

# 2019 Annual Security Report

This information is provided in compliance with federal  
law, known as the Clery Act and Violence Against  
Women Act (VAWA)

## Welcome

Northwest Indian 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 Northwest Indian 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 formats upon request at Student Services (360) 676-2772. 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 Northwest Indian College Catalog and Student Handbook.

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 the Security Office (360) 303-5581 or the Center for Student Success (Building 17) at (360)392-4255).

Northwest Indian College prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. You will also be able to connect to our site via the NWIC home page [www.nwic.edu](http://www.nwic.edu). This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus, 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 by the local law enforcement agencies, designated campus officials (including but not limited to college and security, administration, deans, advisors to students/organization, coaches) and local law enforcement agencies. These statistics may also include crimes that have occurred in private residences or businesses and is not required by law. Campus Security or administrators 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.

An annual notification is sent to all enrolled students that provides the web site to access this report via email. Faculty and staff receive similar notification. The annual Campus Safety and Security Report and Clery Act Compliance Report are published for viewing and printing on the college web site at this location: <https://www.nwic.edu/wp-content/uploads/2019/09/2018-Annual-Security-Report.docx> The Crime Statistics can be found at <https://www.nwic.edu/wp-content/uploads/2020/12/2020-Campus-Safety-and-Security-Data.pdf>

## NWIC Annual Security Report

The annual Campus Safety and Security Report is available at all times to all students and employees on the college website. Printed copies of the report are available on campus in the office of the Vice President for Campus Development and Administration, Office of the Dean of Students, Extended Campus sites, Human Resources Office and at the Switchboard/Mailroom.

All Clery Act geography is located on the campuses (including extended campus sites) of Northwest Indian College as outlined below.

### **Campus Security Report**

The Dean of Students located in Student Services 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 Northwest Indian College's Dean of Students, designated campus officials, and local law enforcement agencies.

Pursuant to the *Student Right to Know* and Campus Security Act, Northwest Indian 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 Northwest Indian College.

The annual report includes reported crimes alleged to have occurred on the campus, at facilities owned or used by Northwest Indian College and/or recognized student organizations/clubs and the immediately adjacent surrounding public area. The NWIC Security Officer 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 Campus Security Officer annually requests crime statistics from local law enforcement agencies. A record of these inquiries is housed in the Security Office.

The annual report includes the following reports of crime:

- Murder and non-negligent manslaughter Negligent Manslaughter
- Sexual Assault
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Hate Crimes
- VAWA Offenses: Any incidents of Domestic Violence, Dating Violence and Stalking

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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

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.

### **To report a crime**

Contact the Lavonne Ballew at the NWIC Security Department in Building 8 or via telephone at (360) 303-5581, (800) 676-2772.

Everyone on campus is encouraged to immediately report any criminal activity to the Campus Security Department and the Lummi Nation Police Department. Please notify Campus Security anytime 911 services are requested (fire, police or ambulance) on campus.

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

Julia Orloff, BSNES Advisor

Shoshaunee Elliot, Academic Advisor

Kathy Stuart-Stevenson ASC (Achieving Scholarship Club) Advisor

Noelani Aure, Student Executive Board Advisor

Keith Tom, Housing Director

Shayna Nishiyama, Director of Financial Aid

Destiny Petroske, TRIO Director

Joan Banel, TRIO Coach Advocate

Resident Assistants for student housing: Tamara Tso, Destinee Hutchinson

Victoria Retasket, Dean of Student Services

### **Maintenance of Daily Crime Log**

Security Officers prepare and maintain an easily understood crime log, recording all crimes reported to the Northwest Indian 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.

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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.-- 5:00 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 Students and Housing Director. If new information regarding a log entry becomes available to the Housing Director or Dean of Students, 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's office 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, Northwest Indian 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 current 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 Rave Alert System.

Upon determining the need to issue an emergency alert, this group will identify the content of the notification (i.e. weather conditions cause campus closing; 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 Rave Alert System is the emergency notification messaging system used by Northwest Indian College. The system uses text, voice, and email messaging to notify students and employees of campus-related emergencies.

The RAVE Alert System is an opt-in system and students and employees must register in order to receive emergency alerts. In the event of an emergency, a text will be sent to the phone number and/or an email will be sent to the email address provided.

