible from NCC).

NCC does not maintain on-campus or off-campus residential facilities or dormitories.

## Criminal Offenses

The following tables contain data regarding criminal offenses occurring within NCC’s Clery Geography for the three most recent calendar years in accordance with 34 CFR § 668.46(b). It also contains details regarding the location of such crimes and whether or not they were classified as a hate crime. If a primary crime listed in this subsection is classified as a hate crime, NCC identifies the category of bias that motivated the crime in the tables below. The categories of bias are listed in the Hate Crimes subsection.

NCC compiles the crime statistics for murder and non-negligent manslaughter, negligent manslaughter, rape, robbery, aggravated assault, burglary, motor vehicle theft, and arson as defined in the “Summary Reporting System (SRS) User Manual” and the crime statistics for fondling, incest, and statutory rape as defined in the “National Incident-Based Reporting System (NIBRS) User Manual.” All definitions related to the statistics found in this section are from the FBI’s UCR Program as found in 34 C.F.R. § 668 Subpart D Appendix A.

### Criminal Offenses On Campus/Noncampus

Criminal Offense	2020	2021	2022	Location?	Hate Crime?
Aggravated Assault	0	0	0	N/A	N/A
Arson	0	0	0	N/A	N/A
Burglary	0	0	0	N/A	N/A
Fondling	0	0	0	N/A	N/A
Incest	0	0	0	N/A	N/A
Manslaughter by Negligence	0	0	0	N/A	N/A

Motor Vehicle Theft	0	0	0	N/A	N/A
Murder/Non-negligent Manslaughter	0	0	0	N/A	N/A
Rape	0	0	0	N/A	N/A
Robbery	0	0	0	N/A	N/A
Statutory Rape	0	0	0	N/A	N/A

**Criminal Offenses Public Property/Noncampus**

Criminal Offense	2020	2021	2022	Location?	Hate Crime?
Aggravated Assault	0	0	0	N/A	N/A
Arson	0	0	0	N/A	N/A
Burglary	0	0	0	N/A	N/A
Fondling	0	0	0	N/A	N/A
Incest	0	0	0	N/A	N/A
Manslaughter by Negligence	0	0	0	N/A	N/A
Motor Vehicle Theft	0	0	0	N/A	N/A
Murder/Non-negligent Manslaughter	0	0	0	N/A	N/A
Rape	0	0	0	N/A	N/A
Robbery	0	0	0	N/A	N/A
Statutory Rape	0	0	0	N/A	N/A

If arson is committed, NCC records the arson in its statistics, regardless of whether or not it occurs in the same incident as another crime. If rape, fondling, incest, or statutory rape occurs in the same incident as a murder, NCC records both the sex offense and the murder in its statistics.

**Hate Crimes**

NCC reports the number of each type of crime listed in the Primary Crimes sections that are determined to be hate crimes in accordance with 34 CFR § 668.46(b). NCC also reports on the number of each following hate crimes: larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property, as defined in the “Hate Crime Data Collection Guidelines and Training Manual” from the FBI’s UCR Program printed in 34 C.F.R. § 668 Subpart D Appendix A. If an offense listed in this subsection is classified as a hate crime, NCC identifies the category of bias that motivated the crime in the table below.

The categories of bias used by NCC for the purpose of classifying hate crimes are in accordance with 34 CFR § 668.46(c) and include the victim’s actual or perceived: race, gender, gender identity; religion; sexual orientation; ethnicity; national origin; or disability.

