

Clery Compliance and Security Report

Fall 2016

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



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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 (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 Student Services
Preparer of 2015 Campus Security Report

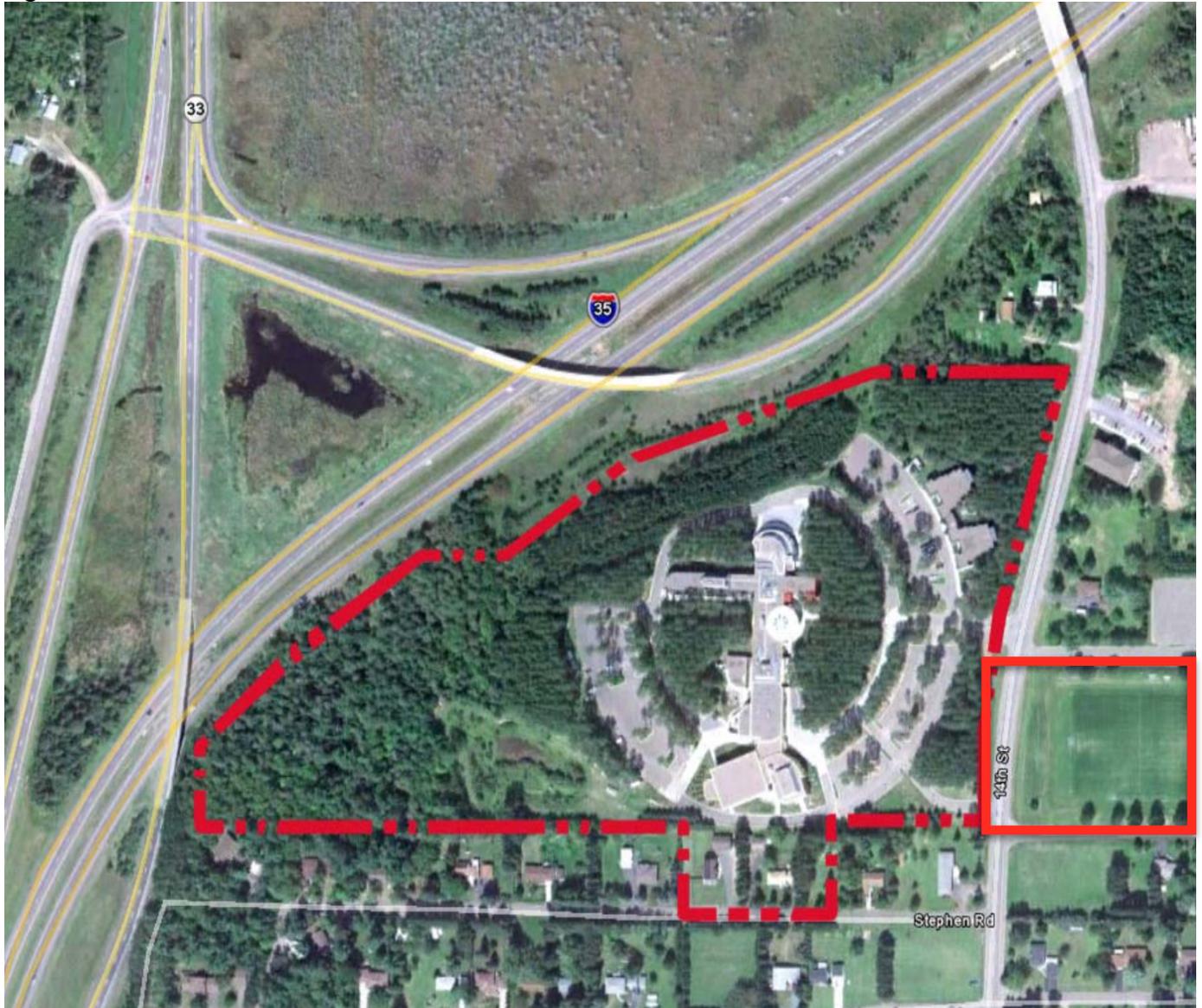
Fond du Lac Tribal and Community College prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report is located on our website at <http://fdltcc.edu/about-us/policies-reports/campus-security-policies-reports/>. You will also be able to connect to our site via the FDLTCC Home page at www.fdlcc.edu. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus, housing, and various related departments on campus. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Campus crime, arrest and referral statistics include those reported to local law enforcement agencies, designated campus officials (including but not limited to administration, deans, advisors to students/organization, and coaches) and local law enforcement agencies. These statistics may also include crimes that have occurred in private residences or businesses and are not required by law. Spiritual advisors on campus inform students of the procedures to report crime to local law enforcement on a voluntary or confidential basis, should they feel it is in the best interest of the student and are not mandatory reporters.

Each year, notification is made to all enrolled students providing the web site to access this report. Faculty and staff receive similar notification. The annual Campus Safety and Security Report and Clery Act Compliant Report are published for viewing and printing on the college web site and are available at all times at: <http://fdltcc.edu/about-us/policies-reports/campus-security-policies-reports/>

Printed copies of the report are available on campus in the Ruth A. Myers Library, President's Office, Dean of Student Services Office, Faculty Administration Office, Nursing/Law Enforcement Office, Human Resources Office, Campus Student Housing Resident Assistant Office, and at the Information Desk.

All Clery Act geography is located on the campus of Fond du Lac Tribal and Community College as outlined below.



Campus Security Report

The Dean of Student Services at 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 Dean of Student Services, 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 locations 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 used by Fond du Lac Tribal and Community College and/or recognized student organizations/clubs 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, the Dean of Student Services annually requests crime statistics from local law enforcement agencies. A record of these inquiries is housed in the Dean of Student Services Office.

The annual report includes the following reports of crime:

- Murder and non-negligent manslaughter
- Negligent Manslaughter
- Sex offenses
- Robbery
- Aggravated Assault
- Burglary
- Arson
- Motor Vehicle Theft
- Sexual Assault/Rape
- Domestic violence
- Dating violence
- Stalking

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
- Sexual Assault

- 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 whether it is an on or off campus crime.

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.

Printed copies of the report are available on campus in the Ruth A. Myers Library, President's Office, Dean of Student Services Office, Faculty Administration Office, Nursing/Law Enforcement Office, Human Resources Office, Campus Student Housing Resident Assistant Office, and at the Information Desk. It can be obtained online at: <http://fdltcc.edu/about-us/policies-reports/campus-security-policies-reports/>

To report a crime

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

Keith Turner
 Dean of Student Services
 FDLTCC Student Services Department, Office 147
 (218) 879-0805
kturner@fdltcc.edu

You may also file a report electronically at the following link: <https://goo.gl/1rtGe3>. This form can be found on the Fond du Lac Tribal and Community College website under the heading "Report a Crime". Witness or victims who report an incident of sexual violence in good faith will be granted amnesty in the report to a violation of the student code of conduct policy on the use of alcohol and drugs.

Crimes may also be reported via the Campus Eye app for mobile devices and tablets.

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

Clubs/Student Organizations

- AIBL (American Indian Business Leaders) Advisor: Joan Johnson
- AISES (American Indian Science and Engineering Society) Advisor: Holly Pellerin
- Anishinaabe Culture Club Advisor: Richard Gresczyk
- Anishinaabe Student Council Advisor: Jeffrey Tibbetts
- Anishinaabe Student Council President: Aurora Villiard
- American History Club Advisor: Jonah Braxton-Brown
- Art Club Advisor: Karen Savage-Blue, Sterling Rathsack
- Creative Writing Club Advisor: Darci Schummer

- Environmental Club Advisors: Courtney Kowalczak, Jay Sandal
- GIS Advisor: Karen Ziesler
- Human Services Club Advisors: Candi Aubid, Don Jarvinen
- Journalism Club Advisor: Richard Gresczyk
- LawE Club Advisor: Wade Lamirande
- Nursing Club Advisors: Tami Matuszak, Joe Vork
- Phi Theta Kappa (PTK) Honor Society: Advisor: Diane Kauppi
- Student Senate Advisor: Brad Bohlmann
- Student Senate President: Andrew Hjelle
- Thunder Rocketry Club Advisor: Steve Highland
- Two Spirits Association (TSA) Advisor: Maglina Lubovich
- YSP (Young Student Parents) Club: Advisor: Donna Lebsack

Staff

- Academic Advisor/Head Basketball Coach: Damien Paulson,
- Athletic Director/Head Volleyball Coach: Laura Sylvester
 - Volunteer Assistant Volleyball Coach: Loran Wappes
- Counselor: Anita Hanson
- Counselor: Shelia Sumner
- Dean of Student Services/Title IX Coordinator
- Director of Financial Aid: Dave Sutherland
- Director of Housing and Student Activities: Jesse Stirewalt
- Financial Aid Advisor: Kathie Hill
- Head football Coach: Terry Fawcett
 - Assistant Football Coaches: Jacob Anderson, Kevin Haley, Eric Hanson, Cole Karsky
- TRIO Director: Peggy Poitra
- TRIO Advisor: Courtney Edwards
- TRIO Advisor: Melissa Wilson

Resident Assistants for student housing

- John Kagigebi
- Elizabeth Lauseng
- Corrin Loeffler
- Keiyaunte Lowery
- Marquise Matthews
- Jarvis McGee
- Javan Chappell

Campus Security Report Compliance Officer

Keith Turner, Dean of Student Services

Office 147

(218) 879-0805

Maintenance of Daily Crime Log

On campus housing will keep and maintain an easily understood crime log, recording all crimes reported to the Fond du Lac Tribal and Community College administration. The crime log will include information such as the nature, date, time, and general location of each crime in student housing, and the disposition of the complaint if known. The crime report log will include reported crimes that occurred in campus housing facilities.

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, 8:00 a.m.– 4:30 p.m. Monday-Friday

The campus student housing crime report log is available upon request. Any portion of the on-campus housing crime report log older than sixty (60) days must be available within two (2) business days of the initial report being made to the Dean of Student Services and Housing Director. If new information regarding a log entry becomes available to the Housing Director or Dean of Student Services, the log entry will be updated accordingly to reflect the most current information available.

The campus student housing crime report log is located in the Housing Director office located in student housing and may be requested for review at any time during regular business office hours Monday through Friday 8:00 a.m. to 4:30 p.m.

Emergency Response and Timely Warnings

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

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

Emergency Alert System

The Blackboard Campus Alert System is the emergency notification messaging system used by Fond du Lac Tribal and Community College. The Blackboard Campus Alert System uses text, voice, and email messaging to notify students and employees of campus-related emergencies. In the event of an emergency, a text and/or voice message will be sent to the phone number and/or an email will be sent to the email address provided.

Fond du Lac Tribal and Community College students are asked to sign-up for the Blackboard Campus Alert System during new student orientation and employees are asked to register during new employee orientation and/or staff duty day meetings.

The Blackboard Campus Alert System is an opt-in system and students must register to receive alerts. Students are encouraged to sign up for this service to keep informed of campus wide emergencies. Sign up is at the following link: <https://fdltcc.bbcportal.com> The signup is a simple process of creating a username and password and having it verified through your email account. Directions are available at <http://fdltcc.edu/current-students/eservices/>. For additional assistance, please contact Loran Wappes, Chief Information Officer:

Loran Wappes
Chief Information Officer
FDLTCC IT Department, Office 223
(218) 879-0839
loran@fdltcc.edu

In the event of an actual emergency, the campus community will be notified through phone, e-mail, and the Fond du Lac Tribal and Community College website. All employees and students of the college are automatically assigned an official Fond du Lac Tribal and Community College email address, either upon hire or initial enrollment. If someone chooses not to enroll in the Blackboard Campus Alert System, they will still receive an automatic email alert, but will not receive text and/or voice notification.

