

Clery Compliance and Security Report

Fall 2014

Fond du Lac Tribal and Community College is an equal opportunity educator and employer and a member of the Minnesota State Colleges and Universities system.



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Welcome

Fond du Lac Tribal and Community College is committed to providing you with a quality educational experience. The faculty, administration and staff are partners with students in this effort. There are many services, resources and information available to assist you. The following pages provide Fond du Lac Tribal and Community College's annual compliance and security reports. This information is distributed to registered students annually in compliance with several federal and state laws including the Drug-Free Schools and Community Act, the Student Right to Know, the Campus Security Act, the Drug-Free Workplace Act and the Family Educational Rights and Privacy Act, and is available to prospective students upon request. It will also be made available in alternate format upon request. (Contact Disability Services at (218) 879-0715 (voice) or through Minnesota Relay Service at 1-800-627-3529). All students and staff are encouraged to familiarize themselves with these compliance reports. In addition, other important information on topics that contribute to a positive campus environment is presented. Additional important information appears in the Fond du Lac Tribal and Community College catalog.

We sincerely want you to have a positive learning experience at the College. If you have any questions about this document or other issues related to the College, please feel free to contact us in the Student Affairs Office, Room 147 or call (218) 879-0805.

Keith Turner
Dean of Students

Preparer of 2014 Campus Security Report

Campus Geography



Campus Security Report

The Vice President of Student Services of Fond du Lac Tribal and Community College prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crimes Statistics Act of 1998. This report is prepared in cooperation with local law enforcement agencies responsible for our campus locations. Internally, departments such as Student Services, Academic Affairs, Human Resources, and others provide information to comply with the Act. Campus crime, arrest and referral statistics include those reported to Fond du Lac Tribal and Community College's Student Services Department, designated campus officials, and local law enforcement agencies.

Pursuant to the *Student Right to Know* and Campus Security Act, Fond du Lac Tribal and Community College monitors criminal activity, publishes this report, and maintains a three-year statistical history on the main campus and at off campus property or facilities owned or used by Fond du Lac Tribal and Community College.

The annual report includes reported crimes alleged to have occurred on the campus, at facilities owned or leased by Fond du Lac Tribal and Community College and/or recognized student organizations and the immediately adjacent surrounding public area. The Dean of Student Services serves as the primary liaison between the Campus Student Services Department and all law enforcement agencies. In order to accurately report crimes alleged to have occurred on public areas immediately adjacent to the campus, Dean of Student Services annually requests crime statistics from local law enforcement agencies. A record of these inquiries is housed in the Student Services Department.

The annual report includes the following reports of crime:

- Murder and non-negligent manslaughter
- Negligent Manslaughter
- Sex offenses
- Forcible
- Non-Forcible
- Robbery
- Aggravated Assault
- Burglary
- Arson
- Motor Vehicle Theft

The report also includes arrests or persons referred for campus disciplinary action for the following:

- Liquor law violations
- Drug abuse violations
- Weapons possession
- Hate crimes
- Prejudice
- National origin
- Gender identity
- Non prejudice
- Domestic violence
- Dating violence
- Stalking

In addition to the crimes described above, other reported crimes involving bodily injury to any person, and reported crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim must be reported as hate crime statistics, and are recorded as such in this report.

Fond du Lac Tribal and Community College will notify employees, current students and prospective students of the availability of this report and will provide a copy of the report upon request.

Copies of the report may be obtained at Fond du Lac Tribal and Community College's Student Services Department.

To report a crime

Contact the Campus Student Services Department in person, or via telephone at (218) 879-0800, (800) 657-3712.

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

In addition to the Student Services Department, you may also report crimes to the following individuals:

Campus Security Report Compliance Officer

Keith Turner, Dean of Student Services (218) 879-0805

Maintenance of Daily Crime Log

The Student Services Department will keep and maintain an easily understood incident report log, recording all crimes reported to the Fond du Lac Tribal and Community College Student Services Department. The incident report log will include information such as the nature, date, time, and general location of each crime, and the disposition of the complaint if known. The incident report log will include reported crimes that occurred on campus at facilities owned or leased by Fond du Lac Tribal and Community College and/or recognized student organizations and the immediately adjacent surrounding public area.

All entries shall, except where disclosure of such information is prohibited by law or such disclosure would jeopardize the confidentiality of the victim, be open to public inspection during normal business hours.

Any portion of the log older than sixty (60) days must be available within two (2) business days of the initial report being made to the Student Services Department. If new information regarding a log entry becomes available to the public safety department, the log entry will be updated accordingly to reflect the most current information available

The incident report log is housed in Dean of Student Services' office (Room 147) and may be requested for review at any time.

Issuance of Timely Warnings

The Campus Student Services Department is responsible to issue a timely warning, or "Crime Alert" to members of the campus community in cases of reported murder, non-negligent manslaughter, negligent manslaughter, sex offenses (forcible or non-forcible), robbery, aggravated assault, burglary, arson, motor vehicle theft and any bias-motivated crimes, where the Dean of Student Services (or the Director's designee) determines there is a serious or continuing threat to the College Community.

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

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

In the instance of an immediate threat to campus, requiring an urgent timely warning, Crime Alerts will be distributed utilizing our emergency notification system, Campus Alert System. The Campus Alert System (Blackboard Connect) can send phone, email, and SMS Text messages to up to nine different points of contact for every individual in the system. All campus community members can choose to be enrolled in the Campus Alert System system. Additionally, if deemed prudent and necessary, the college may utilize other methods of communication such as the campus website, campus social media pages, campus electronic message boards, and campus email system to expedite the communication process.

Records of all timely warnings issued will be maintained in the Student Services Department. The Campus Alert System operation was verified with eight test messages that were sent out on November 13, 2014

Campus Security Policies

Fond du Lac Tribal and Community College has a variety of policies and procedures relating to campus security, and it expressly reserves the right to modify or adopt additional policies or procedures at any time without notice. Such changes may appear in successive issues of this report.

Fond du Lac Tribal and Community College encourages all students and college community members to be fully aware of the safety issues on the campus and to take action to prevent and to report illegal and inappropriate activities. Personal awareness and applying personal safety practices are the foundation of a safe community.

1) Voluntary Confidential Reporting

- a) All criminal activity occurring on campus should be reported immediately to Dean of Student Services, in person at Room 147 or by telephone at (218) 879-0805, and/or to the appropriate law enforcement agency. Dean of Student Services will assist the complainant in completing reports. These reports may be forwarded to the appropriate police department. Reports will also be shared with other departments on campus as appropriate. Dean of Student Services will assist police department(s) with investigations as required. Depending on many factors of crime reporting the College may or may not hold reports of crime in confidence and may be required by law to release information based on the events or nature of the crime.

2) Campus Security and Access

- a) The Fond du Lac Tribal and Community College campus is for the use of the students, faculty, staff, visitors and those on official business with Fond du Lac Tribal and Community College. All others are subject to being charged with trespassing
- b) Access to campus buildings is limited to normal business hours. Normal campus hours are 7:00 a.m. to 10:00 p.m. Monday through Friday and 8:00 a.m. to 4:00 p.m. on Saturday.
- c) Department labs, facilities, classrooms or suites will not be opened for unknown individuals without prior written approval from the department supervisor.
- d) Keys are issued to authorized faculty and staff. Students are issued keys on a very limited basis.
- e) Exterior building doors must not be blocked open when the doors are locked
- f) Individual classrooms are available during normal business hours for scheduled classes and scheduled special events. Room reservations can be made by contacting the Information Desk.

- g) No students are allowed in any building after business hours. Personnel, other than Facilities, must vacate the campus no later than the designated closing times noted, as a standard safety measure, except for previously authorized events scheduled through Dean of Students.
- h) Faculty or staff members who believe they are the last persons in a building should ask unauthorized people to leave the premises. If a problem arises regarding people in the buildings after hours dial 911.
- i) Employees must secure all required areas upon departure.

3) Campus Safety and Maintenance

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

4) Procedures Concerning Law Enforcement

- a) Student Services staff are employees of Fond du Lac Tribal and Community College; they are not certified or sworn peace officers.
- b) Dean of Student Services works closely with the Cloquet Police Department, Carlton County Sheriff's Department, and State and Federal law enforcement agencies to track and respond to on-campus or near-campus criminal activity. The Cloquet Police Department regularly communicates crimes occurring around campus through telephone communication.

5) Prompt and Accurate Crime Reporting

- a) If you are a victim of a crime or witness a crime:
 - i) Call Dean of Student Services [(218) 879-0805] and 911 for any emergency assistance, fires, suspicious people or activities, crime reports, traffic accidents, or other illegal activities
 - ii) When reporting a crime or other incident in progress be sure to provide the dispatcher with the following information:
 - (1) The nature of the criminal activity or incident
 - (2) The location of the criminal activity or incident
 - (3) How many people are involved
 - (4) A description of the offender(s), including
 - (a) Sex
 - (b) Approximate Age
 - (c) Race
 - (d) Height/Weight
 - (e) Hair
 - (i) Color
 - (ii) Style

- (iii)Facial Hair
- (f) Attire
 - (i) Color
 - (ii) Style
 - (iii)Distinguishing logos
- (g) Other distinguishing physical features- such as scars and tattoos.
- (h) Vehicle Description
 - (i) Year, Make and Model
 - (ii) License Plate Number and State
 - (iii)Note the direction taken by offenders or vehicles and report those to Dean of Student Services and 911.
- iii) Preserve the crime scene: Do not touch any items involved in the incident. Close off the area of the incident and do not allow anyone in the crime area until the Dean of Student Services and/or police arrive.

6) Mandatory Reporting

- a) All employees who become aware of an allegation or violation of College policy, student code of conduct, civil or criminal law should report the allegation to their supervisor and to Dean of Student Services.
- b) Contracted campus security services, with significant responsibility for student and campus activities, must report potential criminal activity of which they are aware to Dean of Student Services.
 - i) These individuals should not attempt to investigate, but should instead report the allegations to the Dean of Student Services and allow Dean of Student Services to investigate.
- c) Campus security authority can receive incident reports of crimes on and off campus and is defined as:
 - i) Contracted campus security services
 - ii) Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department. Dean of Student Services notifies campus security authorities on an annual basis of their reporting requirements and documents such notification in the Student Services Department. Individuals considered to be Campus Security authorities include:
 - (1) Dean of Student Services
 - (2) An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.
 - (a) If such an official is a pastoral or professional counselor, the official is not considered a campus security authority when acting as a pastoral or professional counselor.
 - (b) Counselors are asked to provide information relating to crimes on campus but may continue to honor the confidentiality of victim

7) Personal Safety and Security Educational Programming

- a) Fond du Lac Tribal and Community College encourages students and employees to be responsible for their own security and the security of others.
 - b) Student Services Department, in cooperation with the other departments, provides assistance in presenting programs on campus security and public safety at least once each year. Educational programs are presented in the area of crime prevention, sexual assault awareness, personal safety, protection against theft and other subject areas. Dean of Student Services will invite various speakers, including members of city and county law enforcement agencies to discuss public safety and the prevention of crime. All members of the Fond du Lac Tribal and Community College community are encouraged to attend. Program dates and times will be announced in the student news, on the electronic message boards, and via email.
- 8) Monitoring and Recording Activity at Off-Campus Locations
- a) All Fond du Lac Tribal and Community College-recognized organizations that are off campus will still be monitored by the appropriate local police department. Local police departments will share crime information with Fond du Lac Tribal and Community College.
 - b) Fond du Lac Tribal and Community College includes the off-campus student organizations' reported crime statistics in its annual security report.
 - c) Students are subject to the Student Code of Conduct while participating in school sponsored activities at off campus locations — any violations of the Student Code of Conduct while participating in any such activities will be investigated by the Dean of Students and the Office of Student Rights and Responsibilities.
- 9) Illegality of Alcoholic Beverages on Campus and Enforcement of Under-Age Drinking Laws
- a) Fond du Lac Tribal and Community College forbids the use (consumption), possession, manufacture, sale, transportation or furnishing of alcoholic beverages on campus. Fond du Lac Tribal and Community College also forbids the maintenance of unlawful drinking places on campus. This prohibition of possession or consumption of alcoholic beverages on campus applies regardless of age. The only exception is authorized use for special functions through the Minnesota State Colleges and Universities Board of Trustees.
 - b) Fond du Lac Tribal and Community College enforces the Minnesota drinking laws, including the prohibition of use by persons less than 21 years of age, and College policy. Possession or consumption of alcohol on campus is prohibited by Fond du Lac Tribal and Community College and may result in a student/employee disciplinary complaint. If the accused is not cooperative or is underage, the Cloquet Police may be called to assist
- 10) Illegality of Drugs on Campus and the Enforcement of Federal and State Drug Laws
- a) Fond du Lac Tribal and Community College forbids the possession, use, or sale of illegal drugs on campus. This includes but is not limited to possession, sale, use, growing, manufacturing and making of narcotic drugs. Exceptions would be drugs prescribed by a doctor's order.
 - b) Fond du Lac Tribal and Community College enforces both Minnesota and Federal drug laws regarding the use, possession, and sale of illegal drugs.
- 11) Drug and Alcohol Abuse Education Programs
- a) The purpose of this policy is to set forth the College's policy regarding alcohol and other drug use, including unlawful drug use or abuse in the workplace in accordance with the Drug Free Workplace Act

of 1988 (Public Law 100-690, Title V, Subtitle D) and Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101- 226). A copy of the Drug Free Schools and Workplace information appears elsewhere in this publication.

- b) The College recognizes the reality of chemical dependency and is aware of its occasional presence in the College community. As a safeguard against this dependency, numerous campus organizations provide prevention programs to the College community.
- c) The College encourages and provides reasonable assistance to any student, faculty or staff member who seeks information on chemical dependency or treatment for chemical dependency. Various offices, including Counseling and Human Resources, provide information and referral to prevention programs for those seeking help with substance abuse.