**Hate Crimes On Campus 2022**

Criminal Offense	Category of Bias								
	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0

Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0

Hate Crimes On Campus 2021

Criminal Offense	Category of Bias								
	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0

Hate Crimes On Campus 2020

Criminal Offense	Category of Bias								
	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0

Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/Damage/ Vandalism of Property	0	0	0	0	0	0	0	0	0

Hate Crimes Public Property/Noncampus 2022

Criminal Offense	Category of Bias								
	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/Damage/ Vandalism of Property	0	0	0	0	0	0	0	0	0

Hate Crimes Public Property 2021

Criminal Offense	Category of Bias								
	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0

Intimidation	0	0	0	0	0	0	0	0	0
Destruction/Damage/ Vandalism of Property	0	0	0	0	0	0	0	0	0

Hate Crimes Public Property 2020

Criminal Offense	Category of Bias								
	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/Damage/ Vandalism of Property	0	0	0	0	0	0	0	0	0

**VAWA Offenses**

NCC reports on several categories of Sex Offenses in the Primary Crimes section. NCC additionally reports on the following VAWA Offenses in accordance with 34 CFR § 668.46(b), including the number of each type of the following crimes that are determined to be hate crimes. If a sexual crime listed in this subsection is classified as a hate crime, NCC identifies the category of bias that motivated the crime in the table below. The categories of bias are listed in the Hate Crimes subsection.

NCC compiles the crime statistics for dating violence, domestic violence, and stalking using the definitions of those crimes found in 34 C.F.R. § 668.46(a).

VAWA Offenses On Campus

Offense Type	2020	2021	2022	Location?	Hate Crime?
Domestic Violence	0	0	1	Main Campus	N/A
Dating Violence	0	0	0	N/A	N/A
Stalking	0	0	0	N/A	N/A

VAWA Offenses Public Property/Noncampus

Offense Type	2020	2021	2022	Location?	Hate Crime?
Domestic Violence	0	0	0	N/A	N/A
Dating Violence	0	0	0	N/A	N/A



Stalking	0	0	0	N/A	N/A
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When recording reports of stalking that include activities in more than one calendar year, NCC records a crime statistic for each and every year in which the course of conduct is reported to a local police agency or to a CSA. NCC records each report of stalking as occurring at only the first location within NCC's Clery geography in which the perpetrator engaged in the stalking course of conduct or the victim first became aware of the stalking.

## Arrests and Disciplinary Referrals

The following tables contain data regarding arrests or disciplinary referrals for law violations occurring within NCC's Clery Geography for the three most recent calendar years in accordance with 34 CFR § 668.46(b).

### Arrests/Disciplinary Referrals On Campus

Law Violation	2020	2021	2022
Arrests: Weapons: Carrying, Possession, etc.	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possession, etc.	0	0	0
Arrests: Drug Abuse Violations	0	0	0
Disciplinary Referrals: Drug Abuse Violations	0	0	0
Arrests: Liquor Law Violations	0	0	0
Disciplinary Referrals: Liquor Law Violations	0	0	0

### Arrests/Disciplinary Referrals Public Property/Noncampus

Law Violation	2020	2021	2022
Arrests: Weapons: Carrying, Possession, etc.	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possession, etc.	0	0	0
Arrests: Drug Abuse Violations	0	0	0
Disciplinary Referrals: Drug Abuse Violations	0	0	0
Arrests: Liquor Law Violations	0	0	0
Disciplinary Referrals: Liquor Law Violations	0	0	0

## Unfounded Crimes

NCC generally does not withhold, or subsequently remove, a reported crime from its crime statistics based on a decision by a court, coroner, jury, prosecutor, or other similar noncampus official.

NCC may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore "unfounded." Only sworn or commissioned law enforcement personnel may

“unfounded” a crime report. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfounded” a crime report.

NCC discloses the total number of crime reports that were “unfounded” and subsequently withheld in the table below in accordance with 34 CFR § 668.46(b):

Unfounded Crimes On Campus

<b>Unfounded Crimes</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>Offense Type and Quantity Unfounded (per type)</b>
Total Unfounded Crimes	0	0	0	N/A

Unfounded Crimes Public Property/Noncampus

<b>Unfounded Crimes</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>Offense Type and Quantity Unfounded (per type)</b>
Total Unfounded Crimes	0	0	0	N/A