All students, faculty, and staff are encouraged to sign up for the Blackboard Campus Alert System to receive text, voice, and email alerts of campus-wide emergencies and school closings.

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

- campus closure due to weather
- campus closure due to building infrastructure issue (no water, no electricity, etc.)
- tornado warning issued for Cloquet area (automated alert via NOAA service)
- crisis situations on campus (person with weapon, violence/riot, chemical hazard, etc.)
- other emergency situations deemed appropriate by the college president and designees.

The emergency alert system will not be used for general announcements such as daily class cancellations or specific event cancellations, slippery roads/current weather conditions, campus news updates, or other information not vital to the immediate safety of students and employees.

Emergency Alert Designees

The following employees are designated as administrators of the Blackboard Emergency Alert System and have access to sending emergency alerts. The Chief Information Officer is the primary person who will send alerts as directed. The following order of responsibility lists who will send an emergency alert, based on availability/access to technology/situational presence factors:

1. Chief Information Officer (Loran Wappes)
2. Information Technology Staff (Brad Bohlmann)
3. Vice President of Academic Affairs (Anna Fellegly)
1. Public Information Director (Tom Urbanski)
2. Vice President of Administration and Finance (Stephanie Hammitt)
3. Dean of Student Services (Keith Turner)
4. President (Larry Anderson)
5. Physical Plant Director (Mark Bernhardson)
6. Director of Housing and Student Activities (Jesse Stirewalt)

The President (or designee) is responsible for issuing a timely warning, or “Crime Alert,” to members of the campus community in cases of reported immediate threat, such as: murder, non-negligent manslaughter, negligent manslaughter, sex offenses, robbery, aggravated assault, burglary, arson, motor vehicle theft, and/or any bias-motivated crimes. The President(or designee) will determine if there is a serious or continuing threat to the college community at the time of the warning.

Timely Warnings, or Crime Alerts inform the community that there has been an incident 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 the emergency notification system, Campus Alert System. The Blackboard Campus Alert System 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 Blackboard Campus Alert 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 by the Dean of Student Services (or designee). The Campus Alert System operation was initially launched and verified with eight test messages on November 13, 2014. The system was re-tested again on November 2, 2015 and will be tested in subsequent years on the first Monday in November.

Emergency Response and Evacuation Procedures

The campus is comprised of two main buildings, the academic building and residence hall. In addition, the college will use the following locations for office and/or programming space: the USDA Center of Excellence trailer, 1387 and 1391 Stephen Road (a former single family residence), and the Anishinaabe Waaka'Igan office next to the residence hall. Campus property also includes portable storage sheds. The Li'l Thunder Childcare Center is a separate area that is directly attached to the main academic building.

These procedures are intended to meet the requirements of the Minnesota State system emergency action plans, and are intended for staff, student, and visitor use in all college-owned facilities and holdings. They do not apply to college vehicles during use or to employees on approved college business away from campus.

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

The Campus Safety Committee is comprised of 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.

Procedures

Everyone on campus is encouraged to immediately report any non-criminal activity to the Dean of Student Services and/or administration.

1. To report a non-crime emergency, contact the Dean of Student Services (218) 879-0805 or administration immediately at (218) 879-0800.

2. Upon arrival, the officers and/or administrators will confirm the reported incident, assess the situation and determine if additional resources are necessary to resolve the situation.
3. If the incident is determined to be a significant emergency that will impact the campus community, the administrative team will be activated to respond.
4. Without delay, Fond du Lac Tribal and Community College will, at the determination of the college President (or 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.
5. If deemed prudent, the campus emergency notification system will be utilized to inform the greater campus community of a continued or on-going emergency.
6. 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 Information as appropriate to inform the larger community.
7. The President of FDLTCC 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.

Emergency response exercises are conducted annually

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 Physical Plant Director and the Director of Housing and Student Activities.

In most emergencies the campus will use the campus emergency notification system and campus radio system to provide instructions to individuals on campus on proper emergency protocol.

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.

Evacuation procedures will be evaluated on an annual basis. Evaluation will include participant surveys, interviews, and/or other methods of feedback. Evaluations will be performed with the advice and input of the Physical Plant Director, the Director of Housing and Student Activities, and other campus personnel appointed by the President.

Fire Evacuation Procedures

1. Flashing strobe lights and emergency sirens will sound in the event of a fire.
2. Calmly exit the building via the nearest exit
3. Do not use elevators
4. Administration and assigned staff will provide direction and assistance
5. Evacuate to a safe distance and remain outside until the all-clear message is given.

Severe Weather Shelter Procedures

1. Calmly proceed to the designated severe weather shelter area in your building.

2. Administration and assigned staff will provide direction and assistance
3. Remain in the Severe Weather Shelter area until the all clear message is delivered.

Campus Lockdown Procedure

1. In the event of an emergency or incident which has the potential for direct or immediate harm to the campus community, the Police Department may lockdown the campus.
2. Administration will issue alerts via the campus emergency notification system and/or the radio system to advise the campus of the lockdown.
3. Proceed to the nearest classroom or enclosed area and secure yourself inside
4. Shut off all sources of light (i.e. lights, computer monitors, television screens, etc.)
5. Stay away from windows and doors
6. Remain calm and quiet
7. Wait for instructions from law enforcement

If you require additional information about the plan or an explanation of duties, please contact the Dean of Student Services at (218) 879–0805 or via email at kturner@fdltcc.edu.

Emergency response and evacuation plan review

Emergency response and evacuation plans are maintained as long as Fond du Lac Tribal and Community College conducts business that may be adversely affected by emergency conditions or situations. This plan should be considered dynamic and under continual review. Review of the written procedures will be completed annually. Superseded copies of this plan will be retained for five years as required by the records retention schedule. Copies of this plan will be maintained in the Dean of Student Services office, room 147. The Campus Safety Committee is responsible for this plan.

As a result of this review and evaluation, Fond du Lac Tribal and Community College will amend this plan periodically to include updated controls and technology. The plan will also be revised after significant incidents by reviewing: (1) the details of the event, (2) an evaluation of the cause of the event, and (3) incorporating corrective actions implemented necessary to prevent a recurring event. A material change in the structure of the plan will require full management review.

Emergency response notification

Emergency contact phone numbers are posted in multiple locations on campus.

In case of an emergency, dangerous situation, fire or to report suspicious activity, **call 911 first** and then notify a campus official.

Non-Emergency	Cloquet Police Department Office	(218) 879–1247
Information window		(218) 879–0800
President	Larry Anderson	(218) 879–0804
Student Services	Keith Turner, Dean of Student Services	(218) 879–0805
Facilities Department	Mark Bernhardson	(218) 879–0706

Non-Emergency	Cloquet Police Department Office	(218) 879-1247
	Mark Bernhardson cell	(218) 590-3357
Housing	Jesse Stirewalt	(218) 879-0708
	Jesse Stirewalt cell	(218) 590-3345
Campus security (APS)		(218) 391-7312
Poison Control Center		1-800-222-1222
Evening Facilities Staff	Mark Bernhardson cell, main building	(218) 590-3357
	Jesse Stirewalt cell, student residences	(218) 590-3345

Content of Emergency notification

It is always the College's intent to be forthright and timely in its communications with the college community, the media, and the public at large. Decisions regarding this communication will be guided by due concern for the right to privacy, personal security, legal liability, and the public's legitimate right to be informed. All media inquiries will be referred without comment to the college's Public Information Department. The official spokesperson for the college is the college President. Only the official spokesperson (President) and the designated alternate (as named/identified by the President) will articulate the college's position upon authorization of and as directed by the President or the Public Information Director by communicating through news outlets in the local area.

On-campus Student Evacuation

Through the Campus Emergency Alert System, students will receive an emergency text and email notifying them of the time and location of an evacuation meeting. At the meeting, the logistics of the evacuation will be covered. The evacuation plan would include the following elements:

1. Students who are able to travel home should do so immediately.
2. Students who are able to host friends are encouraged to host friends unable to get home.
3. If not evacuating by personal vehicle, students are advised to secure available transportation.
4. Before students leave campus, all students must fill out an emergency evacuation form. The form includes the name of the student, the destination where the student will be residing during the evacuation, and contact information.
5. Students who are unable to evacuate will be given information about relocating to a temporary emergency shelter. Buses and/or vans provided by the college will pick up students on 14th Street, the east side of the campus residence hall at a predetermined time to transport students to the emergency shelter.
6. The designated departure time of the buses and/or vans will be strictly enforced.
7. Anyone who fails to report to the loading area accepts responsibility for their personal safety.

8. Staff members designated by administration will take turns staying with the FDLTCC students at the emergency shelter. (Students going to the emergency shelter need to fill out an emergency evacuation form.)
9. Students going to the emergency shelter should expect very limited accommodations. This may include sleeping on an open gym floor without cots. As occupants of the emergency shelter, students must abide by the rules of the shelter and college policies are still in effect.
10. Students will be kept up-to-date on the status of the college evacuation through the use of the campus emergency notification system. In the event that the college web site is not functioning, a temporary emergency web page will be created to relay information.
11. The critical emergency personnel will review the emergency evacuation forms to account for all students. Emergency personnel will make efforts to contact and determine the whereabouts of students who did not fill out an emergency evacuation form (this includes calling home to family).
12. After this step, the names of students who are still unaccounted for will be turned over to the Cloquet Police Department/local law enforcement

Aftermath Plans

Once the emergency has passed, the President will determine when it is safe to return to campus. Post-emergency response teams will inspect all buildings, grounds, and utilities for damages.

If the college is deemed safe:

The critical emergency personnel member who is residing with the students in the emergency shelter will announce a departure time and designated loading area to the sheltered students.

- All students will receive an emergency text, email and update via website via the Campus Emergency Alert System that it is safe to return to campus.
- Students will not be allowed to return to campus until their housing assignments are ready for occupancy (in the event that some but not all of the campus facilities are damaged).

If the college is deemed unsafe and/or will be closed for a prolonged period:

- Sheltered students and emergency personnel will make plans for long-term relocation.
- Students and emergency staff are expected to make their way to the nearest airport, train station or bus station so they may make appropriate travel plans. All expenses incurred will be the individual's responsibility.
- Students, staff, and faculty will be kept informed on the status of the college through campus email accounts or the Campus Emergency Alert System with texts, emails and vice messages; and via appropriate web site updates.

Notification to the Fond du Lac Tribal and Community College Community at Large of a Threat

The Public Information Office and Administration receive information from various offices/departments on campus, such as Housing, Safety Committee, Maintenance, etc. If FDLTCC confirms there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the community, the Public Information Office and Administration will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the community or the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. The Public Information Office will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notif-

ication will, in the judgment of the first responders (including but not limited to: Cloquet Police, Fond du Lac Band of Lake Superior Chippewa Police and/or Cloquet Fire and emergency medical services) compromise the efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

In the event of a serious incident that poses an immediate threat to members of the FDLTCC community, the college has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the FDLTCC campus community. These methods of communication include email, emergency text messages and emergency messages on monitors located in campus common areas. The college will post updates during a critical incident on the FDLTCC website at <http://fdltcc.edu>. Individuals can call the college for updates at (218) 879-0800.

Employee and Administration Responsibilities

The employee is responsible for:

- Reporting any emergency situation to an administrator immediately
- Being aware of their primary and secondary emergency exits
- Reading and understanding these procedures
- Asking questions when any information is unclear or not understood
- Understanding the proper operation of emergency evacuation equipment
- Informing supervisor of special emergency evacuation needs.

