



**2019-2019
STUDENT HANDBOOK**

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Americans with Disabilities Act (ADA)

National Park College (NPC) believes in providing equal access and opportunity to qualified persons with disabilities in compliance with the Rehabilitation Act of 1973, as amended; the Americans with Disabilities Act (ADA) of 1990; and the ADA Amendments Act (ADAAA) of 2008. It is our goal to ensure equal and comprehensive access to College programs, services, and campus facilities. It is the policy of NPC that no individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, and advantages or accommodations at the College.

Annual Campus Security Report (CLERY)

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is the landmark federal law, originally known as the Campus Security Act, which requires colleges and universities across the United States to disclose information about crime on and around their campuses. Colleges are required to publish an annual report disclosing campus security policies and three years of selected crime statistics. The College uses the Handbook for Campus Crime Reporting in the preparation of the report. Please take some time to familiarize yourself with the NPC 2015 Annual Campus Security Report.

Annual Notification of Consumer Information

On an annual basis, NPC is dedicated to providing all patrons with consumer information via email. The Higher Education Act of 1965 (HEA), as amended by the Higher Education Opportunity Act of 2008 (HEOA), requires that post-secondary institutions participating in Title IV federal programs disclose information in the areas of: completion and job placement rates, disability services, drug/alcohol prevention programs, educational degree plans, financial aid programs, gainful employment statistics, privacy rights, and voter registration. Notification includes emailing this statement and specific policies to the campus community, presenting this information at Orientation, and linking to other NPC departments via NPC web pages.

Equal Education and Employment Opportunity Statement

National Park College is an equal opportunity institution with an Affirmative Action Policy, which will be followed. It supports the goals of equal opportunity and affirmative action in its educational programs and activities.

In terms of staff and programs, the College endorses the principles, goals, and objectives of Title VI of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973, as amended. The College continues to take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, creed, color, sex, or national origin.

Further, no person in any educational program or activity conducted by the College shall be discriminated against or denied equal access or equal opportunity.

When an opening occurs, whether faculty or staff, supervisory personnel, in conjunction with the appropriate Vice President or director, develop a job description, identify the desired qualifications and set

forth criteria for the selection process. Consideration is given to assure that all affirmative action requirements for minority applicants are met. Further, provisions are made for recording and preserving detailed records of the recruiting and recommending process. It is institutional policy that this be done for all full-time positions through properly constituted search committees.

Since the College was declared a state agency, compensation and fringe benefits are primarily determined and set by the Arkansas General Assembly. The person recommending employment will be responsible for providing current information regarding fringe benefits, etc. By formal action the Board of Trustees adopted an Affirmative Action Policy (Appendix A), which ensures procedure for equal treatment of all employees.

NPC Board Policy Number: 1.100

Student's Right to Know

As a student of NPC there are certain things you have a right to know:

Completion and/or Job Placement Rates

A prospective or currently enrolled student has the right to request graduation or completion and/or job placement rates of National Park College students as well as the annual Campus Security Report. These documents are available through the Office of Institutional Research and Reporting located on the third floor of the Fisher Campus Center or on the Institutional Resources & Reporting webpage.

Student Grievance Procedures

Students may contact the Arkansas Department of Higher Education at ADHE_Info@adhe.edu for information on Arkansas colleges and universities or to report a grievance on any college/university offering programs to Arkansans. Prior to contacting ADHE about a grievance, the student must complete the formal student grievance/complaint process at the college/university. For National Park College's formal process, contact the dean of students at 501-760-4229.

Student Rights and Responsibilities

Section 1

This document shall be known as the Statement of Student Rights and Responsibilities (and conduct) for National Park College. It is designed to help foster and preserve a free, enlightened, just, and academic community. National Park College shall recognize, and guarantee, the rights of students.

Term Definitions

Section 2

When used in this statement:

The terms "College" or "institution" mean National Park College and, collectively, those responsible for its control and operation.

The term "student" includes all persons taking courses at the institution including full-time, part-time, community service, and off-campus.

The term "instructor" means any person hired by the institution to conduct classroom activities. In certain situations a person may be both "student" and "instructor." His status in a particular situation shall be

determined by surrounding facts.

The term "legal compulsion" means a judicial or legislative order, which requires some action by the person to whom it is directed.