12) Disclosures to Alleged Victims of Crimes of Violence or Non-forcible Sex Offenses

- a) Fond du Lac Tribal and Community College will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by Fond du Lac Tribal and Community College against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Fond du Lac Tribal and Community College will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

13) Emergency Response and Evacuation Procedures

- a) Campus Safety Committee is the main resource responsible for emergency response and evacuation procedures. Campus Safety Committee may be augmented by other areas or groups.
 - i) The Campus Safety Committee comprises senior leadership of the College campus, facilities, faculty, and communications personnel. The Campus Safety Committee was created to assist incident response and if appropriate, initiate the emergency notification system and begin the transition to emergency operations.
- b) Contact Dean of Students or Administration immediately at (218) 879-0800 whenever an emergency occurs on campus.
- c) Upon arrival, the officers will confirm the reported incident, assess the situation and determine if additional resources are necessary to resolve the situation.
- d) If the incident is determined to be a significant emergency that will impact the campus community, the Administrative Team will be activated to respond.
- e) Without delay Fond du Lac Tribal and Community College will, at the determination of the Dean of Student Services (or the Directors designee), notify the campus community when a significant emergency or dangerous situation occurs involving an immediate threat to the health and safety of the campus community.
 - i) If deemed prudent, the Campus Alert System emergency notification system will be utilized to inform the greater campus community of a continued or on-going emergency.
 - ii) Information regarding the emergency may also be posted on the Fond du Lac Tribal and Community College website, electronic message boards and/or through the office of Public Relations as appropriate to inform the larger community.
 - iii) The Dean of Student Services along with other lead administrators will determine which information must be included in the notification to ensure that the campus community is adequately informed of

the incident. If certain information will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to or otherwise mitigate the emergency, the notification may be delayed.

- iv) Both the victim and the alleged assailant will be notified of the outcome of the investigation which will be completed within 60 days after a complaint is made unless reasonable cause for delay exists. The college will notify the victim and alleged assailant if the outcome will not complete within the 60-day period in which a the revised time frame will be provided to both the victim and alleged assailant.
- v) The victim and alleged assailant may appeal the decision of the outcome. The appeal must be filed in writing with the President within 10 business days after notification of the outcome.
- vi) A preponderance of evidence standard of evidence in determining violations of the Student Code of Conduct and Sexual Violence policy. Students who have violated the Sexual Violence policy could face suspension or expulsion from Fond du Lac Tribal & Community College.
- f) Emergency response exercises are conducted annually.
- g) All faculty, staff and students should learn the evacuation routes and stairwell locations for all campus buildings they frequently occupy. Evacuation maps and information are posted throughout the campus. Emergency response and evacuation procedures will be disseminated as appropriate prior to or after any drill events. Drills may cover a range of scenarios including, fire, severe weather, active shooter, bomb threat, etc. If public safety, law enforcement or fire department personnel are on scene, follow their directions. Documentation of such drill activity will be maintained by the Dean of Student Services Department.
- h) In most emergencies the campus will use the Campus Alert System and campus radio system to provide instructions to the campus on proper emergency protocol.
- i) Special instructions for evacuation of students with disabilities who are known to need assistance with evacuation (i.e. students registered with the Office for Students with Disabilities) are available through the Student Services Department.
- j) Fire Evacuation Procedures
 - i) Flashing strobe lights and emergency sirens will sound in the event of a fire.
 - ii) Calmly exit the building via the nearest exit
 - iii) Do not use elevators
 - iv) Administration and assigned staff will provide direction and assistance
 - v) Evacuate to a safe distance and remain outside until the all-clear message is given.
- k) Severe Weather Shelter Procedures
 - i) Calmly proceed to the designated severe weather shelter area in your building.
 - ii) Administration and assigned staff will provide direction and assistance
 - iii) Remain in the Severe Weather Shelter area until the all clear message is delivered.
- l) Campus Lockdown Procedure
 - i) In the event of an emergency or incident which has the potential for direct or immediate harm to the campus community the Public Safety department may lockdown the campus.

- ii) The Administration will issue Campus Alert System and the radio system to advise the campus of the lockdown.
- iii) Proceed to the nearest classroom or enclosed area and secure yourself inside
- iv) Shut off all sources of light (i.e. lights, computer monitors, television screens, etc)
- v) Stay away from windows and doors
- vi) Remain calm and quiet
- vii) wait for instructions from law enforcement or campus Public Safety

14) Policy Regarding Sexual Assault Programs and Procedures

a) Fond du Lac Tribal and Community College Policy Sexual Violence Policy:

- i) Part 1. Policy statement.** Fond du Lac Tribal and Community College follows the Minnesota State Colleges and Universities Board Policy 1B.3 Sexual Violence and System Procedure and 1B3.1 Sexual Violence Procedure. Sexual Violence is an intolerable intrusion into the most personal and private rights of an individual, and is prohibited at Fond du Lac Tribal and Community College. Fond du Lac Tribal and Community College is committed to eliminating sexual violence in all forms and will take appropriate remedial action against any individual found responsible for acts in violation of this policy. A violation of this policy could result in institutional disciplinary actions such as suspension or expulsion from the college. Acts of sexual violence may also constitute violations of criminal or civil law, or other Minnesota State Colleges and Universities Board Policies that may require separate proceedings. To further its commitment against sexual violence, Fond du Lac Tribal and Community College provides reporting options, internal mechanisms for dispute resolution, and prevention training or other related services as appropriate.

(1) Subpart A. Application of policy to students, employees, and others.

- (a)** This policy applies to all Fond du Lac Tribal and Community College students and employees and to others, as appropriate, where alleged incidents of sexual violence have occurred on Fond du Lac Tribal and Community College property. Incidents of sexual violence alleged to have been committed by a student at a location other than on Fond du Lac Tribal and Community College property are covered by this policy pursuant to the factors listed in Minnesota State Colleges and Universities Board Policy 3.6, Part 5. Incidents of sexual violence alleged to have been committed by a Fond du Lac Tribal and Community College employee at a location other than Fond du Lac Tribal and Community College property are covered by this policy.
- (b)** Individuals alleged to have committed acts of sexual violence on Fond du Lac Tribal and Community College property who are not students or employees are subject to appropriate actions by Fond du Lac Tribal and Community College, including, but not limited to, pursuing criminal or civil action against them.
- (c)** Allegations of discrimination and harassment are governed by Fond du Lac Tribal and Community College Procedure and Minnesota State Colleges and Universities Board Policy 1B.1
- ii) Part 2. Definitions.** The following definitions apply to this Policy and Fond du Lac Tribal and Community College

- (1) **Subpart A. Sexual violence.** Sexual violence includes a continuum of conduct that includes sexual assault, and non-forcible sex acts, dating and relationship violence, and stalking as well as aiding acts of sexual violence.
- (2) **Subpart B. Sexual assault.** “Sexual assault” means an actual, attempted, or threatened sexual act with another person without that persons consent. Sexual assault is often a criminal act that can be prosecuted under Minnesota law, as well as form the basis for discipline under Fond du Lac Tribal and Community College student conduct codes and employee disciplinary standards. Sexual assault includes but is not limited to:
- (a) Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as “date rape” or “acquaintance rape”. This definition also includes the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.
 - (b) Involvement in any sexual act when the victim is unable to give consent.
 - (c) The intentional touching or coercing, forcing, or attempting to coerce or force another to touch an unwilling persons intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast).
 - (d) Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.
- (3) **Subpart C. Dating and relationship violence.** Dating and relationship violence includes physical harm or abuse, and threats of physical harm or abuse, arising out of a personal intimate relationship. This violence also may be called domestic abuse or spousal/partner abuse and may be subject to criminal prosecution under Minnesota state law.
- (4) **Subpart D. Stalking.** Stalking is conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated and that would cause a reasonable person to fear for her or his safety or the safety of others or to suffer substantial emotional distress.
- (5) **Subpart E. Consent.** Consent is informed, freely given and mutually understood. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation, and the condition was known or would be known to a reasonable person, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.
- (6) **Subpart F. Non-forcible sex acts.** Non-forcible acts include unlawful sexual acts where consent is not relevant, such as sexual contact with an individual under the statutory age of consent, as defined by Minnesota law, or between persons who are related to each other within degrees wherein marriage is prohibited by law.
- (7) **Subpart G. Fond du Lac Tribal and Community College property.** “Fond du Lac Tribal and Community College property” means the facilities and land owned, leased, or under the primary control of Minnesota State Colleges and Universities, its Board of Trustees, System Office and Fond du Lac Tribal and Community College.
- (8) **Subpart H. Employee.** “Employee” means any individual employed by Fond du Lac Tribal and Community College including student workers.

(9) Subpart I. Student. The term “student” includes all persons who:

- (a) Are enrolled in one or more courses, either credit or non-credit, through a college or university;
- (b) Withdraw, transfer or graduate, after an alleged violation of the of the student conduct code;
- (c) Are not officially enrolled for a for a particular term but who have a continuing relationship with Fond du Lac Tribal and Community College
- (d) Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid; or
- (e) Are not Fond du Lac Tribal and Community College employees and are not enrolled in the institution but live in a Fond du Lac Tribal and Community College residence halls.

b) Clery Act Definitions

i) Sex Offenses-Forcible: Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

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

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

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

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

ii) Sex Offenses-Non-Forcible: Unlawful, non-forcible sexual intercourse.

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

(2) Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

c) Crime definitions from the Uniform Crime Reporting Handbook

i) Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury

result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

- ii) **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, personal property, etc.
- iii) **Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.
- iv) **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned-including joy riding).
- v) **Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.
- vi) **Manslaughter by Negligence:** The killing of another person through gross negligence.
- vii) **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force, violence, and/or causing the victim fear.
- viii) **Weapon Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.
- ix) **Drug Abuse Violations:**
Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (demerol, methadones); and dangerous non-narcotic drugs (barbiturates, benzedrine).
- x) **Liquor Law Violations:**
The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)
- xi) **On-Campus—Defined as**
 - (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and
 - (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or retail vendor).
- xii) **Non-Campus Building Or Property—Defined as**
 - (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or

- (2) Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

xiii)Public Property-Defined as

all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

- d) Education and Resources** Fond du Lac Tribal and Community College educates the campus community about sexual assaults, relationship violence, bystander intervention, and stalking through presentations during new student orientation and various college-wide presentations given throughout the course of the academic year. The Fond du Lac Tribal and Community College designated investigator and decision maker for sexual violence receive annual training. Informational brochures regarding sexual violence are available through the counseling offices, rooms 141 and 138 in Student Services. The Fond du Lac Tribal and Community College Safety Committee also conducts regular security patrols of the campus and provides escorts upon requests. Contact Dean of Students at (218) 879-0805 to request the escort service.
- e) If You Are the Victim of a Sexual Assault:**
- i)** Go to a safe place.
 - ii)** If you are on campus contact Dean of Students [(218) 879-0805] or counselor at (800) 657-3712. You may also report the incident to any college employee. All college employees have a duty to report knowledge of incidents of sexual violence.
 - iii)** Timely and prompt reporting of a sexual assault within 72 hours is critical in preserving evidence important in proving a criminal case against the assailant. Do not bathe, douche, use the toilet, or change clothing.
 - iv)** If you have been the victim of a sexual assault, you should seek medical attention immediately regardless of whether you report the matter to the police.

Community Memorial Hospital
512 Skyline Boulevard
Cloquet, MN 55720 (218) 879-4641
 - v)** You may file a police report with the appropriate law enforcement agency. For on-campus incidents contact the Cloquet Police Department by calling 911.
 - vi)** Fond du Lac Tribal and Community College has counselors available in Student Services to assist in filing a police report.
 - vii)** In order to reduce contact between the survivor and the alleged assailant, the College will, at the request of the survivor, attempt to provide a change in classes, dorm room, or working arrangements, as applicable and take other appropriate remedial measures. These options are available to victims regardless of whether the victim chooses to report the crime to law enforcement or campus authorities.
 - viii)** You have the right to petition for an Order for Protection (OFP) or a Harassment Restraining Order (HRO). Student Services has information available on how to file for and request an OFP or HRO. Fond du Lac Tribal and Community College may take actions it deems necessary in response to all HRO, OFP, or non-contact orders.