The supervisor/administration is responsible for:

- Providing staff, students, and visitors emergency response information and training
- Identifying mobility impaired employees who might need assistance during evacuation
- Providing opportunity for employees to ask questions
- Assembling with evacuated personnel at a predetermined location (at least 300 feet away from the building) to identify missing staff, students, or visitors
- Reporting missing staff, students, or visitors to the emergency evacuation coordinator, or the on-scene commander

Fire

Employees should become familiar with the location of fire alarm pull stations near their work area and the proper operation of that pull station. Supervisors are responsible for knowing pull station locations in their work area and advising personnel of their locations.

If you discover a fire...

- React to the situation, call 911, stay calm and answer all of the dispatcher's questions.
- Activate nearest fire alarm pull station.
- Close office or classroom doors when exiting.
- Exit building using nearest, safe exit. Do not use elevators.
- Assemble at least 300 feet from the building in one of the parking lots. This distance is necessary for personal safety and emergency vehicle arrival and operation.
- Wait for the all clear signal to reenter the building.

If you hear an alarm...

- Exit building using nearest, safe exit. Do not use elevators.
- Assemble at least 300 feet from the building at your predetermined meeting place.
- Wait for the all clear signal to reenter the building.

The emergency evacuation coordination team will ensure all employees and students are safely evacuated from the building in emergencies requiring evacuation. Employees who have been evacuated because of fire, tornado, or other emergency will return to the appropriate work areas only upon issuance of an all clear signal issued by an emergency evacuation coordination team member.

Special considerations

- If you are outside when the alarm sounds, stay outside and assemble with your work group
- If your clothing is on fire, stop, drop to the ground, and roll to extinguish the flame.
- If you are injured by smoke or fire, inform a coworker or your supervisor, and seek medical attention immediately.
- Do not attempt to extinguish a fire unless it is blocking your egress path or you are properly trained and equipped. Use common sense.

Mobility-impaired employees, students, or guests

If an employee, student, or guest needs assistance in evacuating the building, notify an emergency evacuation coordination team member immediately upon your exit from the building. Follow the established procedures outlined elsewhere in this document.

Missing employee(s)

- Check the evacuation assembly area to ensure the employee(s) are not with another group.
- Notify the nearest firefighter and inform them so a check can be made.
- Provide a description of the missing employee(s) and where they were last seen.

Severe weather (tornado, thunderstorm, lightning)

Severe weather watch means atmospheric conditions favor development of severe weather.

Severe weather warning means severe weather has been sighted or reported in the local area.

A weather emergency radio with warning indicators/alarms is located in the office of the Dean of Student Services.

- Inform your emergency evacuation coordinator or supervisor of the emergency.
- Take shelter in the basement, stay away from windows.
- Wait for the all clear signal before returning to work area.
- If you are on the top floor of a building, use interior stairwell to move down to the basement.
- If you are outside, take shelter indoors immediately.

Medical emergency

- Call 911 for assistance.
- If necessary, administer first aid/CPR if properly trained and qualified.
- Avoid moving injured persons unless it is absolutely necessary for safety reasons.
- Try to find out what happened and check for medical identification tags.
- Follow universal precautions: treat all blood and body fluids as if they are infectious.
- Use a first aid kit, if available.
- AED stations are located in five areas: Administration reception area, gym, commons, residence hall, and Room CC004

Suspicious Person

If an individual's appearance or actions arouse your suspicion:

- If warranted, immediately call 911 and state your emergency.
- Notify a member of administration as soon as possible.

- If the person is requesting to see a particular employee, be polite, ask the person to be seated, and call a co-worker.
- Report as many details as possible.

Training

New employee and new faculty orientation emergency response procedure and notification training is conducted for all employees during employee orientation or new faculty orientation in accordance with FDLTCC and Minnesota State system policy. Records of this training are maintained by the Human Resources Department.

General compliance training, periodic or refresher training on emergency response procedures, is conducted during the general compliance training. This training is conducted for all employees every two years.

The emergency evacuation coordination team receives specialized training necessary to assist in the event of an orderly evacuation. Records of this training are maintained by the Facilities Department.

Fire safety education programs for all students living in on-campus student housing and all employees that have any association with on-campus student housing are held at the beginning of each semester. These programs are designed to: familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to be followed in case there is a fire and distribute information. All students living in on campus housing are provided with maps that illustrate evacuation routes and fire alarm equipment locations. During these programs, trainers emphasize that participating in fire drills is mandatory. Students with disabilities may request the option to have a “buddy” assigned to them.

Fire safety education and training programs are taught by knowledgeable staff who is experienced in fire safety matters and/or by local fire authorities.

If a fire occurs, students are instructed to leave dangerous areas per the evacuation routes and get to a pre-determined location before calling 911 for help. They are to remain in that location so that the Dean of Student Services documents that the student has left the building. Whoever discovers a fire should pull the fire alarm as they are leaving the building if they can do without risking their safety.

Fire Log

Copies of the Fire Log are available in both the offices of the Director of Housing and Student Activities (student housing main entry) and Dean of Student Services.

Special fire hazards exist on campus. Students, staff and faculty are asked to cooperate with campus authorities in fire prevention efforts by using proper emergency procedures and phone numbers should a fire occur. Fires can occur by carelessness of smoking materials, candle flames, decorations, trash, flammable liquids, furniture, electrical appliances, and arson. Candles are not permitted. Smoking is not allowed inside FDLTCC dorm rooms, stairwells and corridors. Violation of policies will result in a fine and/or possible removal from the dorms. False alarms are also a hazard. To prevent fires, smoke only in designated areas. Do not store combustibles and check all electrical appliances carefully. A \$50 fine will be charged to anyone who tampers with or covers smoke detectors. Report and remove accumulated trash. Be alert for suspicious activities.

To be fully prepared in the event of an emergency, the Student Housing Staff is required to have current information on mobility impaired students. (Students who can't descend the stairs to the ground floor in a timely manner without assistance). Notify the Director of Student Housing if you are mobility impaired or become temporarily mobility impaired.

Know about all the facilities safety features. Such features include:

- Fire extinguisher locations
- Fire alarm locations
- Fire escapes

- Smoke detectors. **Note:** If a smoke detector in a hallway is activated, this will set off the general fire alarm throughout the entire building. If a smoke detector inside an apartment or dorm is activated, this will not set off the general alarm fire throughout the entire building. If there is an actual fire, the occupant must activate the nearest pull station to set off the building's general fire alarm.
- Fire doors
- Sprinkler head locations
- Emergency numbers

In case of a fire, act quickly, stay calm, sound the alarm in the hallway, contact the Cloquet Fire Department by calling 911. All fires should be reported. In case of fire in your housing facility, all persons will evacuate the building as quickly and orderly as possible using the stairwells and NOT the elevators. Move to the "area of refuge" at the amphitheater and report your name and room number to the individual in charge (Fireman, Police Officer, or Housing Staff representative). Do not leave the area of refuge until given the "all clear" signal.

Do not attempt to drive out of the parking lot during a fire alarm. There are evacuation plans for each floor posted on the wall in each room as well as in the hallways on both the first and second floor of the dorms. Occupants should familiarize themselves with the layout of the building as well as the emergency evacuation plans.

Fire Drills: All occupants must vacate the premises during a Fire Drill and report immediately to the area of refuge. Failure to report to the area of refuge will impede accountability of personnel. The area of refuge for the Residence Hall is located outside the amphitheater. Upon arrival at the area of refuge, provide your name and room number to the individual in charge (police officer, fireman, or representative of housing staff). Do not leave the area of refuge until given the "all clear" signal.

FDLTCC will have scheduled and unscheduled fire drills. There will be a \$75 fine if occupant does not leave the building during the drill. There are no acceptable excuses for not leaving. Refusal by occupant to leave may result in eviction.

If there is a fire alarm, every FDLTCC Housing Facility staff member should evacuate the building quickly and calmly.

Sprinkler Policy:

Do not hang anything from the sprinkler pipes and do not stack any material near sprinkler heads, as such actions may impact the function of the sprinkler system. A \$100 fine will be charged if something is hanging from the head or pipes as well as any and all damages caused by a sprinkler upon the discretion of the housing director. The Director of Student Housing reserves the right to evict anyone who tampers with the sprinkler system. FDLTCC is not liable for any damages to property caused by water.

Annual Fire Safety Report The Higher Education Opportunity Act (HEOA, July 2010) specifies new campus safety requirements regarding fire safety issues. The statistics collected via the Department of Education's web-based Campus Safety and Security Survey. Any institution that maintains on-campus student housing facility must collect fire statistics, keep a "fire log" and publish an annual Fire Safety Report. These requirements are new and separate from the Clery Act requirements. Fond du Lac Tribal and Community College keeps a hard copy of its Fire Log. The copy is available from FDLTCC's Housing Director. The fire log for the recent 60-day period is open to public inspection, upon request, during normal business hours. The portion of the log that is older than 60 days will be made available within two business days of a request for public inspection. Information in the fire log is used to gather the statistics that are required for the Annual Fire Safety Report discussed above.

Fire Statistics: A. Definition of a Fire: For the purposes of fire safety reporting, a fire is, "Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled man-

ner.” The following statistics must be collected and reported, both in the annual fire safety report and the Department of Education’s web-based data collection system, for each on campus student housing facility. (All statistics are documented in the fire log, such as the number of fires and the cause of each fire.)

The categories to be used are:

Intentionality

- Unintentional Fire
- Intentional Fire
- Undetermined Fire

Causes

- Cooking
- Smoking materials
- Open Flames
- Electrical
- Heating equipment
- Hazardous products
- Machinery/Industrial
- Natural
- Other

Casualties and damages

- Number of deaths related to the fire
- Number of injuries related to the fire that resulted in treatment at a medical facility
- Value of property damage related to the fire

Description of Fire Safety System for Housing Facility: Fond du Lac Tribal and Community College’s fire safety system for our housing facility is monitored by an off-site company, 24/7. The building has a full sprinkler system, room smoke detectors are hard wired, fire extinguisher devices are provided, evacuation plans/placards are posted and fire drill are conducted two times per school year.

Procedures for Student Housing Evacuation: At the first indication of a fire, whether it is a persistent smoke or fire alarms, or flames, follow these procedures for the Housing Fire Alarm Procedures. The following procedures must be followed by residents, Resident Assistants (RA’s), and staff in the event of a fire alarm activation or any emergency which requires the evacuation of the housing facility:

- If you see a fire, leave the area immediately. Call the fire department at 911.
- Call the Director of Housing and Student Activities at 218-590-3345 and/or the RA office at 218-879-0708.
- Once the alarm is activated, call 911. All residents and visitors must exit the building.
- Do not use the elevator.
- If possible, the RA on duty or staff present at the time of evacuation must retrieve the housing Fire Alarm Log and visitor sign in list when exiting the building. The log will have the current resident housing room assignment list.
- Using the current housing list, the RA or staff will identify students who evacuated the building by checking off names.
- Give list to the fire department when they arrive.
- If there is immediate danger, the fire department will check room(s) for unaccounted persons.

Fire Safety Information for Housing Staff and Residential Assistants:

- Inform the front desk of the situation.
- Ask other staff to seek out additional residential life staff to provide assistance.