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Northwest Indian College students are asked to sign-up for the RAVE Alert System during new student orientation and employees are asked to register during new employee orientation and/or all staff day meetings.

In the event of an actual emergency, the campus community will be notified through phone, e-mail, and the Northwest Indian College website. Students should take responsibility for regularly checking their e-mail. In order to receive campus wide email announcements, students must have a college email account, which may be obtained from the Information Technology located in the Library. All students have an opportunity to sign up at orientation, the signup notification is run regularly on the two electronic message boards, paper flyers are hung on campus bulletin boards, and emails such as the following are periodically sent out.

### Reminder:

All students, faculty, and staff are automatically enrolled for the emergency notification system and will receive texts, and email alerts of campus-wide emergencies and school closings. The emergency notification system is an opt-out system and students must register to stop receiving alerts. Students are signed up for this service to keep informed of campus wide emergencies. If your information changes after initial admission to NWIC, you need to re-sign up at the following link: [www.getrave.com/login/nwic](http://www.getrave.com/login/nwic). The signup is a simple process of creating a username and password and having it verified through your email account.

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.)
- tsunami warning issued
- crisis situations on campus (person with weapon, violence/riot, chemical hazard, etc.) and/or 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 cancellation, 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 RAVE Alert System and have access to sending emergency alerts. The Security 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. Vice-President of Administration and Campus Development (Dave Oreiro)
2. NWIC Campus Security Officer (Lavonne Ballew)
3. Director of Maintenance & Facilities (Jon Davis)
4. ) Human Resources Director (Darcilynn Bob)

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### 5. President (Justin Guillory)

The VP of Campus Development is responsible to issue 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 (forcible or non-forcible), robbery, aggravated assault, burglary, arson, motor vehicle theft and any bias-motivated crimes, where the President Larry Anderson (or the Director's designee) determines there is a serious or continuing threat to the College Community.

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

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

In the instance of an immediate threat to campus, requiring an urgent timely warning, Crime Alerts will be distributed utilizing the emergency notification system. The RAVE 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 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, speaker phones, campus electronic message boards, and campus email system to expedite the communication process.

Records of all timely warnings issued will be maintained by the Security office. The Campus Alert System operation was verified with eight test messages that were sent out on October 13, 2016.

#### **Emergency Response and Evacuation Procedures**

The campus is comprised of 23 buildings.

These procedures 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 Emergency Management Team is the main resource responsible for emergency response and evacuation procedures. The Emergency Management Team may be augmented by other areas or groups.

The Emergency Management Team is comprised of senior leadership of the College campus, facilities, faculty, and communications personnel. The Emergency Management Team was

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created to assist incident response and if appropriate, initiate the emergency notification system and begin the transition to emergency operations.

### **Procedures**

Contact the Emergency Management Team (EMT) immediately 360-303-5581 whenever an emergency occurs on campus.

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.

If the incident is determined to be a significant emergency that will impact the campus community, the Emergency Management Team will be activated to respond.

Without delay Northwest Indian College will, at the determination of the EMT or the President of NWIC (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.

If deemed prudent, the campus RAVE emergency notification system will be utilized to inform the greater campus community of a continued or on-going emergency.

Information regarding the emergency may also be posted on the Northwest Indian College website, electronic message boards and/or through the office of President or designee appropriate to inform the larger community.

The President of NWIC 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 Director of Maintenance, the Director of Housing, and the Director of Human Resources.

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

Special instructions made available for evacuation of students with disabilities who are known to need assistance with evacuation (i.e. students registered with the Dean of Students).

### **Fire Evacuation Procedures**

Flashing strobe lights and emergency sirens will sound in the event of a fire. Calmly exit the building via the nearest exit. Administration and assigned staff will provide direction and assistance

Evacuate to a safe distance and remain outside until the all-clear message is given.

### **Severe Weather Shelter Procedures**

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

Administration and assigned staff will provide direction and assistance.

Remain in the Severe Weather Shelter area until the all clear message is delivered.

### **Campus Lockdown Procedure**

In the event of an emergency or incident which has the potential for direct or immediate harm to the campus community the Lummi Nation Police Department may lockdown the campus.

Administration will issue alerts via the campus emergency notification system and/or the telephone and speaker systems to advise the campus of the lockdown.