- ix) You may contact the Minnesota Crime Victims Reparations Board at (651) 201–7300. The Crime Victims Reparations Board provides financial help to victims and their families for losses incurred as a result of a violent crime. You may also visit <https://dps.mn.gov> for additional information.
- x) Fond du Lac Tribal and Community College has counselors available in its Student Services area.
- xi) Mental health professionals are also available at the following community resources:
 - (1) Minnesota Domestic Violence Crisis Line (866) 223–1111
 - (2) National Domestic Violence Hotline, (800) 799–SAFE (7233)
 - (3) United Way 24-hour Referral Line, 2–1–1
 - (4) Link for Sexual Assault Resources: <http://www.dr-bob.org/vpc/virtulets.html#Sexual-Assault>
 - (5) Link for Sexual Harassment Resources: <http://www.dr-bob.org/vpc/virtulets.html#Sexual-Harassment>
 - (6) Find Help in Minnesota: RapeHelpmn.org.
 - (7) Human Development Center, 40 11th St #105, Cloquet, MN 55720 (218) 879–4559
 - (8) Min No Aya Win, Fond du Lac
Human Services,
927 Trettel Lane
Cloquet, MN 55720 (218) 879–1227

f) Procedures for Campus Disciplinary Action for Sex Offenses:

- i) Victims of sexual assaults or those witnessing any type of sexual violence or relationship violence are encouraged to report the incident to Dean of Students or any faculty or staff. The Dean of Students Office is the office of official record for reports of sexual assault, as it is in all reported law violations. A report with Dean of Students can ensure that proper steps are taken to ensure the safety of the survivor as well as the safety of the campus community as a whole. Filing a report with the Dean of Students can also initiate the college disciplinary process, and is an option for any person wishing to report a case of student misconduct.
- ii) Fond du Lac Tribal and Community College will normally not take any disciplinary action against a member of the campus community without a written complaint and the assistance of the complainant in the disciplinary process, unless the College determines there is a clear danger to the victim or the College community.
- iii) If the Dean of Student Services (or the director’s designee) determines that continued threat exists, information about the reported sexual assault will be released to the campus community. Taking care to protect the identity of the survivor, the Dean of Students’ Office will release information regarding the location, date and time of the assault, and any information that might help identify the assailant. The Dean of Students’ Office will inform the campus community of the reported sexual assault and may use such resources as email notices and social media to communicate this information.
- iv) In order for Fond du Lac Tribal and Community College to proceed with an investigation, a written complaint (whether by the victim or a third party) must be filed with the Dean of Students. Reports made through Dean of Students will be forwarded to an investigator. After receiving a report/complaint, the investigator shall take the steps listed below:

- v) Conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings; Per the Student Code of Conduct both parties are allowed to have an advisor or attorney present. However the advisor/advocate or attorney may not participate in any questioning or advocate on behalf of the student.
- vi) Investigate the complaint without identifying the complainant if, in the judgment of the designated officer, this would increase the likelihood of satisfactory resolution of the complaint;
- vii) Inform the complainant, respondent, witnesses and other involved individuals of the prohibition against retaliation and reprisal;
- viii) Create, gather and maintain investigative documentation as appropriate;
- ix) Disclose appropriate information to others only on a need to know basis consistent with state and federal law, and provide a data privacy notice (Tennessee warning) in accordance with state law;
- x) Inform the complainant and respondent of the status of the investigation at reasonable times until final disposition of the complaint.
- xi) Conduct further investigation as deemed appropriate by the designated officer; prepare an investigation report for review by the decision-maker;
- xii) Take additional investigative measures as requested by the decision-maker;
- xiii) Provide sufficient information to the respondent consistent with federal and state data privacy laws to allow the respondent to respond to the substance of the complaint; and
- xiv) Notify both the victim and the accused party of the outcome of the investigation
- xv) Provide the investigation report to the complainant or respondent upon request unless the information is protected under state or federal law.
- xvi) Fond du Lac Tribal and Community College will complete an investigation and issue a written response within 60 days after a complaint is made, unless reasonable cause for delay exists. Fond du Lac Tribal and Community College will notify the complainant and respondent if the written response is not expected to be issued within the 60-day period.
- xvii) The complainant and the respondent may appeal the decision of the decision-maker. An appeal must be filed in writing with the president or designee within ten (10) business days after notification of the decision.
- xviii) The College uses a preponderance of evidence standard of evidence in determining violations of the Student Code of Conduct and Sexual Violence policy. Students who are found to have violated the Sexual Violence policy could face suspension or expulsion from the College.
- xix) During and upon the completion of the complaint process, the complaint file shall be posited in a secure location in the office of the Dean of Students for Fond du Lac Tribal and Community College. Access to the data shall be in accordance with the respective collective bargaining agreement or personnel plan, the Minnesota Government Data Practices Act, the Family Educational Rights and Privacy Act or other applicable law.

15) Location of Law Enforcement Agency Information Regarding Registered Sex Offenders

- a) The Federal Campus Sex Crimes Prevention Act, effective October 28, 2002, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state regarding registered sex offenders may be obtained. It also requires sex

offenders already required to register in a state to provide notice of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.

- b)** The Minnesota Bureau of Criminal Apprehension administers a predatory offender registration and tracking program. Information regarding this program can be found at the following website: <http://www.cch.state.mn.us/pcchoffenderSeach.aspx>
- c)** Any questions regarding the program may be directed to the Criminal Assessment Program at (651) 793–2400
- d)** Information regarding registered sex offenders may be obtained through the Cloquet Police Department. The Cloquet Police Department may be contacted at (218) 879-1247. General information on registration requirements and notification procedures can be found at the following website: <http://www.nsopw.gov> or doc.state.mn.us/Page: index.php/supervision-community/reentry-resources
- e)** In addition, information regarding registered sex offenders may be obtained through the Minnesota Department of Corrections at (651) 642–0200. An offender locator, for offenders that have the highest risk for re-offense, can be accessed from the Minnesota Department of Corrections website: <http://www.coms.doc.state.mn.us/Level3/search.asp>
- f)** FDLTCC will notify Faculty and staff students and the community regarding level 3 sex offenders with a community meeting on campus.

Crime Statistics for 2011–2013

a. Main Campus: 2101 14th street, Cloquet, MN

Table 1

Criminal Offenses - On campus							
	Total occurrences On campus						
Criminal offense	2011	2012	2013				
a. Murder/ Non-negligent manslaughter	0	0	0				
b. Negligent manslaughter	0	0	0				
c. Sex offenses - Forcible	0	0	2				
d. Sex offenses - Non-forcible	0	0	0				
Incest	0	0	0				
Statutory rape	0	0	0				
e. Robbery	0	0	0				
f. Aggravated assault	0	0	0				
g. Burglary	1	3	5				
h. Motor vehicle theft	0	0	0				
i. Arson	0	0	0				
Criminal Offenses - On-campus Student Housing Facilities							
	Total occurrences in On-Campus Student Housing Facilities						
Criminal offense	2011	2012	2013				
a. Murder/ Non-negligent manslaughter	0	0	0				
b. Negligent manslaughter	0	0	0				

c. Sex offenses - Forcible	0	0	2				
d. Sex offenses - Non-forcible	0	0	0				
Incest	0	0	0				
Statutory rape	0	0	0				
e. Robbery	0	0	0				
f. Aggravated assault	0	0	0				
g. Burglary	0	3	2				
h. Motor vehicle theft	0	0	0				
i. Arson	0	0	0				

Criminal Offenses - Public Property

	Total occurrences on Public Property						
Criminal offense	2011	2012	2013				
a. Murder/ Non-negligent manslaughter	0	0	0				
b. Negligent manslaughter	0	0	0				
c. Sex offenses - Forcible	0	0	0				
d. Sex offenses - Non-forcible	0	0	0				
Incest	0	0	0				
Statutory rape	0	0	0				
e. Robbery	0	0	0				
f. Aggravated assault	0	0	0				
g. Burglary	0	0	0				
h. Motor vehicle theft	0	0	0				
i. Arson	0	0	0				

Hate Crimes - On campus							
Occurrences of Hate crimes							
Criminal offense	2013 Total	Category of Bias for crimes reported in 2013					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity/ National origin
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent manslaughter							
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/ damage/ vandalism of property	0	0	0	0	0	0	0
Occurrences of Hate crimes							
Category of Bias for crimes reported in 2012							

Criminal offense	2012 Total	Race	Religion	Sexual orientation	Gender	Disability	Ethnicity/ National origin
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent manslaughter							
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/ damage/ vandalism of property	0	0	0	0	0	0	0
Occurrences of Hate crimes							
Criminal offense	2011 Total	Category of Bias for crimes reported in 2011					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity/ National origin

a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent m anslaughter							
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny- theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/ damage/ vandalism of p roperty	0	0	0	0	0	0	0

Hate Crimes - On-campus Student Housing Facilities

Occurrences of Hate crimes							
Criminal offense	2013 Total	Category of Bias for crimes reported in 2013					
		Race	Religio n	Sexual orienta tion	Gende r	Disabil ity	Ethnici ty/ Nation al origi n
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent m anslaughter							

c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/damage/vandalism of property	0	0	0	0	0	0	0

Occurrences of Hate crimes							
Criminal offense	2012 Total	Category of Bias for crimes reported in 2012					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity/National origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent manslaughter							
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0

Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/damage/vandalism of property	0	0	0	0	0	0	0

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Occurrences of Hate crimes

Criminal offense	2011 Total	Category of Bias for crimes reported in 2011					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity/National origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent manslaughter							
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0

h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/damage/vandalism of property	0	0	0	0	0	0	0

Hate Crimes - Public Property

Occurrences of Hate crimes							
Criminal offense	2013 Total	Category of Bias for crimes reported in 2013					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity/National origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent manslaughter							
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0

k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/damage/vandalism of property	0	0	0	0	0	0	0
Occurrences of Hate crimes							
Criminal offense	2012 Total	Category of Bias for crimes reported in 2012					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity/National origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent manslaughter							
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0

m. Destruction/ damage/ vandalism of property	0	0	0	0	0	0	0
Occurrences of Hate crimes							
Criminal offense	2011 Total	Category of Bias for crimes reported in 2011					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity/ National origin
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent manslaughter							
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/ damage/ vandalism of property	0	0	0	0	0	0	0
Arrests - On campus							

	Number of Arrests						
Crime	2011	2012	2013				
a. Weapons: carrying, possessing, etc.	0	0	0				
b. Drug abuse violations	0	1	0				
c. Liquor law violations	0	1	0				

Arrests - On-campus Student Housing Facilities

	Number of Arrests						
Crime	2011	2012	2013				
a. Weapons: carrying, possessing, etc.	0	0	0				
b. Drug abuse violations	0	1	0				
c. Liquor law violations	0	1	0				

Arrests - Public Property

	Number of Arrests						
Crime	2011	2012	2013				
a. Weapons: carrying, possessing, etc.	0	0	0				
b. Drug abuse violations	0	0	0				
c. Liquor law violations	0	0	0				

Disciplinary Actions - On Campus

	Number of persons referred for Disciplinary Action						
Crime	2011	2012	2013				

Date Reported	Case Number	Nature of Fire	Date and Time of Fire	Location	Spring 2012
None	None	None	None	None	
Date Reported	Case Number	Nature of Fire	Date and Time of Fire	Location	Fall 2012
None	None	None	None	None	
Date Reported	Case Number	Nature of Fire	Date and Time of Fire	Location	Spring 2013
None	None	None	None	None	
Date Reported	Case Number	Nature of Fire	Date and Time of Fire	Location	Fall 2013
None	None	None	None	None	
Date Reported	Case Number	Nature of Fire	Date and Time of Fire	Location	Spring 2014
1/18/14	None	Small Parking Lot Fire Created by Students, Extinguished	1/18/14 Approx. 10:00 p.m. -12:00 a.m.	Dorm Parking Lot, North Side	
Date Reported	Case Number	Nature of Fire	Date and Time of Fire	Location	Fall 2014
None	None	None	None	None	
Date Reported	Case Number	Nature of Fire	Date and Time of Fire	Location	Spring 2015
None	None	None	None	None	

a. Weapons: carrying, possessing, etc.	0	0	0				
b. Drug abuse violations	2	8	7				
c. Liquor law violations	8	3	8				

Disciplinary Actions - On-campus Student Housing Facilities

	Number of persons referred for Disciplinary Action				
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Crime	2011	2012	2013				
a. Weapons: carrying, possessing, etc.	0	0	0				
b. Drug abuse violations	2	8	7				
c. Liquor law violations	8	3	8				

Disciplinary Actions - Public Property

	Number of persons referred for Disciplinary Action						
Crime	2011	2012	2013				
a. Weapons: carrying, possessing, etc.	0	0	0				
b. Drug abuse violations	0	0	0				
c. Liquor law violations	0	0	0				

Bias Motivated Crimes

The 2013 reporting regulations added the crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property to the list of crimes that must be reported in hate crime statistics. No other hate crime cases were reported based on the reporting requirements.

The above are reports of alleged criminal activity and do not necessarily constitute an arrest or conviction.

Fire Log

A. Personal Security Recommendations:

- 1) Student Services staff helps to ensure the safety and security of the campus community by conducting regular safety and security programs, and by offering safety and security brochures. However, the best protection against crime is by taking appropriate steps in preventing crime from happening.
- 2) Protect your property:
 - a) Participate in Operation Identification by engraving your Operation Identification number on your valuables.
 - b) Personal property (purses, briefcases, calculators, etc.) should never be left unattended.
 - c) Take such items with you if you are leaving the office or classroom.
 - d) Lock your door whenever you leave your room or office.
 - e) Take valuables home with you.
 - f) Park your bike in designated areas on campus. Always lock your bike.
 - g) Maintain a record of serial numbers for valuable items such as laptop computers, tablets, cell phones, and mp3 players.
- 3) Protect your automobile:
 - a) Always lock your car doors and never leave your keys in the vehicle.
 - b) Try to park your car in a well-lit area.
 - c) Avoid leaving property where it is visible.
- 4) Protect yourself while walking and jogging:
 - a) Avoid walking and jogging alone after dark
 - b) Walk along well-lit and well-traveled routes.
 - c) Be alert to your surroundings. If you suspect you are being followed, run in a different direction, go to the other side of the street and yell for help, or head quickly for a lighted area or a group of people.
 - d) Have your keys ready when returning to your car and keep your personal or valuable items concealed and close to your body.

Help us protect you:

- 1) Suspicious activity:
 - a) If you see any suspicious activity on or near campus, call Dean of Student Services immediately (218) 879-0800. Do not assume that what you observe is an innocent event or that it has already been reported.

- b) Do not assume the person is a visitor or College employee that you have not seen before.
- 2) Suspicious people may be:
 - a) Loitering about at unusual hours and locations; running, especially if something of value is being carried, going from room to room trying door handles.
 - b) Exhibiting unusual mental or physical symptoms. Person(s) could be under the influence of drugs or otherwise needing medical or psychiatric assistance.
 - c) Selling of goods for personal profit is not permitted at Fond du Lac Tribal and Community College. Violations of this rule should be reported to Public Safety immediately.

Drug and Alcohol-Free Campus Policy for Students and Employees

DRUG AND ALCOHOL-FREE CAMPUS POLICY

Part 1. Scope of Policy

The Fond du Lac Tribal and Community College Drug-and Alcohol-Free Campus Policy is for Students and Employees of the College and includes all campus locations.

Part 2. Purpose

Fond du Lac Tribal and Community College (Fond du Lac Tribal and Community College), along with all Minnesota State Colleges and Universities (Minnesota State Colleges and Universities), is committed to ensuring an educational and employment environment where students and employees can work, learn and develop to their full potential. Because the use and abuse of alcohol and controlled substances negatively impacts the ability of students and employees to work, learn and develop to their full potential, and to comply with federal and state laws, Fond du Lac Tribal and Community College has adopted and will implement the following drug-and alcohol-free campus policy.