- Inform the Director of Housing and Student Activities.
- Report to the alarm site. Remain outside the alarm area.
- Use sound judgement to evacuate the area.
- Introduce yourself to emergency personnel, and let them know of anyone that may not be physically able to respond to the fire alarm.
- When additional residential life staff members arrive, ask them to assist in crowd control and make sure no one is re-entering the alarm area until emergency personnel have given the “all clear.”
- Complete the Fire Log and an Incident Report. In the event of an actual fire, immediately contact the Fire Department by calling 911. Contact the Director of Housing and Student Activities at 218-590-3345 and confirm he is aware of the situation. If not at risk, remain at the front desk to receive calls and help coordinate communication. Evacuate if directed to do so by emergency personnel.

When the fire alarm sounds:

- Always assume there is a fire. Don’t ignore it.
- If time permits, take a jacket and shoes, and a towel to cover your face.
- Stay low and crawl to your door. Smoke fills a room from the ceiling down.
- Test the door with the back of your hand.
- If the door is hot, keep the door closed and stay in the room.
- If the door is cool, open it slowly. Walk quickly and calmly to the ground level, closing all doors behind you.
- Do not use an elevator. An elevator may open at a floor on fire or may stop working, trapping you inside.
- If there is smoke in the hallway, crawl to the stairs. Count the doors as you go so you do not get lost. If the smoke and heat are too great, try an alternate escape route
- If both escape routes are blocked, return to your room. If you are trapped inside your room, close the door between you and the fire.
- Stop up cracks and vents to keep smoke and toxic gases out.
- Put a wet cloth over your nose and wait at a window.
- Open the window a few inches for fresh air. Do not break the glass.
- Hang a sheet or some other article out your window to alert the fire department.
- Do not panic. Do not jump.
- Wait for help.

Once you have evacuated the area:

- Notify civil authorities of anyone that may not be able to physically respond to the fire alarm or use sound judgment to evacuate the area (e.g. persons using wheelchairs or someone under the influence of alcohol or drugs).
- If your clothes catch fire: Stop, do not run. Drop to the ground or floor immediately and cover your face with your hands. Roll over back and forth to smother the flames.

Fire Safety Education and Training for Students, Staff and Faculty: During housing orientation, residents are provided with handouts and checklists regarding fire safety. Floor meetings are conducted at the beginning of each academic year to provide verbal instructions on overall safety procedures in the residence hall, including fire safety. Fire drills are used to familiarize occupants with the building’s alarm system, emergency exits that may not normally be used, and the procedures for calling the fire department. All residents must evacuate

when the fire alarm is activated. Residential Life conducts fire drills twice a year and student cooperation is essential during fire drills. Evacuate promptly. Make a fire escape plan and practice it. Locate two fire exits close to the room and count the number of doors between the room and each room to the exit. Make a plan to assist others who are unable to evacuate on their own. Even if it is a temporary disability, plan ahead for fire emergencies.

Regulations on Portable Electrical Appliances, Smoking and Open Flames: All students are expected to observe the following fire safety regulations. Violations of these regulations could result in a fine determined by the severity of the offense.

- Do not use the stove as a heat source.
- All of the resident housing facility is designated as smoke-free. Smoking is not allowed in the facility.
- The use and/or possession of explosives (such as fire crackers and ammunition) or flammable liquids is forbidden.
- Propane tanks, car batteries and BBQ grills are prohibited.
- No candles, incense, or open flame may be burned in student rooms.
- Appliances with an open coil or that can bring oil to a boil are not allowed in the residence halls.
- Smoke detectors are to be connected, and operational at all times.
- Light fixtures, outlets and switches are not to be altered or have items hung from their surfaces (e.g. can top rings or foil which may conduct electricity)
- Motorbikes or other motorized vehicles are not allowed in the residence halls.
- Excessive use of flammable substances on walls is not permitted.
- Only metal or flame-retardant wastebaskets are allowed in students' rooms.
- Residents are not to leave cooking food unattended. FDLTCC will review its fire safety procedure annually. Changes in the plan and improvements will be made as needed.

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.

To report a crime

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

Keith Turner
Dean of Student Services
FDLTCC Student Services Department, Office 147
(218) 879-0805
kturner@fdltcc.edu

You may also file a report electronically at the following link: <https://goo.gl/1rtGe3>. This form can be found on the Fond du Lac Tribal and Community College website under the heading "Report a Crime."

Crimes may also be reported via the Campus Eye app for mobile devices and tablets.

1. Suspicious activity:
 - a. If you see any suspicious activity on or near campus, call the Dean of Student Services immediately. 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 the Dean of Student Services immediately.

Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around buildings or student housing should be reported. In addition, you may report a crime to the following:

Dean of Student Services	Keith Turner	218-879-0805	Office 147
Counselor	Anita Hanson	218-879-0819	Office 135
Counselor	Shelia Sumner	218-879-0715	Office 134
Director of Housing and Student Activities	Jesse Stirewalt	218-590-3345	Residence Hall

All Campus Security Authorities throughout campus:

Clubs/Student Organizations

- AIBL (American Indian Business Leaders) Advisor: Joan Johnson
- AISES (American Indian Science and Engineering Society) Advisor: Holly Pellerin
- Anishinaabe Culture Club Advisor: Richard Gresczyk
- Anishinaabe Student Council Advisor: Jeffrey Tibbetts
- Anishinaabe Student Council President: Aurora Villiard
- American History Club Advisor: Jonah Braxton-Brown
- Art Club Advisors: Karen Savage-Blue, Sterling Rathsack
- Creative Writing Club Advisor: Darci Schummer
- Environmental Club Advisors: Courtney Kowalczak, Jay Sandal
- GIS Advisor: Karen Ziesler
- Human Services Club Advisors: Candi Aubid, Don Jarvinen
- Journalism Club Advisor: Richard Gresczyk
- LawE Club Advisor: Wade Lamirande
- Nursing Club Advisor: Tami Matuszak, Joe Vork
- Phi Theta Kappa (PTK) Honor Society Advisor: Diane Kauppi
- Student Senate Advisor: Brad Bohlmann
- Student Senate President: Andrew Hjelle
- Thunder Rocketry Club Advisor: Steve Highland
- Two Spirits Association (TSA) Advisor: Maglina Lubovich
- YSP (Young Student Parents) Club Advisor: Donna Lebsack

Staff

- Academic Advisor/Head Basketball Coach: Damien Paulson,
- Athletic Director/Head Volleyball Coach: Laura Sylvester
 - Volunteer Assistant Volleyball Coach: Loran Wappes
- Counselor: Anita Hanson
- Counselor: Shelia Sumner
- Dean of Student Services/Title IX Coordinator: Keith Turner
- Director of Financial Aid: Dave Sutherland
- Director of Housing and Student Activities: Jesse Stirewalt
- Financial Aid Advisor: Kathie Hill
- Head football Coach: Terry Fawcett
 - Assistant Football Coaches: Jacob Anderson, Kevin Haley, Cole Karsky, Eric Hanson
- TRIO Director: Peggy Poitra
- TRIO Advisor: Courtney Edwards
- TRIO Advisor: Melissa Wilson

Resident Assistants for student housing

- John Kagigebi
- Elizabeth Lauseng
- Corrin Loeffler
- Keiyaunte Lowery
- Marquise Matthews
- Jarvis McGee
- Javan Chappell

Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the Fond du Lac Tribal and Community College campus or law enforcement, you may still want to consider making a confidential report. With your permission, the above listed employees or local law enforcement can file a report on the details of the incident without revealing your identity. The purpose of this report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, FDLTCC can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

To confidentially report a crime go to the college website: <https://goo.gl/1rtGe3> or report immediately to Dean of Student Services, in person at Room 147, by telephone at (218) 879-0805, via email at kturner@fdltcc.edu and/or to the appropriate law enforcement agency. The Dean of Student Services can 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 be required by law to release information based on the events or nature of the crime.

Campus Security and Access

During business hours, Fond du Lac Tribal and Community College (excluding housing) will be open to students, parents, employees, contractors, guests, and visitors. 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. During non-business hours access to all college facilities is by key, if issued, or by admittance via the Maintenance Office or Administration. In the case of periods of extended closing, the college will admit only those with prior approval to all facilities.

Student housing is secured 24 hours a day. Over extended breaks, the doors of student housing will be secured around the clock and will be equipped with a lock separate from the regular key issued to resident students.

Emergencies may necessitate changes or alterations to any posted schedules. Administrators, Maintenance, Housing and others will review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications. Additionally, during the academic year the Director of Facilities, Director of Housing and administration meet often to discuss issues of concern.

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

The 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.

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

Keys are issued to authorized faculty and staff. Students are issued keys on a temporary and very limited basis and when approved.

Exterior building doors must not be blocked open when the doors are locked

Individual classrooms are available during normal business hours for scheduled classes and scheduled special events. Room reservations can be made by contacting the Information Desk.

No students are allowed in any building after business hours. Personnel, other than Facilities, must vacate the campus no later than the designated closing times noted, as a standard safety measure, except for previously authorized events scheduled through Dean of Student Services.

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

Employees must secure all required areas upon departure.

Law Enforcement Authority

Student Services staff are employees of Fond du Lac Tribal and Community College; they are not certified or sworn peace officers. Fond du Lac Tribal and Community College does not have any on campus security personnel.

The Dean of Student Services works closely with the Cloquet Police Department, Fond du Lac Band of Lake Superior Chippewa Police, Carlton County Sheriff's Department, and State and Federal law enforcement agen-

cies 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.

Fond du Lac Tribal and Community College recognizes that laws and rules are necessary for society to function and supports the enforcement of law by governmental agencies and rules by officials of the College. All persons on campus are subject to these laws and rules at all times. While the college is private property, and constitutional protections apply, law enforcement officers may enter the campus to conduct business as needed. Additionally, officers are invited to patrol the campus to assist in deterring crime. All law enforcement agencies are expected to contact administration when arriving on campus.

Fond du Lac Tribal and Community College enjoys an especially good relationship with the Cloquet Police Department. The response time of the police department to campus averages 3 to 5 minutes. All Cloquet Police have law enforcement and arrest authority on campus. The exercise of that authority is described in a Memorandum of Understanding between the college and Cloquet Police Department.

As noted in the introduction and the emergency policies, Cloquet Police Department is notified of all serious crime on campus, and is immediately notified of major crimes via telephone. All victims are offered an opportunity to report crimes to Cloquet Police Department where appropriate under the Memorandum of Understanding.

The Cloquet Police Department provides FDLTCC with a summary for the year of all crime occurring on campus. Frequent meeting or telephone conversations between the Cloquet Police Department and the Dean of Student Services allow for exchanges of routine information on a timely basis. Additionally, special needs are communicated between the parties as they occur. Instances where state police resources are needed are determined jointly between the Chief of Police and Administration. Crimes committed at off campus facilities under the control of FDLTCC will be disclosed in these statistics.

Prompt and Accurate Crime Reporting

Community members, students, faculty, staff and guests are encouraged to report all crimes and public safety related incidents to Administration and/or local law enforcement in a timely manner. To report a crime or an emergency on campus, call the Cloquet Police Department 911. To report a non-emergency security or public safety matter call the Dean of Student Services at 218-879-0805. Contact local law enforcement to report a crime or an emergency concerning an off-campus activity/event. Fond du Lac Tribal and Community College Administration looks to local law enforcement to report to the college all off campus crime, emergency or safety issues concerning FDLTCC students.

Monitoring and Recording Activity at Off-Campus Locations

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. Fond du Lac Tribal and Community College includes off-campus student organizations' events/activities reported crime statistics in its annual security report. 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 Student Services.

The Student Services Department maintains contact with recognized student clubs and organization. Criminal activity at recognized student clubs and organizations' events/activities off-campus is monitored by appropriate local law enforcement. Fond du Lac Tribal and Community College enjoys a close working relationship with Cloquet Police Department when violations of federal, state, or local laws surface. This cooperative team approach addresses situations as they arise as well as future concerns.