Proceed to the nearest classroom or enclosed area and secure yourself inside, assigned building managers will lock ALL doors & windows.

Shut off all sources of light (i.e. lights, computer monitors, television screens, etc). Stay away from windows and doors.

Remain calm and quiet.

Wait for instructions from law enforcement or EMT members.

If you require additional information about the plan or an explanation of duties, please contact Dave Oreiro, Vice President of Administrators and Campus Development at 360-392 4249.

### **Emergency response and evacuation plan review**

Emergency response and evacuation plans are maintained as long as Northwest Indian 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 Security Office. The Emergency Management Team is responsible for this plan.

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As a result of this review and evaluation, Northwest Indian College will amend this plan periodically to include updated controls and technology. The plan will also be revised after significant incidents by incorporating: (1) the details of the event, (2) an evaluation of the cause of the event, and (3) 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, do not hesitate to call 911 first and then notify a campus official.

### **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 Officer (PIO). 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 Officer, if available, by communicating through news outlets in the local area.

### **On-campus Student Evacuation**

Through the Campus RAVE 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 Lummi Shore Road, 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.

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7. Anyone who fails to report to the loading area accepts responsibility for their own personal safety.
8. CSS personnel staff members will take turns staying with the NWIC 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. CSS 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 Lummi Nation Police Department/local law enforcement.

### **Aftermath Plans**

Once the emergency has passed, the EMT or 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 CSS 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 RAVE 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.

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- Students, staff, and faculty will be kept informed on the status of the college through campus email accounts or the RAVE Alert System with texts, emails and speaker phones, and via appropriate web site updates.

### **Notification to the Northwest Indian College Community at large of a Threat**

If the President's Office and Administration receive information from various offices/ departments on campus, such as Housing, Safety Committee, Maintenance, etc, of a potential threat, and if NWIC 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 President's Office and EMT 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 President's 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 notification will, in the judgment of the first responders (including but not limited to: NWIC EMT, Lummi Nation Police and/or Whatcom County 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 NWIC 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 NWIC campus community. These methods of communications include email, emergency texts messages and speaker phones, and emergency messages on monitors located in campus common areas. The college will post updates during a critical incident on the NWIC website at <http://nwic.edu>. Individuals can call the college for updates at 360-676-2772.

### **Responsibilities**

Employees are responsible for:

- Reporting any emergency situation to an administrator or EMT member 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.

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- 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 appropriate building manager and EMT members, or the on-scene commander.

### **Fire**

Employees should become familiar with the location of fire alarm pull stations and fire extinguishers near their work area and the proper operation of that pull station. Supervisors and building managers 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 the fire is not a hazard to your safety, or small enough to be put out with a fire extinguisher, you are the best judge on attempting to put out a fire.

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 Management Team member.

### **Special considerations**

- If you are outside when the alarm sounds, stay outside and assemble with your work group in a designated area.
- If your clothing is on fire, drop to the ground and roll to extinguish the flame.

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- 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 a Building Manager immediately upon your exit from the building. Follow the established procedures to help impaired individuals.

### **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 VP for Administration and Security Office on campus.

- Inform your emergency evacuation coordinator or supervisor of the emergency.
- Take shelter, 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 a lower level.
- 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.

### **Suspicious Person**

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

- If the person is requesting to see a particular employee, be polite. Ask the person to be seated.
- If possible, call a co-worker and report as much as allowed.
- Call security personnel or dial 911.

### **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 NWIC 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 building managers receive 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 quarter. 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 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 are 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 Director of Student Housing, RAVE or the Dean of Students documented 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 so without risking their safety.

### **Fire Log**

Available in the Student Housing Director office, the Dean of Students Office, and Security Office.

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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 in offices or Student Housing. Smoking is not allowed inside NWIC 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, removes, or covers smoke detectors. Report and remove accumulated trash. Be alert for suspicious activities.

To be fully prepared in the event of an emergency, Student Housing Staff are 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 for Security, Housing Director, RA's, and EMT.
  - In case of a fire, act quickly, stay calm, sound the alarm in the hallway, contact the local 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 nearest designated assembly area and report your name and room number to the individual in charge (Fireman, Police Officer, or Housing Staff, building manager, or SSS staff representative). Do not leave the assembly area 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.