Part 3. Drugs, Alcohol Prohibited

The unlawful manufacture, growing, possession, use, dispensation, sale or distribution of controlled substances and the manufacture, use, sale, distribution or possession of alcoholic beverages by Fond du Lac Tribal and Community College students and Fond du Lac Tribal and Community College employees is strictly prohibited: 1) on Fond du Lac Tribal and Community College property; 2) while participating in a student activity, activities sponsored by officially recognized student organizations, or an event or activity sponsored or sanctioned by Fond du Lac Tribal and Community College or Minnesota State Colleges and Universities, including off-site activities; and 3) while performing work, including overtime work and rest breaks.

Subpart A. Exceptions

The use of alcoholic beverages may be permitted only:

1. For Fond du Lac Tribal and Community College or Minnesota State Colleges and Universities educational/ awareness programs; or
2. for a specific event or circumstance authorized by Minnesota State Colleges and Universities or Fond du Lac Tribal and Community College.

However, in no case may students or employees violate Liquor Laws.

Subpart B. Employees

No Fond du Lac Tribal and Community College employee may:

1. report to work under the influence of alcohol, controlled substances or other drugs which affect her/his alertness, coordination, reaction, response, judgment, decision-making or safety; or

2. Operate, use or drive any Fond du Lac Tribal and Community College or Minnesota State Colleges and Universities equipment, machinery or vehicle while under the influence of alcohol, controlled substances or mind-altering drugs.

An employee who is under the influence of alcohol, controlled substances or other mind-altering drugs, or who is taking medically authorized drugs or other substances which may affect job performance, has an affirmative duty to immediately notify the appropriate supervisor that the employee's mental or physical condition precludes her/his ability to operate, use or drive Fond du Lac Tribal and Community College or Minnesota State Colleges and Universities equipment.

Employees are discouraged from consuming alcoholic beverages off-site during lunch or dinner meals when returning to perform work on behalf of Fond du Lac Tribal and Community College. In any situation subsequent to the intake of alcohol, an employee whose behavior or condition adversely affects her/his performance is subject to discipline. Since engaging in off-duty sale, purchase, transfer, use or possession of controlled substances may have a negative effect on an employee's ability to perform his/her work, an Fond du Lac Tribal and Community College employee involved in such circumstances is subject to discipline.

Employees working on federal grants or contracts who are convicted of a criminal drug statute violation occurring in the workplace are required to notify Fond du Lac Tribal and Community College or Minnesota State Colleges and Universities within five (5) working days of such a conviction.

Part 4. Penalties for Policy Violations

Fond du Lac Tribal and Community College employees and students who violate this policy are subject to Fond du Lac Tribal and Community College and Minnesota State Colleges and Universities sanctions and may be subject to legal sanctions under local, state or federal law.

Fond du Lac Tribal and Community College students will be disciplined according to the Student Code of Conduct. Disciplinary sanctions include, but are not limited to, warning, confiscation, restitution, dismissal, suspension, expulsion and referral for prosecution.

Fond du Lac Tribal and Community College employees covered by a Collective Bargaining Agreement will be disciplined according to the process delineated in the appropriate agreement. Other employees will be disciplined according to the Excluded Administrators Plan or the Commissioner's Plan. Discipline may include, but is not limited to, oral and written reprimand, suspension, termination, and referral for prosecution.

Part 5. Information

Fond du Lac Tribal and Community College provides voluntary educational programs designed to inform students and staff about the health risks associated with drug and alcohol use, community

resources available to provide assistance to individuals dealing with drug and/or alcohol abuse issues, the legal ramifications associated with illegal use of drugs and/or alcohol, and penalties for policy violations under Minnesota Law.

Legal Penalties Minnesota Law

Under Minnesota law, it is a crime for any person to drive, operate, or be in physical control of any motor vehicle when the person is under the influence of alcohol or a controlled substance.

A person who commits first-degree driving while impaired is guilty of a felony and may be sentenced to imprisonment for not more than seven years, or to payment of a fine of not more than \$14,000, or both.

Other penalties for violating state laws prohibiting driving under the influence include:

- driver's license suspension or revocation; •impounding motor vehicles;
- further criminal prosecution

Under Minnesota law, it is also a crime for a person under the age of 21 years to consume, possess or purchase any alcoholic beverages.

Underage consumption: \$100 fine.

Possession by persons under 21: \$100 fine.

Use of false identification for alcohol purchase: \$100 fine.

Furnishing alcohol to persons under 21: \$3,000 fine and/or 1 year in jail

Guidelines for the sentencing of any person convicted of drug and alcohol-related criminal offenses are established by the Minnesota Sentencing Guidelines Commission. The actual length of a sentence depends upon the individual's criminal and driving history.

Possession or sale of controlled substances, including but not limited to, narcotics, depressants, stimulants, Hallucinogens, and cannabis, is prohibited by Minnesota law. Penalties for controlled substance crimes include:

First Degree

Sale: 10+ grams of cocaine, 50+ grams of other narcotic drug, 200+ doses hallucinogen, 50 kilos marijuana, or 25+ kilos marijuana in a school zone, park zone, or public housing zone.

Possession: 25+ grams cocaine, 500+ grams of other narcotic drug, 500+ doses hallucinogen, 110+ kilos marijuana.

Penalty: 0 to 40 years, 4 year mandatory minimum if prior drug felony; up to \$1,000,000 fine. 0 to 40 years, 2nd offense.

Second Degree

Sale: 3+ grams cocaine, 10+ grams of other narcotic drug, 50+ doses hallucinogen, 25+ kilos marijuana, or sale of a Schedule I or II narcotic drug of 5+ doses hallucinogen or methamphetamine either to a person under 18 or in a school zone, park zone, or public housing zone.

Possession: 6+ grams cocaine, 50+ grams of other narcotic drug, 100+ doses hallucinogen, 50+ kilos marijuana.

Penalty: 0 to 40 years, 3 year mandatory minimum if prior drug felony; up to \$500,000 fine.

Third Degree

Sale: Narcotic drug, 10+ doses hallucinogen, 5+ kilos marijuana, or sale of any Schedule I, II, or III drug (except a Schedule I or II narcotic drug or marijuana) to a person under 18 or employment of person under 18 to sell the same.

Possession: 3+ grams cocaine, 10+ grams of other narcotic drug, 10+ kilos marijuana, and any amount of a Schedule I or II narcotic drug or LSD or methamphetamine or 5+ kilos marijuana in a school zone, park zone, or public housing zone.

Penalty: 0 to 30 years, 2 year mandatory minimum if prior drug felony; up to \$250,000 fine. Between 0 to 30 years, 2nd or subsequent offense.

Fourth Degree

Sale: Any Schedule I, II or II drug (except marijuana), or sale of marijuana in a school zone, park zone, or public housing zone or any Schedule IV or V drug to a person under 18 or conspiracy for the same.

Possession: 10 doses hallucinogen, any amount of a Schedule I, II or III drug (except marijuana) with the intent to sell it.

Penalty: 0 to 30 years, 1 year mandatory minimum if prior drug felony; up to \$100,000 fine.

Fifth Degree

Sale: Marijuana, or any Schedule IV drug.

Possession: All Schedule I, II, III, IV drugs except 42.5 grams or less of marijuana. Any prescription drugs obtained through false pretenses or forgery.

Penalty: 0 to 5 years, 6 month mandatory minimum if prior drug felony; up to \$10,000 fine.

Federal Law

Schedule I Drugs (Penalty for possession)

First Offense: 10 years to life, 10 year mandatory minimum; if death or serious injury, 20 year minimum; up to \$4 million fine individual, \$10 million other than individual.

Second Offense: 20 years to life, 20 year mandatory minimum; if death or serious injury, not less than life; up to \$8 million fine individual, \$20 million other than individual.

Schedule II Drugs (Penalty for possession)

First Offense: 5 to 40 years, 5 year mandatory minimum; if death or serious injury, 20 year minimum; up to \$2 million fine individual, \$5 million other than individual.

Second Offense: 10 years to life, 10 year mandatory minimum; if death or serious injury, not less than life; up to \$4 million fine individual, \$10 million other than individual.

Schedule I or Schedule II Controlled Drugs (Penalty for possession)

First Offense: 0 to 20 years, if death or serious injury, 20 year minimum, not more than life; up to \$1 million fine individual, \$5 million other than individual.

Second Offense: 0 to 30 years, if death or serious injury, not less than life; up to \$2 million fine individual, \$10 million other than individual.

Schedule III Drugs (Penalty for possession)

First Offense: 0 to 5 years, up to \$250,000 fine individual, \$1 million other than individual. Second Offense: 0 to 10 years; up to \$500,000 fine individual, \$2 million other than individual.

Schedule IV Drugs (Penalty for possession)

First Offense: 0 to 3 years, up to \$250,000 fine individual, \$1 million other than individual. Second Offense: 0 to 6 years, up to \$500,000 fine individual, \$2 million other than individual.

Schedule V Drugs (Penalty for possession)

First Offense: 0 to 1 year, up to \$100,000 fine individual, \$250,000 other than individual. Second Offense: 0 to 2 years, up to \$200,000 fine individual, \$500,000 other than individual.

Health Risks

Associated with the use/abuse of alcohol: malnutrition; lowered resistance to disease; irreversible brain or nervous system damage; gastrointestinal irritation; damage to liver; heart and pancreas; addiction/alcoholism; coma; death from overdose, injury or accident; fetal alcohol syndrome.

Associated with the use/abuse of controlled substances: damage to heart, lungs, brain and nerve cells; lung cancer; memory disorders; interference with psychological maturation; temporary loss of fertility in both men and women; psychological dependence; bronchitis, infections, colds and other viruses; stroke, liver problems,

seizures; heart and respiratory failure; psychosis, convulsions; sexual dysfunction. For users who share/use unsterile needles: tetanus; hepatitis; tuberculosis; HIV/AIDS. For pregnant women: miscarriage; stillbirths; premature labor or delivery; hemorrhaging. For cocaine babies: irritability; unresponsiveness; stroke; malformed kidneys and genitals; seizures; SIDS.

A description of procedures, if any, will be available that encourages pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Campus Resources:

Counseling Offices 141 and 135 phone (218)879-0715/ (218)-879-0819
Fond du Lac Tribal and Community College Human Resources: (218)879-0879

Community Resources:

Equal Access- health services (218)879-3900, 1304 Cloquet Ave Suite D Cloquet MN, 55720
Community Memorial Hospital 512 Skyline Blvd, Cloquet, MN 55720 (218)879-4641
-Safe Haven Shelter for Battered Women of Duluth, (218) 728-6481/ (877) 880-3094 (crisis line) or (218) 623-1000 (resource center)
-WINDOW Victims' Services of Pine, Kanabec, and Pine Counties (320) 384-7113/(800) 644-0003 (crisis line) or (320) 384-7996 (resource center)
-Minnesota Domestic Violence Crisis Line (866) 223-1111
-National Domestic Violence Hotline, (800) 799-SAFE (7233)
-United Way 24-hour Referral Line, 2-1-1
-Sexual Assault Resources: <http://www.dr-bob.org/vpc/virtulets.html#Sexual-Assault>
-Sexual Harassment Resources: <http://www.dr-bob.org/vpc/virtulets.html#Sexual-Harassment>
- Find Help in Minnesota: RapeHelpmn.org

Discrimination and Harassment Reporting Process (College Policy)

Part 1. Policy Statement

Fond du Lac Tribal and Community College is committed to a policy of nondiscrimination in employment and education opportunity. No person shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in, programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, or sexual orientation. In addition, discrimination in employment based on membership or activity in a local commission as defined by law is prohibited.

Harassment on the basis of race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, or sexual orientation is prohibited. Harassment may occur in a variety of relationships, including faculty and student, supervisor and employee, student and student, staff and student, employee and employee, and other relationships with persons having business at, or visiting the educational or working environment.

This policy is directed at verbal or physical conduct that constitutes discrimination/harassment under state and federal law and is not directed at the content of speech. In cases in which verbal statements and other forms of expression are involved, Fond du Lac Tribal and Community College will give due consideration to an individual's constitutionally protected right to free speech and academic freedom. However, discrimination and

harassment are not within the protections of academic freedom or free speech.

Fond du Lac Tribal and Community College shall maintain and encourage full freedom, within the law, of expression, inquiry, teaching and research. Academic freedom comes with a responsibility that all members of our education community benefit from it without intimidation, exploitation or coercion.

This policy shall apply to all individuals affiliated with Fond du Lac Tribal and Community College, including but not limited to, its students, employees, applicants, volunteers, agents, and Board of Trustees, and is intended to protect the rights and privacy of both the complainant and the respondent and other involved individuals, as well as to prevent retaliation or reprisal. Individuals who violate this policy shall be subject to disciplinary or other corrective action.

Part 2. Definitions

Subpart A. Consensual Relationship

A sexual or romantic relationship between two persons who voluntarily enter into such a relationship. Employees who are members of the same household should also refer to the Fond du Lac Tribal and Community College Nepotism Policy 6.02.

Subpart B. Discrimination

Discrimination is defined as conduct that is directed at an individual because of his or her protected class and that subjects the individual to different treatment by agents or employees so as to interfere with or limit the ability of the individual to participate in, or benefit from, the services, activities, or privileges provided by the college or otherwise adversely affects the individual's employment or education.

Subpart C. Discriminatory Harassment

Discriminatory harassment is defined as verbal or physical conduct that is directed at an individual because of his or her protected class, and this is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of creating a hostile work or educational environment.

As required by law, Minnesota State College and Universities has further defined sexual harassment as a form of sexual discrimination which is prohibited by state and federal law. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, evaluation of a student's academic performance, or term or condition of participation in student activities or in other events of activities sanctioned by the college; or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions or other decisions about participation in student activities or other events as sanctioned by the college; or
3. Such conduct has the purpose and effect of threatening and individual's employment; interfering with an individual's work or academic performance; or creating an intimidating, hostile, or offensive work or educational environment.