If you are a victim of a crime or witness a crime:

Call the Dean of Student Services (218) 879–0805 or 911 for any emergency assistance, fires, suspicious people or activities, crime reports, traffic accidents, or other illegal activities. You can report a crime at the following link: <https://goo.gl/1rtGe3>. Witness or victims who report an incident of sexual violence in good faith will be granted amnesty in the report to a violation of the student code of conduct policy on the use of alcohol and drugs.

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

Mandatory Reporting

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. 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. 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. Campus Security Authorities can receive incident reports of crimes on and off campus and are defined as:

1. Contracted campus security services or 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:
 - a. Dean of Student Services
 - b. Coaches
 - c. Resident Assistants
 - d. Club/Organization Advisors
 - e. An official of the college who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.
2. If such an official is a spiritual advisor or professional counselor, the official is not considered a campus security authority when acting as a spiritual advisor or professional counselor. As a result of the negotiated rule making process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus “Spiritual Advisor” (pastoral counselors), when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. Counselors are asked to provide information relating to crimes on campus but may continue to honor the confidentiality of victim.

Personal Safety and Security

Fond du Lac Tribal and Community College encourages students and employees to be responsible for their own security and the security of others.

1. Personal Security Recommendations:

- a. Campus staff are available to assist you in protecting yourself by providing regular foot and/or vehicle patrols, safety and security programs, as well as various safety and security posters and brochures. However, only you can protect yourself by being aware of your surroundings and taking appropriate steps in preventing crime from happening.
- b. Call for an escort. Call the Information Desk at (218) 879-0800 or the Dean of Student Services, (218) 879-0805, between 8:00 a.m. and 4:30 p.m.
- c. Protect yourself. Never walk alone at night; always walk in well-lit areas; always have keys in hand when approaching your car; always have gas in your car. Refrain from taking shortcuts, walk where there is plenty of light and traffic. Call for an escort (daytime hours 8:00am-4:30pm: (218) 879-0800 or (218) 879-0805. After 4:30 p.m., call (218) 879-0708 (RA office in dorms).
- d. Protect your room or apartment:
 - i. Lock your door, even if you are only going to be gone for a short time or a short distance. It only takes 8 seconds to walk into your room and steal your valuables.
 - ii. Always lock your door when you are asleep. You are also encouraged to lock your door when you are awake.
 - iii. Do not prop open locked exterior building doors. These doors are locked for your protection and for the protection of other residents.
 - iv. Never open exterior doors of the building for strangers or nonresidents; always escort your guests to and from the main entrance doors.
 - v. Protect all valuables in your room or office. Do not leave valuables in plain view.
 - vi. Take all valuables home with you during vacations.
 - vii. You are encouraged to open a savings or checking account rather than allow large sums of money to accumulate in your room. If you open a checking account, remember the number of the last check written. The theft of a single check can go undetected until a bank statement discloses a forgery.
 - viii. Park your bike where you can keep an eye on it if possible. Always lock your bike. There are several good anti-theft devices available. Case hardened heavy locks and chains afford the best protection.
- e. Protect your automobile:
 - i. Always lock your car doors and never leave your keys in the vehicle. Try to park your car in a well-lit area. Avoid leaving property where it is visible in your car.
- f. Protect yourself when walking and jogging:
 - i. Avoid walking and jogging alone after dark. If you must travel alone at night, use FDLTCC's escort service (daytime number: (218) 879-0800 or (218) 879-0805, or after 4:30 p.m. call: (218) 590-3345 or (218) 879-0708 (RA office in dorms)). Use well-lit routes. Be alert to your surroundings, if you suspect that you are being followed, run in a different direction, go to the other side of the street and yell for help, head quickly for a lighted area or a group of people. Have your keys ready when returning to your apartment or vehicle, and keep your personal or valuable items concealed and close to your body.
- g. Help us protect you:
 - i. Watch for suspicious people in and around campus buildings and in parking lots. Do not pursue them.

- ii. Call 911 if you should enter your room and find a stranger, regardless of the “cover story” supplied.
 - iii. If you see any suspicious activity or persons on or near campus, immediately call 911. If the Dean of Student Services is not available, go to the College’s Information Desk and request to see an administrator. After 4:30 p.m. call 911 (emergency only) or Cloquet Police at (218) 879–1247 (non-emergency).
 - iv. Do not assume that what you observe is an innocent activity or that it has already been reported.
 - v. Do not assume that the person is a visitor or FDLTCC staff member that you have not seen before. Suspicious persons may be loitering about at unusual hours and location, running, especially if something of value is being carried, exhibiting unusual mental or physical symptoms, could be under the influence of drugs or otherwise needing medical or psychiatric assistance, carrying property that might be suspicious, depending on the circumstances, or going from room to room trying door handles.
 - vi. Door-to-door soliciting is not permitted in campus residence facilities. Violations of this rule should be reported to your Resident Assistant or the Director of Housing immediately.
 - vii. Report all thefts and property loss immediately to the Dean of Student Services.
 - viii. Be security conscious at all times.
- h. Security considerations of campus facilities:
- i. Building access and maintenance: The FDLTCC campus is for the use of the students, faculty, staff, and their escorted guests and those on official business with FDLTCC. All others are subject to being charged with trespassing. Access to campus buildings is limited to normal business hours. Students, faculty, staff, and visitors are encouraged to report needed repairs to the maintenance department for all academic areas.
 - ii. Policies and procedures for safe access to buildings: Keys are issued to authorized faculty, staff, and students only. Exterior building doors should not be blocked open when the doors are locked. Building evacuation is mandatory for all fire alarms. The academic building is normally open from 7:00 a.m. until evening classes end (10:00 p.m.) and for scheduled weekend classes and special events. Employees and students in buildings after normal working hours should have a campus ID in their possession and present the ID when requested. Faculty or staff who appear to be the last person(s) in a building should ask unauthorized persons to leave the premises or contact maintenance. The building should be secured when the last employee departs. In buildings that have outside windows, employees should close and lock the windows before leaving the building. On-campus telephones are located in most building hallways or classrooms for emergency calls. These phones may also be used to contact 911. Problems related to people in buildings after hours should be reported. Call the Cloquet Police Department, (218) 879–1247.
 - iii. Policies and procedures for safe access to residence halls: After the first class day of fall semester, residence hall exterior doors are normally locked. Residents should not prop doors open and not open these doors to anyone other than their guests. Residents who lock themselves out of their rooms should contact the Resident Assistant or the Director of Housing. After hours, contact a Resident Assistant. All nonresidents of the buildings should be escorted. Escorted visitors of the opposite sex should not be in student rooms and/or residential floor lounges between the hours of 11:00 p.m. and 8:00 a.m. Residents are allowed to have overnight guests of the same sex. Before having an overnight guest, you must notify your Resident Assistant and have your roommate’s permission. The defi-

inition of an overnight guest is someone of the same sex who stays in your room for no more than three consecutive nights five times a semester, or someone who stays two nights no more than seven times a semester.

Security Awareness Programs for Students and Employees

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. The 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 newspaper, on the electronic message boards, and via email.

During orientation in August students are informed of services offered by Fond du Lac Tribal and Community College and area resources. Presentations cover ways to maintain personal safety and residence hall security. Students are told about crime on-campus and in the community. Similar information is made available to new employees by the Human Resources Director. Crime prevention programs and sexual assault prevention programs are offered to all staff, students, and faculty via the online course context (D2L Brightspace) and is strongly encouraged.

Periodically during the academic year, the college will present crime prevention awareness sessions on sexual assault (rape, harassment, crime prevention, bystander training, drug/alcohol abuse prevention as well as personal safety). This training can be found in Module 3 in the D2L Student, Faculty, Training.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

In addition to presentation, information is disseminated to students and employees through packets, posters, displays, videos, articles, and television monitors throughout the campus.

When time is of the essence, information is released to the college community through alerts posted prominently throughout campus, voluntary text alerts, and campus email system.

Crime Prevention Programming

Crime Prevention Programs on personal safety and theft prevention are presented by various campus organizations and departments throughout the year. Staff and faculty facilitate programs for student, parent, faculty and new employee orientations, student organizations and clubs in addition to quarterly programs for Housing Resident Assistants to provide a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes.

Crime Prevention Tips

Protect your room or apartment:

- Lock your door – even if you are only going out for a short time. It only takes 8 seconds to walk into an open room and steal your valuables.
- Always lock your door and windows when you are asleep. You are also encouraged to lock your door and windows when you are awake.
- Do not prop open locked exterior building doors. These doors are locked for your protection and protection of other residents.
- Never open exterior doors of the building for strangers or non-residents. Always escort your guests to and from the main entrance doors.
- Do not loan your keys to anyone – even a classmate or friend. They may not be careful with them and may misplace them, giving the wrong person access.

- Do not put your name or address on key rings as they may be used to steal your property if found by the wrong person.
- Smoke detectors are provided in each housing unit for your safety. At no time should they be disconnected or removed (or a fee will be imposed).
- Telephones are provided in each housing unit for your safety. At no time should they be disconnected or removed (or a fee will be imposed).

Protect your property:

- Personal property (purses, backpacks, calculators, cell phones, etc.) should never be left unattended. Take such items with you if you are leaving the office, classroom, or your residence.
- Take valuables home with you during vacations and school breaks.
- Park your bike where you can keep an eye on it if possible. Always lock your bike.

Protect your automobile:

- Always lock your car doors and never leave your keys or valuable items such as cameras, wallets, etc. in plain sight or on the seats in the vehicle.
- Try to park your car in a well-lit area.

Protect yourself at night:

- Avoid walking alone at night.
- Refrain from taking shortcuts; walk where there is plenty of light and traffic.
- Call for an escort in advance

Protect yourself walking and jogging:

- Avoid walking and jogging alone after dark. If you must travel alone at night, call for someone to escort you to your on-campus destination.
- Walk along well-lit routes.
- 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.
- Have your keys ready when returning to your residence or apartment, and keep your personal or valuable items concealed and close to your body.

Help us protect you:

Watch for suspicious persons in and around college buildings and in parking lots. Do not pursue them. Call 911 first and then report

- Suspicious activity:
 - If you see any suspicious activity or people on or near campus, call law enforcement. Do not assume that what you observe is an innocent activity or that it has already been reported.
 - Do not assume the person is a visitor or college staff member that you have not seen before.
- Suspicious people may be:
 - Loitering about at unusual hours and locations; running, especially if something of value is being carried.
 - Exhibiting unusual mental or physical symptoms. Person(s) could be under the influence of drugs or otherwise needing medical or psychiatric assistance.
 - Carrying property that might be suspicious, depending on the circumstances, going from room to room trying door handles.
- Report all thefts and property loss immediately to the Dean of Student Services.
- Be security conscious at all times.

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, etc.
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.

Illegality of Alcoholic Beverages on Campus and Enforcement of Under-Age Drinking Laws

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 Board of Trustees.

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. 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.

Illegality of Drugs on Campus and the Enforcement of Federal and State Drug Laws

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.

Fond du Lac Tribal and Community College enforces both Minnesota and Federal drug laws regarding the use, possession, and sale of illegal drugs. Fond du Lac Tribal and Community College has been designated "Drug Free" and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are

strictly enforced by the Cloquet Police Department. Violators are subject to college disciplinary action, criminal prosecution, fine and imprisonment.