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Fire Drills: All occupants must vacate the premises during a Fire Drill and report immediately to the designated assembly area. Failure to report to the area of refuge will impede accountability of personnel. The assembly area for the Residence Hall is located outside the residence halls. Upon arrival at the assembly area, provide your name and room number to the individual in charge (Police Officer, Fireman, or representative of Housing Staff). Do not leave the assembly area until given the "all clear" signal.

NWIC Housing Facilities will have scheduled and unscheduled fire drills. There will be a 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 NWIC 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 Student Housing Director. The Director reserves the right to evict anyone who tampers with the sprinkler system. NWIC is not liable for any damages to property caused by water.

Annual Fire Safety Report: The Higher Education Opportunity Act specifies new campus safety requirements regarding fire safety issues. The statistics are 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. Northwest Indian College keeps a hard copy of its Fire Log. The copy is available from NWIC'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.

I. 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 manner." 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) • The number of fires and the cause of each fire. The cause categories to be used are: • Unintentional Fire • Cooking • Smoking materials • Open Flames • Electrical • Heating equipment • Hazardous products • Machinery/Industrial • Natural • Other • Intentional Fire • Undetermined Fire • The

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number of deaths related to the fire. • The number of injuries related to the fire that resulted in treatment at a medical facility. • The value of property damage related to the fire.

Description of Fire Safety System for Housing Facility: Northwest Indian 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, 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 Housing Director at 360-392-4242; Security Manager 360-303-5581.
- When 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, RA or staff will identify students who evacuated the building by checking off names, while in the assembly area.
- Give list to the fire department or the EMT member 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 Housing Director.
- **Report to the alarm site. Remain outside the alarm area.**
- Introduce yourself to emergency personnel and anyone that may not be able to physically respond to the fire alarm or use sound judgment to evacuate the area.
- 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."
- In the event of an actual fire, immediately contact the Fire Department by calling 911. Contact Housing Director and confirm he/she 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.

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- Complete the Fire Log and an Incident Report.

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 signal 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 and 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.

A. Fire Drills: 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.

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B. Fire Safety Tips: 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 stove or hotplate as a heat source.
- All portions of the resident housing facility will be 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. NWIC will review its fire safety procedure annually.

Changes in the plan and improvements will be made as needed.

### **Campus Security Policies**

Northwest Indian 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.

Northwest Indian 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**

- 1) Contact Lavonne Ballew via telephone at (360) 303-5581 or email [lballew@nwic.edu](mailto:lballew@nwic.edu).
- 2) Suspicious activity:

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- a) If you see any suspicious activity on or near campus, call security or 911 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.
- 3) Suspicious people may be:
- a) Loitering about at unusual hours and locations; running, especially if something of value is being carried; or 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.

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:

**911 Lummi Nation Police Department**  
**360-303-5581 Security**  
**360-392-4255 Dean of Students**

### **Voluntary Confidential Reporting**

If you are the victim of a crime and do not want to pursue action within the Northwest Indian 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, NWIC 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 call the Security Office at (360) 392-4429, via email at [security@nwic.edu](mailto:security@nwic.edu), and/or to the appropriate law enforcement agency. The Dean of Students 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 Students 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, Northwest Indian College (excluding housing) will be open to students, parents, employees, contractors, guests, and invitees. Access to campus buildings is limited to

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normal business hours. Normal campus hours are 8:00 a.m. to 5:00 p.m. (not including evening classes) Monday through Friday. 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. Additionally, during the academic year, the Director of Facilities, Maintenance, Housing and/or Administration meet daily 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 and security code access is available to administration, staff, and faculty with prior authorization. The campus provides video surveillance and is maintained by authorized personnel. The EMT meets as required to plan, address and review safety/security.

The Northwest Indian College campus is for the use of the students, faculty, staff, visitors and those on official business with Northwest Indian College. All others are subject to being charged with trespassing for cause.

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

Keys and access codes are issued to authorized faculty and staff. Students are issued keys on a temporary and very limited basis. Exterior building doors must not be blocked. Individual classrooms are available during normal business hours for scheduled classes and scheduled special events. Room reservations can be made by contacting the Administrative Assistant to the Dean of Academics and Distance Learning. Classroom keys are available for faculty from the Security Office.