Subpart D. Employee

Fond du Lac Tribal and Community College personnel include all faculty, staff, administrators, and student employees.

Subpart E. Protected Class

Protected class for the purpose of this policy means that discrimination and harassment in employment and education are prohibited on the basis of: race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance or sexual orientation. In addition, membership or activity in a local human rights commission is a protected class in employment.

Subpart F. Retaliation

Retaliation includes, but is not limited to, intentionally engaging in any form of intimidation, reprisal or harassment against an individual because he or she made a complaint under this policy or assisted or participated in any manner in an investigation, or process under this policy, regardless of whether a claim of discrimination or harassment is substantiated; or associated with a person or group of persons who are disabled or are of a different race, color, creed, religion, sexual orientation or national origin. Retaliation may occur whether or not there is a power or authority differential between the individuals involved.

Subpart G. Sexual Harassment and Violence as Sexual Abuse

Under certain circumstances, sexual harassment or violence may constitute sexual abuse according to Minnesota law. In such situations, the college shall comply with the reporting requirements in Minnesota Statutes Section 626.556 (reporting of maltreatment of minors) and Minnesota Statutes Section 626.557 (Vulnerable Adult Protection Act). Nothing in this policy will prohibit the college from taking immediate action to protect victims of alleged sexual abuse.

Subpart H. Student

1. “Student” means an individual who is: admitted, enrolled, registered to take or is taking one or more courses, classes, or seminars, credit or noncredit; or
2. between terms of a continuing course of study at the college, such as summer break between spring and fall academic terms; or
3. Expelled or suspended from enrollment as a student at the college during the pendency of any adjudication of the student disciplinary action.

Part 3. Consensual Relationships

An employee of Fond du Lac Tribal and Community College shall not enter into a consensual relationship with a student or an employee over whom he or she exercises direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence. In the event a relationship already exists, the evaluative authority will be reassigned to avoid violations of this policy. This prohibition does not limit the right of an employee to make a recommendation on personnel matters concerning a family or household member where the right to make recommendations on such personnel matters is explicitly provided for in the applicable collective bargaining agreement or compensation plan.

Part 4. Retaliation

Retaliation as defined in this policy is prohibited at Fond du Lac Tribal and Community College. Any individual subject to this policy who intentionally engages in retaliation shall be subject to disciplinary or other corrective action as appropriate.

Related policies: Minnesota State Colleges and Universities Board Policy 1B.1 Nondiscrimination in Employment and Education Opportunity, <http://www.Minnesota State Colleges and Universities.edu/Policies/1B1.html>

Investigation and Resolution (College Policy)

Part 1. Purpose and Applicability

Subpart A. Purpose

This procedure is designed to further implement Fond du Lac Tribal and Community College's policies relating to nondiscrimination by providing a process through which individuals alleging violation of system nondiscrimination policies may pursue a complaint. This includes allegations of retaliation, or discrimination or harassment based on sex, race, age, disability, color, creed, national origin, religion, sexual orientation, marital status, or status with regard to public assistance. In addition, discrimination in employment based on membership or activity in a local commission as defined by law is prohibited.

Subpart B. Applicability

This procedure shall apply to all individuals affiliated with Fond du Lac Tribal and Community College, including its students, employees, and applicants for employment, and is intended to protect the rights and privacy of both the complainant and respondent and other involved individuals, as well as to prevent retaliation/reprisal. Individuals who violate this procedure shall be subject to disciplinary or other corrective action.

A single act of discrimination or harassment may be based on more than one protected class status. For example, discrimination based on anti-Semitism may relate to religion, national origin, or both; discrimination against a pregnant woman might be based on sex, marital status, or both; discrimination against a transgender or transsexual individual might be based on sex or sexual orientation.

Not every act that may be offensive to an individual or group constitutes discrimination or harassment.

Harassment includes action beyond the mere expression of views, words, symbols or thoughts that another individual finds offensive. To constitute a violation of Fond du Lac Tribal and Community College Policy Nondiscrimination, conduct must be considered sufficiently serious to deny or limit a student's or employee's ability to participate in or benefit from the services, activities, or privileges provided by Fond du Lac Tribal and Community College.

Subpart C. Scope

This procedure is not applicable to allegations of sexual violence; allegations of sexual violence are handled pursuant to Board Policy 1B.3 Sexual Violence and System Procedure 1B.3.1. In addition, harassment and discrimination complaints not arising from alleged violations of Fond du Lac Tribal and Community College Policy Nondiscrimination, are to be addressed under other appropriate policies and established practices.

Part 2. Definitions

Subpart A. Designated officer

Designated officer means an individual designated by the president to be primarily responsible for conducting an initial inquiry, determining whether to proceed with an investigation under this procedure, and investigating or coordinating the investigation of reports and complaints of discrimination/harassment in accordance with this

procedure.

The designated officer for Fond du Lac Tribal and Community College is: **Louise Lind**

Subpart B. Decision maker

Decision maker means a high level administrator designated by the president to review investigative reports, to make findings whether the nondiscrimination policy has been violated based upon the investigation, and to determine the appropriate action for the institution to take based upon the findings.

Subpart C. Retaliation

Retaliation means any action against a complainant or other individual because the individual:

1. Participated in the investigation or resolution of a complaint under this procedure;
2. Opposed conduct the individual believes was in violation of nondiscrimination policies; or
3. Associates with another individual who is protected from discrimination under Fond du Lac Tribal and Community College Policy Nondiscrimination.

Part 3. Consensual relationships

Fond du Lac Tribal and Community College Policy Nondiscrimination in Employment and Education Opportunity prohibits consensual relationships between an employee and a student or another employee over whom he or she exercises direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence, whether or not both parties appear to have consented to the relationship, except as noted.

Examples of prohibited consensual relationships include, but are not limited to

- An employee and a student if the employee is in a position to evaluate or otherwise significantly influence the student's education, employment, housing, participation in athletics, or any other college or university activity (employee includes, for example, graduate assistants, administrators, coaches, advisors, program directors, counselors and residence life staff);
- A faculty member and a student who is enrolled in the faculty member's course, who is an advisee of the faculty member, or whose academic work is supervised or evaluated by the faculty member; and
- A supervisor and an employee under the person's supervision.

A faculty member or other employee is prohibited from undertaking a romantic or sexual relationship or permitting one to develop with a student or supervisee who is enrolled in the person's class or is subject to that person's supervision or evaluation.

If a consensual, romantic or sexual relationship exists between an employee and another individual and subsequent event creates a supervisor/supervisee, faculty/student or similar relationship between them, the person with evaluative or supervisory authority is required to report the relationship to his or her supervisor so that evaluative functions can be reassigned if possible.

This procedure does not cover consensual relationships between individuals that do not require one to exercise direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence over the other.

This prohibition does not limit the right of an employee to make a recommendation on personnel matters concerning a person with whom they have a consensual relationship where the right to make recommendations on such personnel matters is explicitly provided for in the applicable collective bargaining agreement or compensation plan.

Part 4. Reporting incidents of discrimination/harassment

Subpart A. Reporting an incident

Any individual who believes she or he has been or is being subjected to conduct prohibited by Fond du Lac Tribal and Community College Policy Nondiscrimination, is encouraged to report the incident to the designated officer. The report/complaint should be brought as soon as possible after an incident occurs. Any student, faculty member or employee who knows of, receives information about or receives a complaint of discrimination/harassment is strongly encouraged to report the information or complaint to the designated officer.

Subpart B. Duty to report

Administrators and supervisors shall refer allegations of conduct that they reasonably believe may constitute discrimination or harassment under Fond du Lac Tribal and Community College Policy Nondiscrimination to the designated officer, or in consultation with the designated officer may inquire into and resolve such matters.

Subpart C. Reports against a president

A report/complaint against a president of a college or university shall be filed with the Office of the Chancellor. However, complaints against a president shall be processed by the college or university if the president's role in the alleged incident was limited to a decision on a recommendation made by another administrator, such as tenure, promotion or non-renewal, and the president had no other substantial involvement in the matter.

Subpart D. Reports against Office of the Chancellor Employees or Board of Trustees

For reports/complaints that involve allegations against Office of the Chancellor employees, the responsibilities identified in this procedure as those of the president are the responsibilities of the chancellor. Reports/complaints that involve allegations against the chancellor or a member of the Board of Trustees shall be referred to the chair or vice chair of the Board for processing. Such reports/complaints may be assigned to appropriate system personnel or outside investigatory assistance may be designated.

Subpart E. False statements prohibited

Any individual who is determined to have provided false information in filing a discrimination report/complaint or during the investigation of such a report/complaint may be subject to disciplinary or corrective action.

Subpart F. Withdrawn complaints

If a complainant no longer desires to pursue a complaint, the Office of the Chancellor, colleges, and universities reserve the right to investigate and take appropriate action.

Part 5. Right to representation

In accordance with federal law and applicable collective bargaining agreement and personnel plan language, represented employees may have the right to request and receive union representation during an investigatory meeting.

Nothing in this procedure is intended to expand, diminish or alter in any manner whatsoever any right or remedy available under a collective bargaining agreement, personnel plan or law. Any disciplinary action imposed as a result of an investigation conducted under this procedure will be processed in accordance with the applicable collective bargaining agreement or personnel plan.

Part 6. Investigation and Resolution

Fond du Lac Tribal and Community College has an affirmative duty to take timely and appropriate action to stop behavior prohibited by Fond du Lac Tribal and Community College Policy Nondiscrimination, conduct investigations and take appropriate action to prevent recurring misconduct.

Subpart A. Personal resolution

This procedure neither prevents nor requires the use of informal resolution by an individual who believes he or she has been subject to conduct in violation of Fond du Lac Tribal and Community College Policy Nondiscrimination. In such a situation, the individual should clearly explain to the alleged offender as soon as possible after the incident that the behavior is objectionable and must stop. If the behavior does not stop or if the individual believes retaliation may result from the discussion, the individual should report to the designated officer. Under no circumstance shall an individual be required to use personal resolution to address prohibited behaviors.

Subpart B. Information privacy

Confidentiality of information obtained during an investigation cannot be guaranteed; such information, however, will be handled in accordance with applicable federal and state data privacy laws.

Subpart C. Processing the complaint

The designated officer must be contacted in order to initiate a report/complaint under this procedure. The scope of the process used in each complaint/report shall be determined by the designated officer based on the complexity of the allegations, the number and relationship of individuals involved, and other pertinent factors.

1. Jurisdiction. The designated officer shall determine whether the report/complaint is one which should be processed through another college procedure available to the complainant; if appropriate, the designated officer shall direct the complainant to that procedure as soon as possible.
2. Conflicts. The designated officer should identify to the president any real or perceived conflict of interest in proceeding as the designated officer for a specific complaint. If the president determines that a conflict exists, another designated officer shall be assigned.
3. Information provided to complainant. At the time the report/complaint is made, the designated officer shall:
 - a.) inform the complainant of the provisions of the Fond du Lac Tribal and Community College Policy Nondiscrimination, and this procedure; b.) provide a copy of or Web address for Fond du Lac Tribal and Community College Policy Nondiscrimination and this procedure to the complainant; c.) determine whether other individuals are permitted to accompany the complainant during investigatory interviews and the extent of their involvement; and d.) inform the complainant of the provisions of Fond du Lac Tribal and Community College Policy Nondiscrimination prohibiting retaliation.
4. Complaint documentation. The designated officer shall insure that the complaint is documented in writing. The designated officer may request, but not require the complainant to document the complaint in writing using the complaint form of the college.
5. Information provided to the respondent. At the time initial contact is made with the respondent, the designated officer shall inform the respondent in writing of the existence and general nature of the complaint and the provisions of the nondiscrimination policy. At the initial meeting with the respondent, the designated officer shall:
 - a) provide a copy of or Web address for Fond du Lac Tribal and Community College Policy Nondiscrimination and this procedure to the respondent; b.) provide sufficient information to the respondent consistent with federal and state data privacy laws to allow the respondent to respond to the substance of the complaint; c.) explain to

the respondent that in addition to being interviewed by the designated officer, the respondent may provide a written response to the allegations; d.) determine whether other individuals are permitted to accompany the respondent during investigative interviews and the extent of their involvement; and e.) inform the respondent of the provisions of Fond du Lac Tribal and Community College Policy Nondiscrimination prohibiting retaliation.

6. Investigatory process. The designated officer shall:

a.) conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings; b.) Inform the witnesses and other involved individuals of the prohibition against retaliation; c.) Create, gather and maintain investigative documentation as appropriate; d.) disclose appropriate information to others only on a need to know basis consistent with state and federal law, and provide a data privacy notice in accordance with state law; and e.) Handle all data in accordance with applicable federal and state privacy laws.

7. Interim Actions.

a.) Employee reassignment or administrative leave. Under appropriate circumstances, the president or chancellor may, in consultation with system legal counsel and labor relations, reassign or place an employee on administrative leave at any point in time during the report/complaint process. In determining whether to place an employee on administrative leave or reassignment, consideration shall be given to the nature of the alleged behavior, the relationships between the parties, the context in which the alleged incidents occurred and other relevant factors. Any action taken must be consistent with the applicable collective bargaining agreement or personnel plan.

b.) Student summary suspension or other action. Under appropriate circumstances, the president or designee may, in consultation with system legal counsel, summarily suspend a student at any point in time during the report/complaint process. A summary suspension may be imposed only in accordance with Board Policy 3.6 and associated system procedures. After the student has been summarily suspended, the report/complaint process should be completed within the shortest reasonable time period, not to exceed nine (9) class days. During the summary suspension, the student may not enter the campus or participate in any college or university activities without obtaining prior permission from the president or designee. Other temporary measures may be taken in lieu of summary suspension where the president or designee determines such measures are appropriate.