The term "organization" means a number of students who have complied with the formal requirements for becoming an organization.

The term "group" means a number of students who have not complied with the requirements for becoming an organization.

The term "shall" is used in the imperative sense.

The term "may" is used in the permissive sense.

The term "disruptive to College" means limiting or denying ingress from College owned or controlled buildings or facilities; causing or threatening harm to the security and well-being of members or guests of the College community; damage to the property of the College or individual members of the College community; disrupting classes or recognized College functions or gatherings or impeding the flow of vehicular or pedestrian traffic.

The term "confidential" shall mean information communicated in confidence or entrusted to the confidence of the institution or personnel of the institution and shall be limited by the following principles. Information will not be confidential when:

1. It is already public knowledge.
2. The information is harmless.
3. Secrecy may result in injury to an innocent third party or the individual involved.

College Commitments and Access to Higher Education

Section 3

The College shall be open to all applicants who are qualified according to its admission requirements, including the payment of established fees. Under no circumstances shall an applicant be denied admission because of race, sex, religion, national origin, or disability.

Classroom Expression

Section 4

Expressions of views and freedom of discussion should be encouraged and protected. The instructor has the responsibility and authority to maintain order and appropriate academic environment, but his/her authority must not be used to suppress the expression of views related to the subject which are contrary to his/her own. Students are responsible for learning the content of any course for which they are enrolled. Requirements of participation in classroom discussion and submission of written exercises are not inconsistent with this section.

Section 5

Academic evaluation by instructors of student performance shall be neither prejudicial nor capricious.

Section 6

Information about student views, beliefs, and associations acquired by College personnel in the course of their work is confidential and shall not be disclosed to persons other than College officials acting in an official capacity, except with the consent, either expressed or implied, of the student or under legal compulsion.

Campus Commitments and Organizations

Section 7

Discussion and expression of all views are permitted with the College subject only to requirements for maintenance of order. Support of any cause by orderly means, which does not disrupt the operation of the College, is permitted.

Section 8

Students shall have the right to freely and peaceably assemble so long as such gatherings do not disrupt other College operations.

Section 9

Every student has the right to be interviewed on campus by any recognized, lawful or approved agency desiring to recruit at the College. Any student group or organization may protest against any other organization, provided that such protest is not disruptive to College operations or to personnel recruiting on campus.

Section 10

The President of the College may authorize recognized organizations to invite and hear any person of their choice. The College may require that the activity be registered at least forty-eight hours in advance. Such registration may include the name of the speaker and time and location of the activity.

Section 11

Organizations may be established within the College for any lawful purpose upon submission of a constitution to the Vice President for Student Affairs. The constitution must be approved by the President and the Vice President for Student Affairs. Affiliation with an extramural organization shall not in itself disqualify the College branch or chapter from College recognition.

Section 12

Organizational membership lists are confidential and solely for the use of the organizations, except where such lists may be required by College academic requirements as a condition of access to College funds or by the use of the Vice President for Student Affairs.

Section 13

Campus facilities or campus-supervised facilities may be assigned to recognize or approved student groups or organizations for business meetings or for social programs open to the public, subject to availability. At the time of application for the use of a campus facility, the intended purpose of the meeting shall be stated to the assigning official.

The College will delegate the assignment function to administrative officials. Physical abuse of assigned facilities shall result in reasonable limitations on future allocations of space to offending parties, as well as restitution for damage.

Section 14

No individual, group or organization may use the College name without the express authorization of the College, except to identify the College affiliation. College approval or disapproval of any policy may not be stated or implied by an individual, group or organization.

Section 15

A student, group or organization may publish and distribute written material on campus without prior approval if such distribution and the content of the material are not disruptive to College operations.

College Government**Section 16**

On questions of College policy, students are entitled to a participatory function. Students shall be designated by appropriate student organizations as members of standing and special committees concerned with curriculum, discipline and all other matters of direct student concern.

Section 17

The administration should not institute separate proceedings against a student who violates misdemeanors, whether municipal ordinance or state or federal statute, when violation occurs off campus and is unrelated to College-sponsored activities. Separate disciplinary proceedings by the College are proper in any circumstance involving:

- Off-campus activities sponsored or supervised by the institution.
- Official functions of College-chartered organizations on or off campus.
- Incidents involving the use of the name National Park College in any deceptive or fraudulent manner.