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

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

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after hours, dial 9-1-1 and Security at 360-392-4429/office, 360-927-5850, 360-303-5581, to report.

Employees must secure and arm the security system as well as secure all required areas upon departure.

### **Law Enforcement Authority**

Security staff are employees of Northwest Indian College; they are not certified or sworn peace officers, and do not carry weapons.

The NWIC Security office works closely with the Lummi Nation Police Department (LNPD), Whatcom County Sheriff's Department, and State and Federal law enforcement agencies to track and respond to on-campus or near-campus criminal activity. The Lummi Law & Order Department regularly communicates crimes occurring around campus through telephone communication, email or direct calls.

Northwest Indian 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, the officers are invited to patrol the campus to assist in deterring crime. All law enforcement agencies are expected to contact Administration, Security or members of the EMT when on campus or searching for an individual.

Northwest Indian College enjoys an especially good relationship with the LNPD. The response time of the police department to campus averages 3 to 5 minutes. All Lummi Law & Order officers have law enforcement and arrest authority on campus.

As noted in the introduction and the emergency policies, LNPD is notified of all serious crime on campus, and is immediately notified of major crimes via the telephone.

Annually, the LNPD provides NWIC with a statistics summary for the year of all crime occurring on campus. Frequent meeting or telephone conversations between the LNPD and the Security Officers 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 NWIC administration. Crimes committed at off campus facilities under the control of NWIC 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 LNPD 911. To report a non-

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emergency security or public safety matter, call the Security Office at 360-392-4429. Contact local law enforcement to report a crime or an emergency concerning an off-campus activity/event. Northwest Indian College administration looks to local law enforcement to report to the college all off campus crime, emergency or safety issues concerning NWIC students.

### **Monitoring and Recording Activity at Off-Campus Locations**

All NWIC off campus locations will still be monitored by the appropriate local police department. Local police departments will share crime information with Northwest Indian College. Northwest Indian 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 Students.

The Center for Student Success 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. Northwest Indian College enjoys a close working relationship with LNPd 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 NWIC Security Office or 911 for any emergency assistance, fires, suspicious people or activities, crime reports, traffic accidents, or other illegal activities.

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 and 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 Security Officer and/or 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 Security Office. These individuals should not attempt to investigate, but should instead report the

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allegations to the Dean of Student Services and allow Dean of Student Services to investigate. Campus Security can receive incident reports of crimes on and off campus and is defined as:

- 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. The Dean of Student Services will notify campus security authorities on an annual basis of their reporting requirements and documents such notification in the SCenter for Student Success. Individuals considered to be Campus Security authorities include:
- Dean of Student Services, Coaches, Resident Assistants, Club/Organization Advisors
- 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.

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**

Northwest Indian College encourages students and employees to be responsible for their own security and the security of others.

#### 1) Personal Security Recommendations:

- a) Campus staff is 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 360-676-2772 or the Dean of Student Services at 360-392-4255, between 8:00 a.m. and 5:00 p.m. weekdays, or the Housing Director 360-392-4242.
- 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

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(daytime hours 8:00 am-5:00 pm: 360-927-5580. After 5:00 pm call 360-392-4255 or 360-927-5580 or 360-303-5581.

- 2) Protect your room or apartment:
  - a) 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.
  - b) Always lock your door when you are asleep. You are also encouraged to lock your door when you are awake.
  - c) Do not prop open locked exterior building doors. These doors are locked for your protection and for the protection of other residents.
  - d) Never open exterior doors of the building for strangers or nonresidents; always escort your guests to and from the main entrance doors.
  - e) Protect all valuables in your room or office. Do not leave valuables in plain view.
  - f) Take all valuables home with you during vacations.
  - g) 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.
  - h) 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.
  - i) Protect your automobile: 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.
  - j) Protect yourself when walking and jogging: Avoid walking and jogging alone after dark. If you must travel alone at night, use NWIC's escort service (daytime number: 360-392-4255, or after 5:00 p.m. call 360-927-5580 or 360-303-5581). 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 residence hall, apartment, or vehicle, and keep your personal or valuable items concealed and close to your body.