8. No basis to proceed. At any point during the processing of the complaint, the designated officer may determine that there is no basis to proceed under Fond du Lac Tribal and Community College Policy Nondiscrimination. The designated officer shall refer the complaint as appropriate. The designated officer shall notify the complainant and respondent of the outcome as appropriate, in accordance with applicable data privacy laws.

Subpart D. Resolution

After processing the complaint the designated officer may consider one or more of the following methods to resolve the complaint as appropriate:

1. Conduct or coordinate education/training;

2. Facilitate voluntary meetings between the parties;

3. Recommend separation of the parties, after consultation with appropriate Office of the Chancellor, college or university personnel; other possible outcomes may include recommending changes in workplace assignments, enrollment in a different course or program, or other appropriate action; the College may use alternative dispute resolution or mediation services as a method of resolving discrimination or harassment complaints. Alternative dispute resolution and mediation options require the voluntary participation of all parties to the complaint; upon completion of the inquiry, the designated officer may dismiss or refer the complaint to others as appropriate.

Subpart E. Decision process

If the above methods have not resolved the complaint within a reasonable period of time to the satisfaction of the designated officer, or the designated officer feels additional steps should be taken, the procedures in this subpart shall be followed.

1. Designated officer. The designated officer shall:

a.) prepare an investigation report and forward it to the decision maker for review and decision; b.) take additional investigative measures as requested by the decision maker; and c.) be responsible for coordinating responses to requests for information contained in an investigation report in accordance with the Minnesota Government Data Practices Act and other applicable law including, but not limited to, the Family Educational Rights and Privacy Act (FERPA). In determining the appropriate response, the designated officer shall consult with the campus data practice compliance official and/or the Office of General Counsel.

2. Decision maker. After receiving the investigation report prepared by the designated officer, the decision maker shall:

a.) determine whether additional steps should be taken prior to making the decision. Additional steps may include:

1. a request that the designated officer conduct further investigative measures;

2. a meeting with the complainant, respondent or other involved individuals. If a meeting involving a represented employee is convened, the complainant or respondent may choose to be accompanied by the bargaining unit representative, in accordance with the applicable collective bargaining agreement and federal and state law; and

3. A request for additional information which may include a written response from the complainant or respondent relating to the allegations of the complaint.

b.) take other measures deemed necessary to determine whether a violation of Fond du Lac Tribal and Community College Policy Nondiscrimination has been established; c.) when making the decision, take into account the totality of the circumstances, including the nature and extent of the behaviors, the relationship(s) between the parties, the context in which the alleged incident(s) occurred, and other relevant factors; d.) determine the nature, scope and timing of disciplinary or corrective action and the process for implementation if a violation of the nondiscrimination policy occurs. This may include consultation with human resources or supervisory personnel to determine appropriate discipline; e.) As appropriate, consistent with applicable state and federal data privacy laws, report in writing to the complainant, respondent and the designated officer her or his findings, and the basis for those findings, as to whether Fond du Lac Tribal and Community College Policy Nondiscrimination has been violated. The written response to the complainant shall be provided within 60 days after a complaint is made unless reasonable cause for delay exists. f.) Conduct that is determined not to have violated Fond du Lac Tribal and Community College Policy 2.01 Nondiscrimination shall be referred to another procedure for further action, if appropriate.

Part 7. System Office, College, or University action

The System Office, college, or university shall take the appropriate corrective action based on results of the investigation, and the designated officer shall make appropriate inquiries to ascertain the effectiveness of any corrective or disciplinary action. Complainants are encouraged to report any subsequent conduct that violates Fond du Lac Tribal and Community College Policy Nondiscrimination, as well as allegations of retaliation.

Written notice to parties relating to discipline, resolutions, and/or final dispositions resulting from the report/complaint process is deemed to be official correspondence from the System Office, college or university. In accordance with state law, the College is responsible for filing the complaint disposition concerning complaints against employees with the Commissioner of Employee Relations within 30 days of final disposition.

Part 8. Appeal

Subpart A. Filing an appeal

The complainant or the respondent may appeal the decision of the decision maker. An appeal must be filed in writing with the president or designee within ten (10) business days after notification of the decision. The appeal must state specific reasons why the complainant or respondent believes the decision was improper. In a complaint against a president or other official who reports directly to the chancellor, an appeal may be considered by the chancellor whether or not the chancellor served as the decision maker.

Subpart B. Effect of review

For employees represented by a collective bargaining agreement, an appeal under this procedure is separate and distinct from, and is not in any way related to, any contractual protections or procedures. During the pendency of the appeal disciplinary or corrective action taken as a result of the decision shall be enforced. In addition, in cases involving sanctions of suspension for ten (10) days or longer, students shall be informed of their right to a contested case hearing under Minnesota Statutes Chapter 14.

Subpart C. Appeal process

The president or designee shall review the record and determine whether to affirm or modify the decision. The president or designee may receive additional information if the president or designee believes such information would aid in the consideration of the appeal. The decision on appeal shall be made within a reasonable time and the complainant, respondent and designated officer shall be notified in writing of the decision, consistent with applicable state and federal data privacy laws. The decision on appeal exhausts the complainant's and respondent's administrative remedies under this procedure except as provided herein.

Part 9. Education and training

The College shall provide education and training programs to promote awareness and prevent discrimination/harassment, such as educational seminars, peer-to-peer counseling, operation of hotlines, self-defense courses, and informational resources. Education and training programs should include education about Fond du Lac Tribal and Community College Policy Nondiscrimination and this procedure.

Part 10. Distribution

Information regarding Fond du Lac Tribal and Community College Policy Nondiscrimination and this procedure shall, at a minimum, be distributed to students at the time of registration and to employees at the beginning of employment. Distribution may be accomplished by posting on an internet Web site, provided all students and employees are directly notified of how to access the policy and procedure by an exact address, and that they may request a paper copy. Copies of the policy and procedure shall be conspicuously posted at appropriate locations on the College campus at all times and shall include the designated officers' names, locations and telephone numbers.

Designated officers also must be identified by name, location and phone number in informational publications such as student catalogs, student and employee handbooks, bulletin boards, campus Web sites and other appropriate public announcements.

Part 11. Maintenance of report/complaint procedure documentation

During and upon the completion of the complaint process, the complaint file shall be maintained in a secure location in the office of the designated officer for the College in accordance with the applicable records retention schedule. Access to the data shall be in accordance with the respective collective bargaining agreement

or personnel plan, the Minnesota Government Data Practices Act, the Family Educational Rights and Privacy Act or other applicable law.

College Policy

Student Code of Conduct Part 1. Student Conduct Policy Section 1: Student Conduct Code

Each student at Fond du Lac Tribal and Community College has the right to an education, and it is the responsibility of the college to provide an environment that promotes learning. Any action by a student that interferes with the education of any other student or interferes with the operations of the college in carrying out its responsibility to provide an education will be considered a violation of this code. Disciplinary action will be handled in an expeditious manner while providing due process.

Fond du Lac Tribal and Community College has established a code of student conduct that states its student conduct policies and its procedures for the administration of student conduct proceedings. Hazing, whether occurring on or off campus, is included in FDLTCC's list of prohibited behavior. Students shall be afforded appropriate due process in the resolution of any allegation(s) of violations of the code of student conduct. Students found responsible for violations are subject to sanctions, which in more serious cases may include removal from student housing or suspension or expulsion from the college. Annually, and upon amendment, FDLTCC shall notify its students of the availability and location of the code of conduct and a copy of the code shall be posted at appropriate locations on campus and on the college website. Allegations of discrimination, harassment, sexual violence, fraud or dishonest acts as defined in Board Policy 1C.2 shall be resolved pursuant to Board policy. Allegations of academic dishonesty may be resolved under separate procedures in accordance with FDLTCC's policy.

Part 2. Off-campus Conduct

Fond du Lac Tribal and Community College may hold students accountable for a violation of the behavioral proscriptions contained in their Student Codes of Conduct committed off campus when:

Hazing is involved; or

The violation is committed while participating in a college sanctioned or sponsored activity; or

The victim of the violation is a member of the college community; or

The violation constitutes a felony under state or federal law; or

The violation adversely affects the educational, research, or service functions of the college.

Part 3. Appeal

The College establishes a code of student conduct that states policies and procedures for the administration of student conduct proceedings. Students will be afforded appropriate due process in the resolution of any allegation(s) of violations of the code of student conduct. Students found responsible for violations are subject to disciplinary action which in more serious cases may include suspension or expulsion from the College. The Student Code of Conduct is available on the College website and is posted at appropriate locations on campus. The College may hold students accountable for violations of behavioral standards committed off-campus when: hazing is involved; or the violation is committed while participating in a College sanctioned or sponsored activity; or the victim of the violation is a member of the college community; or the violation constitutes a felony under state or federal law; or the violation adversely affects the educational research, or service functions of the College.

Students found to be responsible for a conduct violation will be provided an avenue of appeal within the College. In addition, in cases involving suspension for ten (10) days or longer, student will be informed of their right to a contested case hearing under Minnesota Statute 14.

Part 4. Procedures

College Policy — Student Code of Conduct Procedures

Part 1. Purpose

Fond du Lac Tribal and Community College believes that every student is accountable for his or her individual behavior especially as it imposes on the freedom, rights and safety of another individual or to the extent that it impacts upon the atmosphere and environment conducive to the educational mission of the College community.

Within this context, specific kinds of behavior are judged to be unacceptable and may serve as a basis for expulsion. These include, but are not limited to: disorderly and/or disruptive behavior; physical assault or threat of physical assault; theft or attempted theft; vandalism or willful property damage; trespassing (unauthorized presence) or failure to heed a lawful order; academic dishonesty; fraud and/or willful misrepresentation; and possession of alcohol and/or illicit substances.

Disciplinary action against individual students or a group of students are administered in the context of a unified and coordinated set of campus regulations and processes to ensure fair, equitable, and legal outcomes. This process ensures due process for students accused of engaging in misconduct.

The code of conduct exists to guide the behavior of all Fond du Lac Tribal and Community College students. Students participating in on-site orientation will be provided with information regarding the student code of conduct.

Part 2. Jurisdiction

The College has the right to take necessary and appropriate action to support and protect the safety and well-being of the College community. Fond du Lac Tribal and Community College students are expected to abide by local, state and federal laws and College rules. Should the violation of civil or criminal law involve College interests, the College has the right to proceed with disciplinary action without regard to civil or criminal proceedings.

These regulations apply on campus and at all College-sponsored activities, or at activities sponsored by College clubs or organizations on- or off-campus, or if the off-campus action involves a continuation or extension of a situation initiated on campus, except where specifically limited. Students or organizations may be subject to College discipline for any of the misconduct described below which occurs any time on College-controlled premises or at College-approved or sponsored functions.

Part 3. Standards

All Fond du Lac Tribal and Community College students are encouraged to familiarize themselves with, as well as to conform to, College rules and regulations governing personal conduct on all campuses. Violations of such rules and regulations, for which students are subject to disciplinary action, include, but are not limited to, the following:

1. Dishonesty, including, but not limited to cheating, plagiarism, or knowingly furnishing false information to the College. Plagiarism includes, but is not limited to the use by paraphrase or direct quotation, the published or unpublished work of another person without full and clear acknowledgement; unacknowledged use of materials prepared by another person or agency engaging in selling or otherwise providing term papers or other academic materials. Knowingly passing an insufficient funds check or fraudulent money order in payment of any financial obligation to the College.

2. Forgery, alteration, misrepresentation, or misuse of College documents, records or identification, or of records submitted to the College.
3. Unauthorized use, changing, deleting of any information or data contained in the Minnesota State Colleges and Universities student record computers.
4. Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other College activities on or off campus, including, but not limited to, instruction, the community service functions or other authorized activities on or off College premises.
5. Failure to comply with directions of College officials acting in the performance of their duties or with fire, police or other emergency service personnel. Failure to identify oneself to these persons when requested to do so, after they have identified themselves.
6. Conduct which threatens or endangers the health or safety of any person at the College, or at College controlled, sponsored or supervised functions. Intentionally, recklessly or negligently causing physical harm to any person on the College premises or at College sponsored activities. This includes engaging in any form of fighting or any hostile conduct or behavior that might incite violence.
7. Harassment of any member of the College community, placing any person under mental duress or causing any person to be in fear of physical danger through verbal abuse (including repeated phone calls), intimidation including but not limited, to violence or threat of violence, bullying or personal vilification, including when such actions are based on age, sex, race, color, disability, religion, sexual orientation, or national/ethnic origin. (Refer also to Fond du Lac Tribal and Community College Sexual Harassment Policy).
8. Physical, sexual abuse or battery upon a student or College personnel, upon College premises, or while under the authority of College personnel, or at a College-sponsored event; or continued abuse of a student or College personnel, assault or battery upon a student or College personnel, or any threat of force or violence directed toward a student or College personnel.
9. Hazing, including any act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose or intention, admission into, affiliation with, or as a condition of continued membership in a group or organization.
10. Unauthorized borrowing of or use of College property, theft or attempted theft or damage to, property of the College or property of a member of the College community or property of a campus visitor.
11. Unauthorized entry to, or use of, College supplies (including College stationery and postage), keys, telephones (including long distance service), computers or computer systems, equipment and/or facilities or the use of any of the above for any illegal act or any act prohibited by the code of conduct.
12. Theft or destruction of computer hardware or software. Misuse of computer time including, but not limited to: unauthorized entry into a file, to use, read, or change the contents, or for any other purpose; unauthorized transfer of a file, unauthorized use of another individual's identification and password; use of computing facilities to interfere with the work of another student, faculty member or College official; use of computing facilities to send obscene or abusive messages; use of computing facilities to interfere with normal operation of the College computing system.
13. Damage to public or private property on College premises including, but not limited to graffiti, defacing signs or damaging College property wherever located.
14. The incurring of financial obligations on behalf of the College without proper authorization.