Off-Campus Conduct**Section 18**

If a student violates any municipal ordinance, law of the State of Arkansas, or law of the United States by any offense, committed off the campus and which is not associated with a College-connected activity, the disciplinary authority of the College will not be used merely to duplicate the penalty awarded for such an act under applicable ordinances and laws. The College will take disciplinary action against a student for such an off-campus offense only when it is required by law to do so or when the nature of the offense is such that, in the judgment of the Vice President for Student Affairs that:

- the continued presence of the student on campus is likely to create interference with the educational process and the orderly operation of the College, or;
- the continued presence of the student on campus is likely to endanger the health, safety or welfare of the members of the College community or their property or that of the College, or;
- the offense committed by the student is of such a serious, heinous or repulsive nature, as to adversely affect the student's suitability as a member of the academic community.

College Computing Resources

Section 19

The College has policies regarding the use of computers, computer labs, and the Computer Resource Center which students must follow to be permitted to use those facilities. The enforcement of procedural standards regarding those policies shall be under the provision of Section 31 of these Student Rights and Responsibilities. The conduct regarding computing which may result in other disciplinary action is identified in Section 30 #17. The statement in Section 30 #17 is applicable to all computing resources being used for NPC purposes regardless of location or ownership. There are federal and state laws relating to the use of computing and computer resources, which may be enforced, separate from and in addition to the policies of the College.

Student Records

Section 20

The privacy and confidentiality of all student records, supporting documents, and other student files shall be maintained by full or part-time employees of the College employed for that purpose. Separate files shall be maintained for the following: Official academic records; Primary (and secondary) records of disciplinary proceedings; Medical and psychiatric records; and, Financial aid records.

Section 21

No entry will be made on a student's academic transcript (except for course grades, test scores, academic probation or suspension and degree[s] or certificates awarded) or in his disciplinary file without written notice to the student. Any student challenging the accuracy of an entry or the presence of any item on his academic or social record has the right to a hearing before the appropriate College Committee.

Section 22

Access to academic records is guaranteed every student, subject only to reasonable regulation as to time, place and supervision.

Section 23

No record (or records) may be kept in relation to any political or social views held by a student, except with the written consent of the student.

Section 24

Information in a student's file is confidential and may be released only at the request of the student.

Section 25

Records on students will be preserved by the College unless the student requests that such records be destroyed upon graduation or when he/she permanently withdraws from the College.

The following records, however, will be maintained for all students:

- Academic transcripts
- Financial records of continuing obligations or where such records must be maintained for auditing purposes.

Sanctions

Section 26

Definitions:

- Admonition - an oral statement to a student that he/she is violating or has violated institution rules.
- Reprimand - written warning for violation of specified regulations, including the possibility of more severe disciplinary sanctions in the event of the findings of a violation of any institution regulation within a stated period of time.
- Restriction - of greater severity than reprimand. (This will be left up to the discretion of the Vice President for Student Affairs.)
- Disciplinary Probation - exclusion from participation in privileged or extracurricular institution activities as set forth in the notice for a period of time not to exceed one school year.
- Restitutions - reimbursements for damage to or misappropriation of property. This may take the form of appropriate service or other compensation.
- Suspension - exclusion from classes and other privileges or activities as set forth in the notice for a definite period of time not to exceed two years.
- Expulsion - termination of student status for an indefinite period. The condition of readmission, if any, shall be stated in the order of expulsion.

Section 27

If the College Disciplinary Committee decides that the student should be separated from the College, as defined in Section 26 (F) or 26 (G), it recommends such action to the President. Approval of the President is required for all actions of separation.

Section 28

College disciplinary probation will not be entered on the student's official academic transcript in the Office of the Registrar.

Section 29

No sanction may be imposed for a violation of rules and regulations for which there is no actual or constructive notice. "Actual notice" is notice actually given to the party directly. "Constructive notice" is information or knowledge of a fact imputed by law to a person.

Prescribed Conduct

Section 30

Generally, College discipline shall be limited to conduct which adversely affects the College community's pursuit of its educational objectives or which would jeopardize the health and safety of the College community.