### Help us protect you:

- Watch for suspicious people in and around campus buildings and in parking lots. Do not pursue them.
- Call 911 if you should enter your room and find a stranger, regardless of the "cover story" supplied.
- 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 5:00 p.m. call 911 (emergency only) or Lummi Nation Police 360-312-2274 (non-emergency)

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- Do not assume that what you observe is an innocent activity or that it has already been reported.
- Do not assume that the person is a visitor or NWIC staff member that you have not seen before. Suspicious persons may be: Loitering about at unusual hours and locations; running, especially if something of value is being carried; exhibiting unusual mental or physical symptoms; or 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.
- Door-to-door soliciting is not permitted in campus residence facilities. Violations of this rule should be reported to your hall director immediately.
- Report all thefts and property loss immediately to the Dean of Students or Housing Director.
- Be security conscious at all times.

### Security considerations of campus facilities:

**Building access and maintenance:** The NWIC campus is for the use of the students, faculty, staff, and their escorted guests and those on official business with NWIC. 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.

**Policies and procedures for safe access to buildings:** Keys and access security codes 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 8:00 a.m. until evening classes end 7:00 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 Facilities. 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 buildings. These phones may also be used to contact 911. Problems related to people in buildings after hours should be reported. Call the LNPD at 360-312-2274.

**Policies and procedures for safe access to residence halls:** After the first class day of fall quarter, residence hall exterior doors are normally locked. Residents are encouraged not to prop doors open and not to open these doors to anyone other than their guests. Residents who lock themselves out of their rooms should contact their respective residence hall desks. After hours, contact a member of the Residence Life staff. All non-residents 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

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overnight guests of the same sex. Before having an overnight guest, you must notify your Resident Assistant and have your roommate's permission. The definition 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 quarter, or someone who stays two nights no more than seven times a quarter.

### **Security Awareness Programs for Students and Employees**

The Security 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 Security Office 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 Northwest Indian 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 September students are informed of services offered by Northwest Indian 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 during new hire orientation. Crime prevention programs and sexual assault prevention programs are being developed currently (October 2016) and will be offered to all staff, students, and faculty via the online course context and is strongly encouraged.

Periodically during the academic year the college organizations and departments present crime prevention awareness sessions on sexual assault (rape, harassment, crime prevention, bystander training, drug/alcohol abuse prevention as well as personal safety).

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 presentations, 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 computer 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.

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

Northwest Indian College forbids the use (consumption), possession, manufacture, sale, transportation or furnishing of alcoholic beverages on campus and during college-sponsored activities. Northwest Indian 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.

Northwest Indian College enforces the Washington state 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 Northwest Indian College and may result in a student/employee disciplinary complaint. If the accused is not cooperative or is underage, the LNPd may be called to assist.

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

Northwest Indian 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.

Northwest Indian College enforces state, tribal, and federal drug laws regarding the use, possession, and sale of illegal drugs. Northwest Indian College has been designated "Drug Free". 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 LNPd. Violators are subject to college disciplinary action, criminal prosecution, fine and imprisonment. Although Washington state has approved recreational marijuana, Lummi Reservation does not allow the sale, use or manufacturing of marijuana, or other by products.

**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). A copy of the Drug Free Schools and Workplace information appears elsewhere in this publication. The possession, sale or the furnishing of alcohol on the NWIC campus is governed by NWIC's alcohol policy and Washington 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 Students, and LNPd. The NWIC campus has been designated "Drug free". 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 LNPd. 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

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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 NWIC Drug and Alcohol Free Policy for anyone to consume or possess alcohol in any public or private area of campus. 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 Non-Forcible Sex Offenses**

Northwest Indian 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 Northwest Indian 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, Northwest Indian College will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

### **Sexual Assault and Related Offenses**

#### **Northwest Indian College Sexual Violence Policy:**

Sexual Violence is an intolerable intrusion into the most personal and private rights of an individual, and is prohibited at Northwest Indian College. Northwest Indian 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 Washington State Colleges and Universities Board Policies that may require separate proceedings. To further its commitment against sexual violence, Northwest Indian 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 and date rape through orientations each fall quarter. Area organizations offer sexual assault education and information programs to NWIC students and employees upon request. Literature on date rape education, risk reduction, and sexual violence is available through Student Services Counseling Offices.