15. Violation of College regulations concerning student organizations, the use of College facilities, or the time, place and manner of public expression.
16. Unauthorized use, sale, possession, or presence on campus or at College-sponsored events of alcoholic beverages or controlled substances and/or drug paraphernalia. The state of being under the influence of alcohol or controlled substances on College-controlled property, or at College sponsored events. A complete copy of the Drug and Alcohol-Free Campus Policy is available for students and employees in the Counseling Office and the Human Resources Office.
17. Disorderly, disruptive, indecent, or obscene conduct or expression, or breach of peace, on College-owned or controlled property or at College-sponsored or supervised functions. Obstruction of the free flow of pedestrian or vehicular traffic on College premises or at College-sponsored or supervised functions.
18. Continued willful and disruptive behavior, vulgarity, open and persistent defiance of authority, or persistent abuse of College personnel.
19. Possession or use of unauthorized firearms or other dangerous weapons on College-controlled property. "Weapon" is broadly defined to include, but is not limited to, all firearms (including BB guns), dangerous knives, explosives, explosive fuels, dangerous chemicals, billy-club, and fireworks.
20. Violation of College regulations regarding the use of tobacco products on College-controlled property.
21. Gambling on campus.
22. Unauthorized solicitation or selling of goods or services on campus or at College-sponsored activities on or off campus.
23. Actions which interfere with obstruct or prevent the regular and essential operations of the College or infringe upon the rights of others to freely participate in its courses, programs or services.

Part 4. Sanctions

Disciplinary sanctions are implemented by written notification after an informal meeting or formal hearing with administrative staff arranged by the Office of the Vice President for Student Affairs or designee.

More than one of the sanctions listed below may be imposed for any single violation. The following sanctions are listed to provide students with examples of possible penalties for conduct code violations.

The College reserves the right to impose other sanctions as circumstances warrant.

Warning - issuance of an oral or written warning or reprimand that may become part of a student's permanent file.

Restitution - payment required to the College or other persons, groups, or organizations for damages incurred.

Probation - continued enrollment at the College but under specific written conditions for a specific period of time. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulations(s) during the probationary period.

Discretionary Sanction - service to the College or other related discretionary assignments.

Loss of a College Privilege - an order directing a student not to have contact with an area or another member of the College community.

Suspension - denial of the privilege of enrollment for a specific period of time after which the student is eligible to return. Conditions for re-admission may be specified.

Long-term Suspension - a suspension that remains in effect for longer than 10 (ten) days. Long-term Suspensions are recorded on the academic transcript.

Summary Suspension - a suspension imposed without an investigation, informal meeting or formal hearing to ensure the safety and well-being of members of the College community.

Expulsion - termination of student status. Expulsions are recorded on the academic transcript.

Part 5. Initiation of Conduct Investigation

NOTE: Complaints alleging harassment or discrimination based on race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, or sexual orientation, will be investigated and processed under the Equal Opportunity Policy and Procedures in the College catalog. All other complaints alleging improper conduct by a student or student group will be investigated under the Student Conduct Investigation Procedures.

Subpart A. Filing of a Complaint

Any member of the College community may file a complaint against a student or student organization alleging a violation of the Student Code of Conduct or other College policy. A complaint should be submitted to the Student Conduct Officer or designee. Once a complaint is filed, the Student Conduct Officer reserves the right to investigate the complaint even if a complainant chooses not to pursue the matter. Persons filing a complaint are required to provide pertinent information and, if necessary, appear at a hearing.

Subpart B. Misconduct Reported Through Other Means

In many situations, alleged conduct violations are reported to the Student Conduct Officer through Public Safety Incident Reports or other means. The Student Conduct Officer has the responsibility to ensure compliance with the Student Code of Conduct and therefore retains the authority to investigate all reports of alleged student misconduct regardless of how the report is received by the Student Conduct Officer.

Subpart C. Cooperation with Investigation

All members of the college community are required to cooperate with an investigation and provide pertinent information to the Student Conduct Officer upon request, and if necessary, appear at a hearing.

Part 6. Investigation of Alleged Misconduct

Following the filing of a complaint or receipt of a report of alleged misconduct, the Student Conduct Officer or designee will conduct an investigation. If, in the process of the investigation, the Student Conduct Officer or designee determines that the complaint is unwarranted or unsupported, the Student Conduct Officer or designee shall discontinue proceedings.

Subpart A. Informal Meeting

If the Student Conduct Officer or designee feels that there is sufficient evidence to support the complaint, the Student Conduct Officer or designee shall offer the accused student an opportunity to resolve the violation at an informal meeting. The student or students will be notified of their right to the informal meeting orally or by e-mail sent to their College assigned e-mail account.

Prior to or at the beginning of the informal meeting, the student must be provided with the following information:

- Oral or written notice of the complaint.
- A copy of the Student Code of Conduct.

- Oral or written notice of a summary of the evidence to support the complaint specific policy he/she is accused of violating.
- A Tennessean Notice.

During the informal meeting the Student Conduct Officer or designee shall review the complaint and evidence with the student and allow the student to present a defense against the complaint. The accused student may have an advisor or attorney present. However the advisor or attorney may not participate in any questioning or advocate on behalf of the student.

Within a reasonable time period following the meeting, the Student Conduct Officer shall inform the accused student in writing of his/her decision whether a violation of the code was established by a preponderance of evidence and any applicable sanction as well as options available for an appeal meeting or formal hearing.

If the student fails to appear for the informal meeting, the Student Conduct Officer or designee may impose an appropriate sanction against the student. The Student Conduct Officer or designee shall send written notice to the student of any sanction imposed, including any applicable right to appeal. The student or students will be notified by e-mail sent to their College assigned e-mail account.

A student who has received a sanction other than a long-term suspension or expulsion has a right to an appeal meeting with a Student Affairs Administrator. A request for an appeal meeting must be made in writing to the Student Affairs Administrator identified in the notice of sanction, and received within ten (10) business days of the e-mail notice of sanctioning. Failure to request an appeal meeting in writing within the ten (10) day time period presumes acceptance of the sanction.

A student who has received a sanction of a long-term suspension or expulsion may accept the sanction or may request a formal hearing. A request for formal hearing must be made in writing to the Student Affairs Administrator identified in the notice of sanction, and received within ten (10) business days of the e-mail notice of sanctioning. Failure to request a formal hearing in writing within the ten (10) day time period presumes acceptance of the sanction.

Subpart B. Formal Hearing

After receiving a request for a formal hearing within the proscribed time period, the College will notify the student in writing of the time, place and date of hearing. Such notice to the student shall also include:

- A summary of the witness and documentary evidence that may be presented in support of a charge.
- A statement that the student's failure to appear will not prevent the hearing from proceeding as scheduled and may lead to imposition of sanctions in the student's absence.
- Notice that the student may have an advisor present, and if there is a likelihood that the student will face criminal prosecution related to the charge, notice that the student may wish to retain an attorney.
- Notice that the student must provide a summary of their witnesses and documentary evidence that may be presented at the formal hearing by a proscribed date.

The student may elect to have a hearing before the Student Affairs Administrator or before a College Conduct Committee made up of members of the College community. The hearing will be conducted in the following manner:

1. The Student Conduct Officer or designee who imposed the sanction shall first present the complaint and supporting evidence. The accused student shall have an opportunity to challenge evidence.
2. The accused student shall next present evidence or testimony to refute the complaint.

3. Only those materials and matters presented at the hearing shall be considered as evidence.
4. The hearing shall be held in closed session unless the Student Affairs Administrator/Conduct Committee Chair determines there is a compelling reason and neither the accused student nor the complainant presents an objection.
5. The accused student may have an advisor or attorney present. However the advisor or attorney may not participate in any questioning or advocate on behalf of the student.

Upon conclusion of the Conduct Committee hearing, the Committee in closed session shall consider the evidence and make a recommendation to the Student Affairs Administrator. The Student Affairs Administrator will consider the recommendation and evidence that is forwarded by the Conduct Committee and will decide to uphold the sanction, exonerate the student, or impose a different sanction.

If the student elects to have a hearing before the Student Affairs Administrator, the hearing will be conducted in the manner described above. Upon conclusion of the hearing, the Student Affairs Administrator shall consider the evidence and decide to uphold the sanction, exonerate the student, or impose a different sanction.

A written notice of findings and conclusions shall be provided to the student within a reasonable time after the hearing. The student shall be considered notified of the sanction: 1) when the notice is hand-delivered to the student or 2) two-days (excluding Sundays and legal holidays) after the notice is e-mailed to the student's College assigned e-mail account. If the Student Affairs Administrator affirms a long-term suspension or expulsion, the notice shall inform the student of his/her right to a contested case hearing under Minnesota law.

Part 7. Contested Case Hearings

If a long-term suspension or an expulsion is upheld by the Student Affairs Administrator, the student has a right to appeal the decision before an administrative law judge pursuant to Minnesota Statutes Chapter 14. A student seeking a hearing before an administrative law judge must inform the Student Affairs Administrator within ten (10) business days of the e-mail notice of the Student Affairs Administrator's final decision. The College will request a hearing from the Office of Administrative Hearings. The student will be notified of the time, place and date of the hearing.

The hearing will be conducted pursuant to Contested Case Procedures adopted by the Office of Administrative Hearings. An administrative law judge will be appointed by the Chief Administrative Law Judge pursuant to Minnesota Statute section 14.50.

Following the hearing, the administrative law judge shall make a report, which contains a recommendation, to the College President.

Within a reasonable time period following receipt of the administrative law judge's recommendation, the College President shall make a decision. The President's decision shall be final.

Part 8. Summary Suspension

In some cases, a complaint may allege threats of harm or serious harm to individuals. If, in the judgment of the Student Conduct Officer or designee, the accused student's presence on campus would constitute a serious threat to the safety and well-being of others, the Student Conduct Officer or designee may impose a summary suspension. To the greatest extent possible before implementing the summary suspension, the accused student shall be given oral or written notice of the intent to impose summary suspension and shall be given an opportunity to present oral or written arguments against the imposition of the suspension. However, the refusal of a student to accept or acknowledge this notice shall not prevent the implementation of a summary suspension.

Notice of a summary suspension shall be provided to the accused student in writing. During the summary suspension, the student may not enter the campus without obtaining prior authorization from the Student Conduct Officer or designee. A student who has been summarily suspended will be given the opportunity for an informal meeting or formal hearing within the shortest reasonable time period, not to exceed nine (9) school or business days.

None of the provisions in this policy affect the rights of persons in authority to take immediate and temporary action necessary to protect others and to uphold established policies, regulations and laws.

Part 9. Appeal Guidelines

The following guidelines should be used as grounds for an appeal: new evidence not reasonably available at the time of the hearing, violation of hearing procedures, violation of student's due process rights, inconsistency of sanction relative to violation, and decisions contrary to weight of the evidence.

Part 10. Implementation

A sanction shall not become effective during the time in which a student seeks an appeal meeting or formal hearing, unless, in the discretion of the Student Conduct Officer or designee, it is necessary to implement an immediate sanction for the safety and welfare of the College community.

Part 11. Definitions

For purposes of Student Code of Conduct and Student Code of Conduct Procedures the following definitions apply:

Expulsion. Permanent denial of the privilege of enrollment at the College.

Hazing. An act which endangers the mental or physical health or safety of a person, subjects a person to public humiliation or ridicule, or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a student group, organization, or athletic team.

Preponderance of evidence. A standard of responsibility that it is more likely than not that the code has been violated.

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

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

Summary suspension. A suspension imposed without an informal meeting or formal hearing to ensure the safety and well-being of members of the college or university community.

Suspension. Denial of the privilege of enrollment for a specified period of time after which the student is eligible to return. Conditions for re-enrollment may be specified.

Date effective: March 24, 2008 Date last amended: December 9, 2008

Notification of Rights Under FERPA for Postsecondary Institutions

Important notice to students of Fond du Lac Tribal and Community College about Public vs. Private Student Information. The Federal Family Education Rights and Privacy Act of 1974 and the Minnesota State Legislative Chapter 479 and 401 provide direction for the data practices at Fond du Lac Tribal and Community College.

Each college may establish what information is public information (sometimes referred to as directory information) on its students.

MISSING STUDENTS POLICY

The purpose of this policy is to establish procedures for the college's response to reports of a missing student, as required by the Higher Education Opportunity Act of 2008. This college policy applies to students who reside in college operated residence hall.

For purposes of this policy, a student may be considered to be a "missing student" if the person's absence is contrary to his/her usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include a reasonable/reliable report or suspicion that the missing student may be endangered. Examples include, but are not limited to, possible victim of foul play, expression of suicidal thoughts, alcohol or other drug abuse, a life-threatening situation, or recent contact with persons who may endanger the student's welfare.

Procedures for designation of emergency contact information

- a. Students age 18 and above and emancipated minors. Residential students will be given the opportunity upon check in to a University operated residence hall/apartment, to designate an individual or individuals to be contacted by the University no more than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below. A designation will remain in effect until changed or revoked by the student.
- b. Students under the age of 18. In the event a student who is not emancipated is determined to be missing pursuant to the procedures set forth below, the University is required to notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing in accordance with the procedures set forth below.

Official notification procedures for missing students

- a. Any individual who has information that a student may be missing must notify the College official as soon as possible. Note: In order to avoid jurisdictional conflicts, the Dean of students will immediately notify local law enforcement authorities. The FDLTCC will assist external authorities with these investigations as requested.
- b. The Dean of students will work with campus offices, the reporting person(s) and the student's acquaintances to gather all essential information about the student. (description, clothes last worn, where student might be, who student might be with, vehicle description, information about the student's physical and mental well-being, an up-to-date photograph, class schedule, etc.). Appropriate campus staff will be notified to aid in the search for the student.
- c. If the above actions are unsuccessful in locating the student or it is apparent immediately that the student may be endangered (e.g., witnessed abduction), the Dean of students will contact the appropriate local law enforcement agency to report the student as a missing person and the local law enforcement agency will take charge of the investigation.

- d. No later than 24 hours after determining that a student is missing, the Dean of student services, or designee, will notify the emergency contact (for students 18 and over) or the parent/guardian (for students under the age of 18) that the student is believed to be missing.
- e. For missing students who are 18 years of age or older, and did not designate an individual to be contacted, the Dean of Students will act in accordance with FERPA and Minnesota Government Data Privacy guidelines with regard to contacting a parent/guardian.