Drug and Alcohol Abuse Education Programs

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). The possession, sale or the furnishing of alcohol on the FDLTCC campus is governed by FDLTCC alcohol policy and Minnesota State Law. Laws regarding the possession, sale, consumption or furnishing of alcohol is determined by state and federal laws. However, the enforcement of alcohol laws on campus is the primary responsibility of the Housing Director, Dean of Student Services, and Cloquet Police Department. The FDLTCC campus has been designated "Drug free" and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by Cloquet Police Department. Violators are subject to college disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of the FDLTCC Alcohol Policy for anyone to consume or possess alcohol in any public or private area of campus without prior college Administration approval. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the college.

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.

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.

Disclosures to Alleged Victims of Crimes of Violence or Sex Offenses

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.

Sexual Assault, Dating, Domestic Violence, and Stalking

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

Fond du Lac Tribal and Community College follows the Minnesota State 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 Board Policies that may require separate proceedings. To further its commitment against sexual vi-

olence, Fond du Lac Tribal and Community College provides reporting options, internal mechanisms for dispute resolution, and prevention training or other related services as appropriate.

The college educates the student community about sexual assaults, dating, domestic violence, and stalking through new-student orientations and housing orientations. Area organizations offer sexual assault education and information programs to FDLTCC students and employees upon request. Literature on date rape education, risk reduction, and sexual violence is available through Student Services Counseling Offices.

If you are a victim of sexual assault at FDLTCC your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. FDLTCC strongly advocates that a victim of sexual assault report the incident in a timely manner. Witness or victims who report an incident of sexual violence in good faith will be granted amnesty in the report to a violation of the student code of conduct policy on the use of alcohol and drugs. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to the Cloquet Police Department, Dean of Student Services or a Campus Security Authority. Filing a police report with a college advocate will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from staff or faculty of FDLTCC. Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests
- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam)
- Assure the victim has access to confidential counseling and support services from professionals specifically training in the area of sexual assault crisis intervention

If You Are the Victim of a Sexual Assault, Dating Violence, Domestic Violence, or Stalking:

- Go to a safe place.
- If you are on campus contact Dean of Student Services [(218) 879-0805] or a counselor [(218) 879-0715 or (218) 879-0719]. You may also report the incident to any college employee. All college employees have a duty to report knowledge of incidents of sexual violence. You may file a report at the following link: <https://goo.gl/1rtGe3>. Witness or victims who report an incident of sexual violence in good faith will be granted amnesty in the report to a violation of the student code of conduct policy on the use of alcohol and drugs.
- 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 or may be helpful in obtaining a protection order. Do not bathe, douche, use the toilet, or change clothing.
- 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

- You are not required, but you may file a police report with the appropriate law enforcement agency. FDLTCC staff will be available to assist you in this process per your request. For on-campus incidents contact the Cloquet Police Department by calling 911.
- Fond du Lac Tribal and Community College has counselors available in Student Services to assist in filing a police report.

- Fond du Lac Tribal and Community College will provide you with written notification of your rights through this process.
- In order to reduce contact between the survivor and the alleged assailant, the college will provide written options, 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.
- 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.
- 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.
- Mental health professionals are also available at the following community resources:
 - Minnesota Domestic Violence Crisis Line (866) 223–1111
 - National Domestic Violence Hotline, (800) 799–SAFE (7233)
 - United Way 24-hour Referral Line, 211
 - Link for Sexual Assault Resources: <http://www.dr-bob.org/vpc/virtulets.html#Sexual-Assault>
 - Link for Sexual Harassment Resources: <http://www.dr-bob.org/vpc/virtulets.html#Sexual-Harassment>
 - Find Help in Minnesota: RapeHelpmn.org.
 - Human Development Center, 40 11th St #105, Cloquet, MN 55720 (218) 879–4559
 - Min No Aya Win, Fond du Lac Human Services, 927 Trettel Lane Cloquet, MN 55720 (218) 879–1227
- When a sexual assault victim contacts the Cloquet Police Department, FDLTCC administration and a counselor of FDLTCC will be notified. The victim of a sexual assault may choose the investigation to be pursued through the criminal justice system and FDLTCC or only the latter. A college advocate will guide the victim through the available options and support the victim in his or her decision. Various counseling options are available through area resources such as PAVSA, Human Development Center and Safe Haven.

FDLTCC disciplinary proceedings, as well as special guidelines for cases involving sexual misconduct are detailed in the *Student Handbook* and the Minnesota State 1B.1 Policy. The *Student Handbook* is located online on the FDLTCC website. The *Handbook* and 1B.1 Policy provides, in part, that the accused and the victim will each be allowed to choose to have an attorney present or one person who has had no formal legal training to accompany them throughout the hearing. Both the victim and accused will be informed of the outcome of the hearing. A student found guilty of violating the college sexual misconduct policy could be criminally prosecuted in the state courts and may be suspended or expelled from the college for the first offense. Student victims have the option to change their academic and or on-campus living situation after an alleged sexual assault, if such changes are reasonably available.

Education and Resources Fond du Lac Tribal and Community College educates the campus community staff, student and faculty 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 in addition to campus television monitors, informational posters, and syllabus violence prevention policy statement. 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 134 and 138 in Student Services.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some of the ways to be an active bystander. If you or someone else is in immediate danger, call 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are OK.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this report or other resources for support in health, counseling, or with legal assistance.

Reducing the Risk of Sexual Assault:

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas, it is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don't know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. Try not to load yourself down with packages or bags as you can appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cab money.
7. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (call 911)
11. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink unattended, just get a new one.
12. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.

13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they have had, or is acting out of character, get him or her to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - a. Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - b. Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c. Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come and get you or make up an excuse for you to leave.
 - d. Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgement before doing anything you may regret later.

Right to an Advisor

In any sexual offense charge, Fond du Lac Tribal and Community College recognizes the rights of both the accused and the accuser; both will be provided the same opportunities to have an advisor present during any institutional disciplinary proceedings. This includes the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice.

Application of policy to students, employees, and others.

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, dating violence, domestic violence, sexual assault, and stalking 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 system 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.

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.

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

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 system, it's Board of Trustees, System Office and Fond du Lac Tribal and Community College.

Employee. “Employee” means any individual employed by Fond du Lac Tribal and Community College including student workers.

Student. The term “student” includes all persons who:

- Are enrolled in one or more courses, either credit or non-credit, through a college or university;
- Withdraws, transfers or graduates, after an alleged violation of the student conduct code;
- Are not officially enrolled for a particular term but who have a continuing relationship with Fond du Lac Tribal and Community College
- Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid; or
- 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 hall.

On-Campus—Defined as:

- 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
- Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), 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).

Non-Campus Building Or Property—Defined as:

- Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
- 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.

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.

Definitions. The following definitions apply to this policy and Fond du Lac Tribal and Community College

- **Murder and Non-Negligent Manslaughter**
 - The willful (non-negligent) killing of one human being by another.
 - As a general rule, any death caused by injuries received in a fight, argument, quarrel, assault, or commission of a crime is classified as Murder and Non-negligent Manslaughter (1a).
- **Criminal Homicide – Negligent Manslaughter**
 - The killing of another person through gross negligence.
 - As a general rule, any death caused by the gross negligence of another is classified as Criminal Homicide—Manslaughter by Negligence (b).

Sex Offenses – Defined

Forcible Sex Offenses.

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

Reported offenses may include:

- **Forcible Rape**
 - The carnal knowledge of a person, forcibly and/or against that person's will or not forcibly or against the person's will in instances 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).
- **Forcible Sodomy**
 - Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Sexual Assault with an Object**
 - To use 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 in instances 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.
 - Note: An object or instrument is anything used by the offender other than the offender's genitalia. Examples include but are not limited to a finger, bottle, handgun, or a stick.
- **Forcible Fondling**
 - The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.
 - Note: Forcible Fondling includes Indecent Liberties and Child Molesting. Because Forcible Fondling is an element of Forcible Rape, Forcible Sodomy, and Sexual Assault with an Object, it should be reported only if it is the sole Forcible Sex Offense committed against a victim.

Sex Offenses, Non-forcible.

Unlawful, non-forcible sexual intercourse. Reported offenses may include:

- **Incest**
 - Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape**
 - Non-forcible sexual intercourse with a person who is under the statutory age of consent.
 - Note: If force was used or threatened, or if the victim was incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity, then the offense should be classified as forcible rape, not statutory rape.
- **Sexual Violence**
 - Sexual violence includes a continuum of conduct that includes sexual assault, and non-forcible sex acts, dating and relationship violence, stalking, as well as aiding acts of sexual violence.
- **Sexual Assault**
 - Sexual Assault is defined as an offense that meets the definition of Rape, Fondling, Incest, or Statutory Rape (as used in the FBI's UCR program and included in Appendix A of 34 CFR Part 668). Sexual assault includes but is not limited to:
 - 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.

- Involvement in any sexual act when the victim is unable to give consent.
- The intentional touching or coercing, forcing, or attempting to coerce or force another to touch an unwilling person’s intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast).
- Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.

- **Dating Violence**

- Dating Violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:
 - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - Dating violence does not include acts covered under the definition of domestic violence.
- Domestic Violence is defined as a felony or misdemeanor crime of violence committed:
 - By a current or former spouse or intimate partner of the victim
 - By a person with whom the victim shares a child in common
 - By a person who is cohabitation with, or has cohabited with the victim as a spouse or intimate partner
 - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred
 - By another person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred

- **Stalking**

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

- **Consent**

- Consent is informed, freely given and mutually understood in situations of sexual activity. 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.

Property Crime

- **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 or violence and/or by putting the victim in fear that force will be used.
- Robbery is a vicious type of theft in that it is committed in the presence of the victim. The victim, who usually is the owner or person having custody of the property, is directly confronted by the perpetrator and is threatened with force or is put in fear that force will be used. Robbery involves a theft or larceny but is aggravated by the element of force or threat of force.

- **Burglary**

- The unlawful entry of a structure with the intent to commit a felony or theft.

- **Motor Vehicle Theft**

- The theft or attempted theft of a motor vehicle.
- **Note:** A motor vehicle is a self-propelled vehicle that runs on the surface of land and not on rails and that fits one of the following property descriptions:
 - Automobiles - sedans, coupes, station wagons, convertibles, taxicabs, or other similar motor vehicles that serve the primary purpose of transporting people
 - Buses - motor vehicles that are specifically designed (but not necessarily used) to transport groups of people on a commercial basis
 - Recreational Vehicles - motor vehicles that are specifically designed (but not necessarily used) to transport people and also provide them temporary lodging for recreational purposes
 - Trucks - motor vehicles that are specifically designed (but not necessarily used) to transport cargo
 - Other Motor Vehicles - any other motor vehicles, e.g., motorcycles, motor scooters, trail bikes, mopeds, snowmobiles, or golf carts.

- **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 of another, etc.

- **Larceny-theft**

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

- **Destruction/Damage/Vandalism of Property**

- To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Assault

- **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 displays

weapon in a threatening manner) or by means likely to produce death or great bodily harm (e.g. victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness).

- **Simple Assault**

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

Hate Crimes

A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. While there are many possible categories of bias, the following eight categories should be used for reporting incidences:

- **Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks, or African Americans, whites.
- **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and the purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Muslims, Jews, Protestants, or atheists.
- **Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation (the person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual/straight/cis individuals).
- **Gender:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
- **Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. (Gender non-conforming describes a person who does not conform to the gender-based expectations of society, such as a woman dressed in traditionally male clothing or a man wearing makeup; a gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgendered person but may be perceived as such.)
- **Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.
- **National Origin:** A preformed native opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associate with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.
- **Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness.