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If you are a victim of sexual assault at NWIC, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. NWIC strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to the LNP, Dean of Students 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 NWIC. 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:**

Go to a safe place.

If you are on campus, contact the Dean of Students at 360-392-4255 or a counselor at 360-392-4219. You may also report the incident to any college employee. All college employees have a duty to report knowledge of incidents of sexual violence.

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.

You are not required, but you may file a police report with the appropriate law enforcement agency. NWIC staff will be available to assist you in this process per your request. For on-campus incidents contact the LNP by calling 911.

Northwest Indian College has Security Officers or counselors available in Student Services to assist in filing a police report.

Northwest Indian 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

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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. Northwest Indian College may take actions it deems necessary in response to all HRO, OFP, or non-contact orders.

You may contact the Lummi Victims of Crime:

2665 Kwina Road  
Bellingham, WA 98226  
Phone: (360) 312-2015  
Fax: (360) 380-6974

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.

Northwest Indian College has counselors available in its Student Services area. Mental health professionals are also available at the following community resources:

Washington Domestic Violence Crisis Line (866) 223-1111

National Domestic Violence Hotline, (800) 799-SAFE (7233), United Way 24-hour Referral Line, 2-1-1, 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 Washington: [RapeHelpmn.org](http://RapeHelpmn.org).

When a sexual assault victim contacts the Lummi Nation Police Department, NWIC administration will be notified as well as a counselor of NWIC. The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system and NWIC as well, or only the latter. A college advocate will guide the victim through the available options and support the victim in his or her decision.

NWIC disciplinary proceedings, as well as special guidelines for cases involving sexual misconduct are detailed in the Title IX Policy located in the NWIC Student Handbook. The *Student Handbook* is located online on NWIC website. The *Handbook* 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

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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**

Northwest Indian 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 a violence prevention policy statement. The Northwest Indian 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”. These individuals 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.
- 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 okay.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
  
- Speak up when someone discusses plans to take sexual advantage of another person
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in the Annual Security 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.

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3. Walk with purpose. Even if you don't know where you are going, act like you do.
4. Try not to load yourself down with packages or bags as you can appear more vulnerable.
5. Make sure your cell phone is with you and charged and that you have cab money.
6. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
7. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
8. 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.
9. 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).
10. 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.
11. 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.
12. 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.
13. 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).
14. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - 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.
  - 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.
  - 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.
  - 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.

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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.

### **Application of policy to students, employees, and others.**

This policy applies to all Northwest Indian College students and employees and to others, as appropriate, where alleged incidents of sexual violence have occurred on Northwest Indian 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 Northwest Indian College property are covered by this policy. Incidents of sexual violence alleged to have been committed by a Northwest Indian College employee at a location other than Northwest Indian College property are covered by this policy.

Individuals alleged to have committed acts of sexual violence on Northwest Indian College property who are not students or employees are subject to appropriate actions by Northwest Indian College, including, but not limited to, pursuing criminal or civil action against them.

Allegations of discrimination and harassment are governed by Northwest Indian College policies.

### **Definitions**

The following definitions apply to this policy and Northwest Indian College:

**Northwest Indian College property:** “Northwest Indian College Property” means the facilities and land owned, leased, or under the primary control of Northwest Indian College.

**Employee:** “Employee” means any individual employed by Northwest Indian 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; 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 Northwest Indian College have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid; or are not Northwest Indian College employees and are not enrolled in the institution but live in a Northwest Indian College residence hall.

**On-Campus:** 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

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building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or retail vendor).

**Non-Campus Building Or Property:** 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:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

**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.

- **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.

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- **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" means an actual, attempted, or threatened sexual act with another person without that person's consent. Sexual assault is often a criminal act that can be prosecuted under Washington law, as well as form the basis for discipline under student conduct codes and employee disciplinary standards. Sexual assault includes but is not limited to:

1. 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.
2. Involvement in any sexual act when the victim is unable to give consent.
3. 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).

4. Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.

**Dating and Relationship Violence:** Dating and relationship violence includes physical harm or abuse, and threats of physical harm or abuse, arising out of a personal intimate relationship. This violence also may be called domestic abuse or spousal/ partner abuse and may be subject to criminal prosecution under Washington state law.

**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. 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.

**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.

**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).

**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:

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- **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.