Campus communications about missing students

In cases involving missing persons, law enforcement personnel are trained to provide information to the media in a manner designed to elicit public assistance in the search for a missing person. Therefore, all communications regarding missing students will be handled by outside law enforcement authorities, who may consult with the College Public Information Office. All inquiries to the college regarding missing students, or information provided to any individual at the College about a missing student, shall be referred to the President/Dean, who shall refer such inquiries and information to law enforcement authorities.

Prior to providing the College community with any information about a missing student, the College Public Information Office shall consult with the Dean of Students, local law enforcement authorities, and the Office of the President to ensure that communications comply with FERPA and Minnesota Government Data Privacy guidelines and do not hinder the investigation.

Campus Facilities Security

Building access and maintenance:

The FDLTCC campus is for the use of the students, faculty, staff, guests and those on official business with FDLTCC.

Access to campus buildings is limited outside of normal business and class hours.

Students, faculty, staff and visitors are encouraged to report needed repairs to the Buildings & Grounds Maintenance 218-879-0805.

STUDENT RECORDS POLICY

Part 1. Confidentiality of Student Records

The Federal Family Education Rights and Privacy Act (FERPA) of 1974, and the Minnesota State Legislative Chapter 479 and 401 provide for specific regulations regarding the collection, security, dissemination and confidential status of data in student records. Besides classroom academic papers, students enrolled in the College are required by various offices such as Admissions and Records, Business Services, Counseling and Advising, and Financial Aid to supply information necessary for services to be rendered the student. The College gives assurance that student information will be safeguarded against improper disclosure as indicated in this policy. Students who refuse to supply official college-requested information will not receive the services rendered by that office.

Part 2. Public vs. Private Student Information

Subpart A. Public Information

At Fond du Lac Tribal and Community College the following information is Public Information (directory information). This data is accessible to any member of the public for any review:

- Name of Student
- Date of Attendance
- Graduation, Certification, Field of Study

Fond du Lac Tribal and Community College does not publish a student directory. No directory or other list of students will be released to individuals or commercial agencies. (Please note exception: Students attending the Spring Graduation Ceremony may have their addresses released to the graduation photographer so that pictures may be mailed to participants.)

A student may make a written request not to release public information without his/her written permission (i.e., request confidentiality); this request should be submitted to the Records Office 146. Currently enrolled students should notify the Records Office by the fifth day of the term.

Subpart B. Private Information

Private information may be released by the College to students requesting information about themselves, to appropriate College personnel or to Minnesota State Colleges and Universities (Minnesota State Colleges and Universities) personnel who have a legitimate educational interest, to the Higher Education Services Office, to the National Student Loan Clearinghouse for enrollment verification, or if necessary to protect the health and safety of the student or other persons. Other exceptions authorized by law which permit the release of private information without consent include: to other schools in which you seek or intend to enroll; to the federal Comptroller General or other federal, state or local educational officials for purposes of program compliance, audit, or evaluation; as appropriate, in connection with your application for, or receipt of, financial aid; to a court, grand jury or state or federal agency, if the information is sought with an appropriate subpoena or court order; to an institution engaged in research for an educational institution or agency related to testing, student aid, or improved instruction; an accrediting organization in connection with its accrediting functions; if required by a subpoena or a court order, or when permitted by other state or federal laws.

Private information includes:

- Address and phone number of the student
- Academic information including transcripts, grades, assessment and test results
- Recommendation information
- Evaluations
- Profile information which identifies individuals
- Student financial records and other financial information
- Background information including behavior, performance, traits, etc.
- Counselor records (except as they contain information stated as confidential or as public)
- Suspension or probation status
- Conduct reports

Subpart C. Exception to Private Information listed above

There is a federally mandated exception that authorizes the release of some otherwise private information to the United States military.

Under the Solomon Amendment to the National Defense Authorization Act (1996), Fond du Lac Tribal and Community College must provide access to the following information on students to the United States military:

- Name
- Address
- Telephone listing
- Date and place of birth
- Level of education
- Academic major
- The educational institution in which the student was most recently enrolled

Part 3. Confidential Information

Confidential information is information available only to individuals or agencies authorized by law to gain access, such as investigation information, legal counsel data and some financial records and statements. This information may not be available to the subject of the data.

Part 4. Notification of rights under FERPA

The Family Educational Rights and Privacy Act (FERPA) afford students certain rights with respect to their education records.

They are:

1. The right to inspect and review the student's education records within 45 days of the day the College receives a request for access. Students should submit to the Registrar, Dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the College official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. Students may ask the College to amend a record that they believe is inaccurate or misleading. They should write the College official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the College decides not to amend the record as

requested by the student, the College will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with which the College has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the College discloses education records without consent to officials of another school in which a student seeks or intends to enroll. **(NOTE: FERPA requires an institution to make a reasonable attempt to notify the student of the records request unless the institution states in its annual notification that it intends to forward records on request.)** Fond du Lac Tribal and Community College discloses educational records to National Student Loan Clearing House, a national educational agency that serves as an agency of the College by providing verification of attendance for financial aid recipients and for other purposes.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Fond du Lac Tribal and Community College to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office

U.S. Department of Education 600 Independence Avenue, SW Washington, DC 20202-4605

Part 5. Student Records Procedure Summary

In general, the following points are used to implement the Student Records Policy:

1. No private information will be released to the public unless the student specifically requests in writing that such information be released.
2. A student may submit a written request not to release public information without his/her written permission (i.e. request confidentiality) to the Records Office in T2200. The "Request to Withhold Directory Information" form may be submitted to the Records Office at any time.
3. College employees can gain access only after following the procedures set forth in the policy.
4. All student information records may be subject to subpoena.
5. Information gathered on students will be used only to further student's educational programs.
6. Requests for information by telephone, without secured identification, will not be honored.
7. Students must request academic transcripts in writing.
8. Students applying for graduation and/or attending the graduation ceremony should be aware that their addresses may be provided to the photography studio present at the graduation ceremony.
9. Students' addresses and social security numbers are accessed by the other colleges and universities and will be used for recruiting purposes only.
10. Students who do not wish to have their social security number released to set up an e-mail account should notify the Records Office by the first day of the term.

Student Right to Know

What is Student Right-To-Know?

Student Right-To-Know is a federal law that requires all colleges and universities to disclose certain information to students. This handout provides the information that a college must provide to students on graduation rates and transfer-out rates for full-time students seeking degrees at Fond du Lac Tribal and Community College (Fond du Lac Tribal and Community College).

What is a Graduation Rate and What is a Transfer-out Rate?

Federal regulations specify how to calculate the graduation and transfer rates. The rates come from a study of Fond du Lac Tribal and Community College students who started at the college in the Fall of 2009. The study includes all first-time, students who were enrolled full-time that fall and were seeking to earn a degree, diploma or certificate at the college. The **graduation rate** is the percentage of these students who graduated from Fond du Lac Tribal and Community College within three years. The **transfer-out rate** is the percentage of these students who did not graduate from Fond du Lac Tribal and Community College, but instead transferred to another college or university within three years.

What do I need to know about these rates?

These rates do not report on all students at FDLTCC. The first- time, full-time students in the study were percent of all students enrolled at FDLTCC in fall of 2009.

What are the graduation and transfer-out rates for FDLTCC students and how do they compare to rates for other colleges?

- The *graduation rate* for Fond du Lac Tribal and Community College was percent. 2009-52% 2010-46%
- The *transfer-out rate* for Fond du Lac Tribal and Community College was percent. 2009-75% 2010-76% 2011-77%

Why don't more FDLTCC students graduate or transfer in three years?

- Since Fond du Lac Tribal and Community College has an “open door” mission, many new students need to take “developmental” courses to improve their reading, writing or math skills before taking other college courses;
- Students who switch from full- time to part-time enrollment or “stop out” for one or more semesters are more likely to take more than three years to graduate.
- Some students take jobs before they graduate;
- Other students delay their education for personal, family or financial reasons.

Emergency Evacuation of Fond du Lac Tribal and Community College Buildings

The sounding of the fire alarms means that the building must be evacuated immediately. Go outside through the nearest door; do not use elevators. Remain outside (away from the building) until an Fond du Lac Tribal and Community College staff member tells you that it is safe to re-enter the building. Special instructions for evacuation of students with disabilities who are known to need assistance with evacuation (i.e. students registered with the Office for Students with Disabilities) are available through the Student Services Department. In most emergencies the campus will use the radio system to provide instructions to the campus on proper emergency protocol.

Cancellation or Postponement of Classes Due to Weather

Fond du Lac Tribal and Community College will use Local media and Campus Alert System to announce cancellations or postponements due to weather emergencies.

Withdrawing from Classes and Refund Policy

The federal government requires colleges to provide students with information on how to withdraw. In compliance with that requirement, the following information is provided:

Withdrawing from class

The “drop” period takes place during the first five (5) class days of fall and spring terms and summer session. Students are given 100% refund for classes they drop within the stated deadlines, and the registration does not appear on the student’s transcript. Check the schedule for each term for the exact deadlines to drop.

After the drop period has concluded, if you do not wish to continue taking a class, you must withdraw from it. You will receive a grade of “W” in classes from which you withdraw and a “W” remains on your transcript.

- “W” grades do not affect your grade point average (GPA).
- “W” grades do affect your completion rate (67% completion rate is required).
- You will not be withdrawn automatically from classes that you do not attend.

Students receiving financial aid who withdraw from all classes may have to pay back a large portion of their financial aid. The amount of Title IV funds earned by a student is based on the amount of time spent in attendance by the student for that **term**.

Fond du Lac Tribal and Community College will refund tuition and fees for students who totally withdraw in accordance with the following schedule. This schedule does not apply to partial withdrawals. There are no re How to Withdraw from a class

Refund policy Fall and Spring Semesters and other special terms at least 10 weeks in length:

Withdrawal Period Refund

- 1st through 5th class day of term 100%
- 6th through 10th class day of the term 75%
- 11th through 15th class day of the term 50%
- 16th through 20th class day of the term 25%
- after 20th class day of the term None

Summer Session and other special terms at least three weeks but less than ten weeks in length:

Withdrawal Period Refund

- 1st through 5th class day of term 100%
- 6th through 10th class day of the term 50%
- After 10th class day of the term none

Special terms less than three weeks in length:

Withdrawal Period Refund

- 1st day of term 100%

- **2nd class day of the term 50%**
- **after 2nd class day of the term None Partial Withdrawal Refunds are not given for students who drop apportion of their total credit load or for those who exchange classes for courses which give fewer semester hours of credit. If a student's course schedule is reduced for the convenience of Fond du Lac Tribal and Community College, as in the cancellation of classes for insufficient enrollment, the tuition shall be adjusted without penalty Partial Drop in Credits**

Last Date of Attendance

See Policy Last Date of Attendance at: <http://www.fdlcc.edu/collegepolicies>

Students are expected to regularly attend classes in which they are enrolled and abide by Fond du Lac Tribal and Community College Policy Procedures for Changing Enrollment. Students who decide to stop attending courses should immediately drop/withdraw from their course(s). Students who fail to officially withdraw from a course (or courses) they are not attending, as defined by "Last Date of Attendance" (see policy) may be administratively withdrawn from those courses. The student will remain responsible for any financial liability, less applicable refunds they have incurred and for any academic consequences due to this administrative withdrawal.

About Fond du Lac College

Registration Cancellation for Non-Payment Policy

In reference to MNSCU Policy 5.12.3 Adopted March 2006, Revised May 2012

Using the Registration Cancellation process, Fond du Lac Tribal and Community College shall cancel student registration for all credit courses unless one of the following conditions has been met:

- FAFSA results from the U.S. Department of Education have been received by the college.
- No later than fifteen business days before the start of a term the student has made a qualifying minimum payment of at least 15% of the tuition and fees due or has made a \$300 down payment towards the tuition and fees. Along with this commitment payment the student shall submit an Administrative Deferment Request Tuition and Fee Payment Agreement to the Business Office. In lieu of financial aid this condition must be completed for each term.
- A Third Party Billing Authorization has been submitted to the Business Office.
- The Business Office has received a scholarship notice or an advance payment of a scholarship to cover the full amount of your tuition and fees.
- The student is a Post Secondary Enrollment Options (PSEO) student.
- A short-term deferral due to exceptional circumstances when additional time is needed to arrange third party financing or otherwise satisfy a tuition and fee balance due may be requested. All deferrals must document the reason for and time duration of the deferral and be signed by the chief financial officer of the college.

Exceptions to the Registration Cancellation process based on individual circumstances may be granted. For example, a student who is called to active duty or who is a veteran awaiting financial aid from the Department of Veterans Affairs should be exempt from the Registration Cancellation process.

Tuition and Fee Payment Related Dates

The financial commitment date is fifteen business days prior to the start of the term. Fond du Lac Tribal and Community College will begin using the Registration Cancellation process for unpaid credit registrations

commencing with this commitment date and continue through the end of the fifth business day of the term. The start of the term is the first day classes are held. **Request an Exception**

Other Information

Tuition Disclosure Information

The 1993 Omnibus Higher Education Finance Bill requires colleges to inform students of the amount of State of Minnesota's appropriation that is used to support their higher education. Tuition from students at Fond du Lac Tribal and Community College pays for approximately 64% of the cost of education at the College. The amount may change based on decisions by the Minnesota State Colleges and Universities Board of Trustees.

Equal Opportunity Institution

Fond du Lac Tribal and Community College will not discriminate against any person because of race, color, creed, religion, national origin, sex, disability, age, marital status, sexual orientation, or status with regard to public assistance or membership in a local commission. Fond du Lac Tribal and Community College prohibits sexual harassment and sexual violence.

This document is available in alternative formats to individuals with disabilities by calling Disability Services at (218 879–0715 (voice) or through Minnesota Relay Service at 800-627-3529.