Other Violations

- **Liquor law violations**
 - Arrests or referrals for the violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, or possessing of intoxicating liquor.
- **Drug law violations**
 - Arrests or referrals for the violation of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.
- **Weapons law violations**
 - Arrests or referrals for the violation of laws or ordinances dealing with weapon offenses.
- **Intimidation**
 - To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack. Note: This offense includes stalking.

Procedures for Campus Disciplinary Action for Sex Offenses:

Victims of sexual assaults or those witnessing any type of sexual violence or relationship violence are encouraged to report the incident to Dean of Student Services, Campus Security Authority or any faculty or staff. The Dean of Student Services 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 Student Services 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 Student Services can also initiate the college disciplinary process, and is an option for any person wishing to report a case of student misconduct.

Fill out the Sexual/Relationship Violence Complaint form as completely as possible. This form can be accessed at the following link: <https://goo.gl/1rtGe3> or through the Campus Eye app. Be as specific as possible with the information, listing person(s) involved, time(s), date(s), and location(s) of the incident(s) and details regarding the behavior, actions, or statements by the alleged assailant.

Fond du Lac Tribal and Community College will take disciplinary action against a member of the campus community without a written complaint and without the assistance of the complainant in the disciplinary process.

If the Dean of Student Services (or designee) determines that a 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 Student Services will release information regarding the location, date and time of the assault, and any information that might help identify the assailant. The Dean of Student Services 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.

In order for Fond du Lac Tribal and Community College to proceed with a prompt, fair and impartial process from the initial investigation to the final report, a written complaint (whether by the victim or a third party) must be filed with the Dean of Student Services Services. Reports made through Dean of Student Services will be forwarded to an investigator who receives annual training on the issues related to dating violence, domestic violence, sexual assault and stalking in addition to how to conduct an investigation and hearing processes that protect the safety of the victim and accountability. After receiving a report/complaint, the investigator shall take the steps listed below:

1. Conduct a prompt, fair and impartial 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 of their choice present during any disciplinary proceedings including any meeting. The college will not limit the choice of advisor or presence for either. However, the advisor or attorney may not participate in any questioning or advocate on behalf of the student.

Fond du Lac Tribal and Community College procedures ensure that the institution or employee does not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities.

1. 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;
2. Inform the complainant, respondent, witnesses and other involved individuals of the prohibition against retaliation and reprisal;
3. Create, gather, and maintain investigative documentation as appropriate which will be conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused;
4. 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;
5. Inform the complainant and respondent of the status of the investigation at reasonable times until final disposition of the complaint, including timely notice of meetings at which the accuser or accused or both may be present.
6. Conduct further investigation as deemed appropriate by the designated officer; prepare an investigation report for review by the decision-maker;
7. Take additional investigative measures as requested by the decision-maker;
8. 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
9. Notify both the alleged victim and the accused party of the outcome of the investigation simultaneously in writing that the result of the disciplinary proceedings that arose from the allegation. If there is any change to the result of the disciplinary proceedings, both accuser and the accused will be promptly notified.

The possible sanctions and protective measures that Fond du Lac Tribal and Community College may impose following the results of any investigation may include but are not limited to: reprimand, counseling, suspension, community service, social probation, letter of apology, no contact order, housing ban, and/or expulsion.

1. Provide the investigation report to the complainant or respondent upon request unless the information is protected under state or federal law consistent with the institution's policies and transparent to the accuser and the accused.

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.

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.

The College uses a preponderance-of-evidence standard 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.

During and upon the completion of the complaint process, the complaint file shall be posted in a secure location in the office of the Dean of Student Services 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.

Complaints/Grievances/Petitions

(Minnesota State Board Policy 1B.1)

Fond du Lac Tribal and Community College and the Minnesota State Colleges and Universities are 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, sexual orientation, or membership or activity in a local commission as defined by law.

Harassment of an individual or group on the basis of race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, or membership or activity in a local commission has no place in a learning or work environment and is prohibited. Sexual violence has no place in a learning or work environment. Further, Fond du Lac Tribal and Community College and the Minnesota State system shall work to eliminate violence in all its forms. Physical contact by designated system, college, and university staff members may be appropriate if necessary to avoid physical harm to persons or property.

This policy is directed at verbal and 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 and the Minnesota State system will give due consideration to an individual's constitutionally protected right to free speech and academic freedom. The system office, colleges and universities have implemented a process to review complaints of discrimination/harassment or sexual violence. This policy supersedes all existing system, college, and university nondiscrimination policies.

Affirmative Action Officer: Damien Paulson 218-879-0795 (Room 133)

Americans with Disabilities: Shelia Sumner 218-879-0715 (Room 134)

SEVIS Representative: Anita Hanson 218-879-0819 (Room 135)

Sexual Harassment Officers: Keith Turner 218-879-0805 (Room 147)

Zero Tolerance of Campus Violence: Keith Turner 218-879-0805 (Room 147)

Complaints

A complaint is an informal claim by a student, group of students, or the student government regarding alleged improper, unfair, arbitrary, or discriminatory treatment. A complaint may become a grievance if it is not mutually resolved and if the complaint falls within the definition of a grievance.

Any student or group of students may present or discuss a complaint with the employee(s) whose actions give rise to the complaint, and/or with the administrator to whom the employee(s) reports. The student may have a representative in attendance for any such discussion.

Complaint Procedure

This procedure is to be used when a student has a concern about her/his education at the college. The procedure an accuser should follow is to complete an incident form, or contact Dean of Student Services. The objective of the procedure is to resolve problems as quickly and efficiently as possible at the level closest to the student so the student's educational progress can continue. Nothing within this process precludes a student from seeking legal counsel at any step. Both the accuser and accused may be accompanied throughout the campus process by an advisor of their choice. The accuser has the option to notify and seek assistance from law enforcement and campus authorities but is not required to do so.

The student should bring the concern to an appropriate staff or faculty member. If the student is uncomfortable with approaching the college employee directly, he/she may select an advocate inclusive of a counselor, advisor, or other staff member. The staff member or members attempt to work with the student and any other persons who are involved to respond to the problem within seven (7) days, not including weekends and holidays. If the complaint is not answered satisfactory, the student may follow a grievance using the following procedure.

Complaints

A complaint concerning sexual or relationship violence is a report for the application of the specific provision of a rule or regulation, the application of a rule or regulation in other than a uniform manner, or the application of a rule or regulation other than in accordance with the provisions of the rule or regulation. All evidence will be preserved and handed over to the proper authorities until the complaint is resolved.

In all instances that follow, the term "days" does not include Saturdays, Sundays, holidays or breaks in the academic year.

Student Complaint Process:

Any student attending Fond du Lac Tribal and Community College has the right to file a complaint under the Minnesota Higher Education Board Policy 3.8. A student may file a complaint, which is a written claim raised by a student or group of students alleging sexual or relationship violence by a student or an employee of Fond du Lac Tribal Community College on the college campus or off-campus. No retaliation of any kind shall be taken against a student for participation in the filing of a complaint. These procedures shall also protect and honor the confidentiality of the victim and alleged assailant.

Complaint Step Procedures and Time Lines

1. A student may file a complaint at any time.
2. Any student can obtain a Complaint Form in Dean of Student Services office or designated Campus Security Authorities (see pages 21–22 for a complete list of all Campus Security Authorities).
3. Fill out the form completely. Be very specific, listing person(s) involved, time(s), date(s), and location(s) of the incident(s) alleging any improper, unfair, arbitrary, or discriminatory action by any employee involving the application of a specific provision of a college or university rule/regulation or board policy or procedure. If the student chooses to have a designee, a signed release of information form must be attached to the complaint form.
4. Return the completed form to the Dean of Student Services. The Dean of Student Services has seven working days in which to respond to the complaint. If the complaint is of academic nature, the Vice President of Academic Affairs will be consulted for input into the situation. A written explanation will be given to the student and student designee giving notice of the Administration's decision within seven days. If not resolved to the satisfaction of all parties involved, the complaint will proceed to the appeal process. Students found to be responsible for a conduct violation shall be provided an avenue of appeal within the institution. In addition, in cases involving sanctions of suspension for ten days or longer, students shall be informed of their right to be contested case hearing under Minnesota

state statute 14. Refer to the form for step five appeal process. [Refer to Minnesota State board policy here.](#)

5. The Dean of Student Services and the student designee will schedule meetings to talk to the complainant and the person who is the subject of the complaint. Written notification will be provided to the accuser regarding options available such as changes to: academic schedules, on-campus housing, transportation, and on-campus work situations. For the accused protective measures, refer to the [Student Code of Conduct](#) due process section. A student has the right to representation at any meeting and may request a mediator of their choice: student, instructor, Student Senate Complaint coordinator, or other.
6. Records and minutes agreed upon by all parties involved will be kept on all meetings and discussions and may be consulted for future reference.
7. Written summaries/agreements of the parties involved will follow any discussion.
8. The complaint procedure shall include an opportunity to appeal a complaint decision. The individual to whom an appeal is directed should be identified by the college or university for the issue(s) in question. If the complaint involves a college or university rule or regulation, a student may appeal an official complaint through procedural steps up to the President or designee. The decision of the President (or designee) is final and binding. If the complaint involves a board policy or the actions of a college or university President, a student may further appeal the college or universal decision through the Chancellor to the Board. The decision of the Board is final and binding.

The Dean of Student Services will make sure that confidentiality of the report is maintained throughout the process. Incident reports shall be kept under the direction of Dean of Student Services for a period of time as defined by college document retention policy. The incident reports, the referral process, actions taken and incident closure will be assessed on a regular basis by the Dean of Student Services or Vice President of Academic Affairs for accuracy, proper procedure, and timeliness. The report will be issued a control number and will be stored either electronically or on paper depending upon the submittal source and will be the responsibility of the Dean of Student Services.

Location of Law Enforcement Agency Information Regarding Registered Sex Offenders

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. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offender 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 a vocation, or is a student.

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>

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

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://coms.doc.state.mn.us/level3/>

FDLTCC will notify faculty, staff, students and the community regarding level 3 sex offenders with a community meeting on campus.

Crime Statistics for 2013–2015

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING	PUBLIC PROPERTY
Murder/non-negligent Manslaughter	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Neglegent Manslaughter	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Rape	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Fondling	2013	0	0	0
	2014	1	0	0
	2015	1	0	0
Incest	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Statutory Rape	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Sexual Assault (Forcible)	2013	0	2	0
	2014	0	0	0
	2015	0	0	0
Sexual Assault (Non-Forcible)	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Domestic Violence	2013	0	0	0

	2014	0	0	0
	2015	0	0	0
Dating Violence	2013	0	0	0
	2014	0	1	0
	2015	0	0	0
Stalking	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Robbery	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Aggravated Assault	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Burglary	2013	3	2	0
	2014	0	3	0
	2015	6	3	0
Motor Vehicle Theft	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Arson	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Simple Assault	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Larceny-Theft	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Intimidation *	2013	0	0	0

	2014	0	0	0
	2015	0	0 *	0
Destruction/Damage/Vandalism of Property	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Race (Hate Crime)	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Religion (Hate Crime)	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Sexual Orientation (Hate Crime)	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Gender Identity (Hate Crime)	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Disability (Hate Crime)	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Ethnicity (Hate Crime)	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
National Origin (Hate Crime)	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2013	0	0	0
	2014	0	0	0
	2015	0	0	0

Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Arrests: Drug Abuse Violations	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2013	0	7	0
	2014	0	4	0
	2015	0	0	0
Arrests: Liquor Law Violations	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
Disciplinary Referrals: Liquor Law Violations	2013	0	8	0
	2014	0	6	0
	2015	0	5	0

*On September 18, 2018, an error in the previous reporting of a hate crime statistic was found for 2015. FDLTCC had no hate crimes in 2015, therefore, under the Intimidation category, the change was made from “1” to “0”.