**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.

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

**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.

**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.

**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.

**Procedures for Campus Disciplinary Action for Sex Offenses:**

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Victims of sexual assaults or those witnessing any type of sexual violence or relationship violence are encouraged to report the incident to Dean of Students, Campus Security or any faculty or staff. The Dean of Students Office is the office of official record for reports of sexual assault, as it is in all reported law violations. A report with Dean of Students can ensure that proper steps are taken to ensure the safety of the survivor as well as the safety of the campus community as a whole. Filing a report with the Dean of Students can also initiate the college disciplinary process, and is an option for any person wishing to report a case of student misconduct.

Fill out the Sexual/Relationship Violence Complaint form as completely as possible. This form can be accessed with the Dean of Students. 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.

Northwest Indian College will normally not take any disciplinary action against a member of the campus community without a written complaint and the assistance of the complainant in the disciplinary process, unless the College determines there is a clear danger to the victim or the College community.

If the Dean of Student Services (or the Dean's designee) determines that continued threat exists, information about the reported sexual assault will be released to the campus community. Taking care to protect the identity of the survivor, the Dean of Students' Office will release information regarding the location, date and time of the assault, and any information that might help identify the assailant. The Dean of Students' Office will inform the campus community of the reported sexual assault and may use such resources as email notices and social media to communicate this information.

In order for Northwest Indian 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 Students. Reports made through Dean of Students 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/advocate or attorney may not participate in any questioning or advocate on behalf of the student.

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2. Northwest Indian 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.
3. 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.
4. Inform the complainant, respondent, witnesses and other involved individuals of the prohibition against retaliation and reprisal.
5. 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.
6. Disclose appropriate information to others only on a need to know basis consistent with tribal, state and federal law.
7. 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.
8. Conduct further investigation as deemed appropriate by the designated officer; prepare an investigation report for review by the decision-maker.
9. Take additional investigative measures as requested by the decision-maker.
10. 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.
11. Notify both the 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.
12. The possible sanctions and protective measures that Northwest Indian 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.
13. 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.
14. Northwest Indian College will complete an investigation and issue a written response within sixty (60) days after a complaint is made, unless reasonable cause for delay exists. Northwest Indian College will notify the complainant and respondent if the written response is not expected to be issued within the 60-day period.
15. 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.
16. The College uses a preponderance of evidence standard of evidence in determining violations of the Student Code of Conduct and Sexual Violence policy. Students who are

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found to have violated the Sexual Violence policy could face suspension or expulsion from the College.

17. During and upon the completion of the complaint process, the complaint file shall be posited in a secure location in the office of the Dean of Students.

### **Complaints/Grievances/Petitions**

Northwest Indian 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, 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, Northwest Indian College 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, Northwest Indian College will give due consideration to an individual's constitutionally protected right to free speech and academic freedom. The NWIC Board of Trustees has implemented a process to review complaints of discrimination/harassment or sexual violence. This policy supersedes all existing nondiscrimination policies.

### **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

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college. The procedure an accuser should follow is to complete an incident form, or contact Dean of Students. 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, minority 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 concerning sexual or relationship violence**

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 Northwest Indian College has the right to file a complaint. 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 Northwest Indian College an incident of sexual or relationship violent in nature on the college campus or off campus college activity. 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 Students' office.
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

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- 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 office of the Dean of Students. The Dean of Students has seven (7) working days in which to respond to the complaint. If the complaint is of academic nature, the Vice President of Instruction and Student 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 (7) working 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 (10) days or longer, students shall be informed of their right to be contested case hearing under Washington State statute.
  5. The Dean of Students 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.
  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 for the issue(s) in question. If the complaint involves a college rule or regulation, a student may appeal an official complaint through procedural steps up to the Vice President or designee. The decision of the Vice President or designee is final and binding.
  9. The Dean of Students will make sure that confidentiality of the report is maintained throughout the process. Incident reports shall be kept under the direction of Dean of Students 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 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 Students.

### **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

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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.

Information regarding registered sex offenders may be obtained through the Lummi Nation Police Department at 360-384-2266. General information on registration requirements and notification procedures can be found at the Washington State Sex Offender Registry.

In addition, information regarding registered sex offenders may be obtained through the Whatcom County Sheriff's Department.