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. The possession, use and sale of alcohol and enforcement of State underage drinking laws shall be enforced. The possession, use and sale of illegal drugs shall be enforced through Federal and State laws.

Part 2. Purpose

Fond du Lac Tribal and Community College (FDLTCC), along with all Minnesota State system, 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 system, 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 system educational/awareness programs; or
2. For a specific event or circumstance authorized by Minnesota State system 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 system 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 system 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, a 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 system within five (5) working days of such a conviction.

Substance Abuse Education

Prevention Programs

Fond du Lac Tribal and Community College has developed programs to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse in-

cluding dissemination of informational materials, educational programs, counseling services, referrals and college disciplinary actions.

Areas of FDLTCC that provide Drug Education include:

- Alcohol and Drug Education: College Student Services, Employee Assistance Program for college staff and students
- Counseling Services: Student Services Counselors, College Nursing Program Faculty, and connect with local organizations/resources
- Referral Services: Student Counselors, College Nursing Program Faculty, Employee Assistance Program and connect with local organizations/resources
- College Disciplinary Actions: Faculty/Student Judicial Review Committee, Dean of Student Services

Local, State and Federal Legal Sanctions

Legal Sanctions-Laws Governing Alcohol

The State of Minnesota sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated are available from local law enforcement. The rules/fines/violations are as follows:

Persons under age 21 found possessing alcohol may be given a maximum fine of \$100.

Any convicted of fraudulently using a driver's license to buy or attempt to buy alcohol may have his/her driver's license suspended for up to 90 days.

Persons convicted of buying alcohol through fraudulent means face a possible \$100 fine and or being required to do up to 10 hours of community service work.

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 system 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 or 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 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 134 and 135 phone (218)879-0715/ (218) 879-0819
- Fond du Lac Tribal and Community College Human Resources: (218)879-0879

Community Resources: refer to FDLTCC Student Handbook found online on the college website

- 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, 211
- 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

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. If a student, staff or faculty member of Fond du Lac Tribal and Community College has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify the Dean of Student Services (218) 879-0805 or Director of Housing and Student Activities (218) 590-3345. FDLTCC will generate a missing person report and initiate an investigation. In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by FDLTCC in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, FDLTCC will notify that individual no later than 24 hours after the student is determined to be missing. A student who wishes to identify a confidential contact can do so by contacting the Director of Housing and Student Services. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement in the course of the investigation.

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

1. Students age 18 and above and emancipated minors. Residential students will be given the opportunity upon check in to a college operated residence hall/apartment, to designate an individual or individuals to be contacted by the college 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.
2. 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 college 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

1. Any individual who has information that a student may be missing must notify the Dean of Student Services as soon as possible. Note: In order to avoid jurisdictional conflicts, the Dean of Student Services will immediately notify local law enforcement authorities. The Fond du Lac Tribal and Community College will assist external authorities with these investigations as requested.
2. The Dean of Student Services 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.
3. 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 Student Services 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.
4. 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.
5. For missing students who are 18 years of age or older, and did not designate an individual to be contacted, the Dean of Student Services will act in accordance with FERPA and Minnesota Government Data Privacy guidelines with regard to contacting a parent/guardian.

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 Student Services, 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.

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.

All information provided will be registered confidentially. This information will be accessible only to authorized campus officials and it will not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

If a student has gone missing for more than 24 hours, please contact the following people:

Director of Housing and Student Services: (218) 590-3345

RA's/RA Office: (218) 879-0708

Senior RA: (715) 699-0386

Dean of Student Services: (218) 879-0805

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

1. Subpart A. Consensual Relationship

- a. 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.

2. Subpart B. Discrimination

- a. 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.

3. Subpart C. Discriminatory Harassment

- a. 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 system 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:
 - i. 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
 - ii. 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
 - iii. Such conduct has the purpose and effect of threatening an individual's employment; interfering with an individual's work or academic performance; or creating an intimidating, hostile, or offensive work or educational environment.

4. Subpart D. Employee

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

5. Subpart E. Protected Class

- a. 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 orienta-

tion. In addition, membership or activity in a local human rights commission is a protected class in employment.

6. Subpart F. Retaliation

- a. 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.

7. Subpart G. Sexual Harassment and Violence as Sexual Abuse

- a. 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.

8. Subpart H. Student

- a. "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
- b. between terms of a continuing course of study at the college, such as summer break between spring and fall academic terms; or
- c. 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 system 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 Nondiscrimination Policy, 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 Nondiscrimination Policy 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: Chief Diversity Officer.

- **Subpart B. Decision maker**

- Decision maker means a high level administrator designated by the president to review investigative reports, to make determinations whether the nondiscrimination policy has been violated based upon the investigation, and to recommend 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:
 - Participated in the investigation or resolution of a complaint under this procedure;
 - Opposed conduct the individual believes was in violation of nondiscrimination policies;
 - Associates with another individual who is protected from discrimination under Fond du Lac Tribal and Community College Nondiscrimination Policy.

Part 3. Consensual relationships

Fond du Lac Tribal and Community College Nondiscrimination Policy 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 activity (employee includes, for example, 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.

If a consensual, romantic or sexual relationship exists between an employee and another individual and a subsequent event creates a supervisor/employee, 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 Nondiscrimination Policy, 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 Nondiscrimination Policy 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 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 Nondiscrimination Policy, 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 Nondiscrimination Policy. 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. The college will follow all Minnesota State system guidelines regarding 1B.1 violations <https://www.mnscu.edu/board/policy/1b01.html>, which

cover equal opportunity (including freedom sexual harassment) and nondiscrimination complaint.

- 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.
- 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.
- Information provided to complainant. At the time the report/complaint is made, the designated officer shall:
 - Inform the complainant of the provisions of the Fond du Lac Tribal and Community College Nondiscrimination Policy, and this procedure;
 - Provide a copy of or web address for Fond du Lac Tribal and Community College Policy 2.01 Nondiscrimination and this procedure to the complainant;
 - Determine whether other individuals are permitted to accompany the complainant during investigatory interviews and the extent of their involvement;
 - Inform the complainant of the provisions of Fond du Lac Tribal and Community College Policy 2.01 Nondiscrimination prohibiting retaliation.
- 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.
- 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:
 - Provide a copy of or web address for Fond du Lac Tribal and Community College Nondiscrimination Policy and this procedure to the respondent;
 - 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;
 - Explain to the respondent that in addition to being interviewed by the designated officer, the respondent may provide a written response to the allegations;
 - Determine whether other individuals are permitted to accompany the respondent during investigative interviews and the extent of their involvement; and
 - Inform the respondent of the provisions of Fond du Lac Tribal and Community College Policy 2.01 Nondiscrimination prohibiting retaliation.
- Investigatory process. The designated officer shall:
 - Conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings;
 - Inform the witnesses and other involved individuals of the prohibition against retaliation;
 - Create, gather and maintain investigative documentation as appropriate;

- 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
- Handle all data in accordance with applicable federal and state privacy laws.
- Interim Actions.
 - Employee reassignment or place on 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.
 - 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.
- 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 Nondiscrimination Policy. 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 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 shall:
 - a. Prepare an investigative 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 investigative 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:
 - i. A request that the designated officer conduct further investigative measures;
 - ii. 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
 - iii. 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 Nondiscrimination Policy 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 Nondiscrimination Policy 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 Nondiscrimination Policy 2.01 shall be referred to another procedure for further action, if appropriate.

Part 7. System Office, College, or University action

The System Office or college 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 Nondiscrimination Policy, 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 Nondiscrimination Policy and this procedure.

Part 10. Distribution

Information regarding Fond du Lac Tribal and Community College Nondiscrimination Policy 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 website, 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 websites 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 guidelines contained in their Student Code of Conduct committed off campus when:

- Hazing is involved;
- The violation is committed while participating in a college sanctioned or sponsored activity;
- The victim of the violation is a member of the college community;
- The violation constitutes a felony under state or federal law;
- 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.

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 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 employee, upon college premises, or while under the authority of college employee, or at a college-sponsored event; or continued abuse of a student or college employee, assault or battery upon a student or college employee, or any threat of force or violence directed toward a student or college employee.
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 equipment 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 equipment 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 com-

plete 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 clubs, 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 Dean of Student Services.

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.

1. **Warning** - issuance of an oral or written warning or reprimand that may become part of a student's permanent file.
2. **Restitution** - payment required to the college or other persons, groups, or organizations for damages incurred.
3. **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.
4. **Discretionary Sanction** - service to the college or other related discretionary assignments.
5. **Loss of a College Privilege** - an order directing a student not to have contact with an area or another member of the college community.
6. **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.
7. **Long-term Suspension** - a suspension that remains in effect for longer than 10 (ten) days. Long-term Suspensions are recorded on the academic transcript.
8. **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.
9. **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 Dean of Student Services (or designee). Once a complaint is filed, the Dean of Student Services chooses whether 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 Dean of Student Services through Incident Reports or other means. The Dean of Student Services 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 Dean of Student Services.

Subpart C. Cooperation with Investigation

All members of the college community are required to cooperate with an investigation and provide pertinent information to the Dean of Student Services 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 Dean of Student Services (or designee) will conduct an investigation. If, in the process of the investigation, the Dean of Student Services (or designee) determines that the complaint is unwarranted or unsupported, the Dean of Student Services (or designee) shall discontinue proceedings.

Subpart A. Informal Meeting

If the Dean Student Services (or designee) feels that there is sufficient evidence to support the complaint, the Dean of Student Services (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 handbook/policy
- Oral or written notice of a summary of the evidence to support the complaint specific policy he/she is accused of violating.
- A Tennessen Notice.

During the informal meeting the Dean of Student Services (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 Dean of Student Services 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 Dean of Student Services (or designee) may impose an appropriate sanction against the student. The Dean of Student Services (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 the Dean of Student Services. A request for an appeal meeting must be made in writing to the Dean of Student Services 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 Dean of Student Services 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 prescribed date.

The student may elect to have a hearing before the Dean of Student Services 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 Dean of Student Services 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 Dean of Student Services. The Dean of Student Services 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 Dean of Student Services, the hearing will be conducted in the manner described above. Upon conclusion of the hearing, the Dean of Student Services 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 Dean of Student Services 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 Dean of Student Services, 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 Dean of Student Services within ten (10) business days of the e-mail notice of the Dean of Student Services 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 Dean of Student Services (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:
 - Are enrolled in one or more courses, either credit or non-credit, through the college.
 - Withdraw, transfer or graduate, after an alleged violation of the student conduct code.
 - Are not officially enrolled for a particular term but who have a continuing relationship with the college.
 - 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.

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.

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 make such notice with 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 system 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 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 of Student Services, Vice President of Academic Affairs, 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:

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 128. The “Request to Withhold Directory Information” form may be submitted to the Records Office at any time and allow 5 days to process.
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.

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.

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 a 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 refunds after the 25th day of the 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 No Partial Withdrawal Refunds are given for students who drop a portion 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.

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 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 that have incurred and for any academic consequences due to this administrative withdrawal.

About Fond du Lac Tribal and Community College

Registration Cancellation for Non-Payment Policy

In reference to Minnesota State 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:

1. FAFSA results from the U.S. Department of Education have been received by the college.
2. 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.
3. A Third Party Billing Authorization has been submitted to the Business Office.
4. The Business Office has received a scholarship notice or an advance payment of a scholarship to cover the full amount of tuition and fees.

5. The student is a Post Secondary Enrollment Options (PSEO) student.
6. 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.

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 55.8% 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.