Expulsion, suspension or less severe sanction from the College may result from any of the following conduct where it occurs on campus or in the areas or situations listed in Section 17 or 18.

- Academic cheating or plagiarism.
- (Pending Board Approval) Student display of behavior that is deemed a safety risk to himself/herself or others within the campus community.
- Furnishing false information to the College with intent to deceive.

- Forgery, alteration or misuse of College documents, records or identification cards.
- Assault and battery.
- Vandalism, malicious destruction, damage or misuse of public or private property, including library materials.
- Theft, embezzlement or temporary removal of the property from its assigned position.
- Failure to meet obligations related to the College.
- Rioting, inciting to riot, raiding, and inciting to raid College property.
- Illegal manufacture, sale, possession or use of narcotics, barbiturates, central nervous system stimulants, marijuana, sedatives, tranquilizers, hallucinogens, and/or other similar known drugs and/or chemicals.
- Possession of firearms, ammunition, explosives, fireworks, dangerous weapons, incendiary devices, or chemicals.
- Gambling.
- Two or more like offenses for which the penalty of disciplinary probation may be imposed.
- An additional offense committed while the student is on disciplinary probation.
- Possession or use of alcoholic beverages on College-owned or supervised property.
- Indecent or obscene conduct on College property or College-supervised property. This includes our conduct in cyberspace.
- Unauthorized solicitation in buildings or facilities owned or controlled by the institution.
- Abuse or misuse of computing resources to include any attempt to circumvent or compromise the security of any NPC computing resource, any unauthorized access to or tampering with any data files belonging to NPC or any other person or entity, any other similar misuse of or damage to NPC computing resources, or the use of NPC computing resources belonging to any other person or entity.

College disciplinary probation or any lesser penalty may result from the following conduct when it occurs on College-owned property, College-supervised property or in the areas or situations listed in Section 16 and 17:

- Intoxication or disorderly conduct.
- Failure to comply with official and proper regulations or order of a duly designated official acting within the scope of his/her authority, agency or agent.

Procedural Standards in Discipline Proceedings

Section 31

A student with a violation of Section 18 or 30 of this code shall have the right:

- To have a hearing before the College Disciplinary Committee.
- To be given notice in writing of the specific charge against him/her.
- To be given adequate time in which to answer or to prepare a defense to such charge.
- To appeal along or with any other person of his/her choice to advise him/her in a hearing before the Disciplinary Committee.
- To refuse to testify or to answer a question which would tend to incriminate him/her of a violation of this code.
- To be confronted with evidence against him/her.
- To present evidence in his/her own behalf.

- To question the evidence and witnesses appearing against him/her.
- To have a copy of the minutes provided at his/her own expense.
- To have penalties imposed that are commensurate with the violation charged.

Judicial Authority

Section 32

The College Disciplinary Committee and other appropriate judicial bodies in each instance consisting of an equal number of students and faculty may be formed to handle appeals from students relating to disciplinary actions taken.

Section 33

The College Disciplinary Committee and other judicial bodies may formulate procedural rules, which are not consistent with provisions of this Code.

Section 34

A student shall have the right to appeal any decision of the College Disciplinary Committee to the President.

Section 35

The charges may be disposed of informally by mutual consent of the student and the Vice President for Student Affairs without the initiation of disciplinary proceedings.

Section 36

There shall be no retroactive application of any adverse regulation (academic) or any charge in regulations governing student conduct (social).

Title IX

Policy Statement

No person at National Park College will, on the basis of sex, be excluded from participation in, be denied benefit of, or be subjected to sex discrimination, sexual harassment or sexual misconduct under any education program or activity.

Introduction

Members of the College community, guests and visitors have the right to be free from sexual discrimination, harassment or violence, which means that all members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. National Park College believes in a zero tolerance policy for gender-based misconduct. When an allegation of misconduct is brought to a responsible administrator's attention, and a respondent is found to have violated this policy, serious sanctions will be used to reasonably ensure that such actions are never repeated. These procedures have been developed to reaffirm these principles and to provide recourse for those individuals whose rights

have been violated. The policy and procedures are intended to define community expectations and establish a mechanism for determining when those expectations have been violated.

Jurisdiction

Title IX protects the College community from sexual harassment in a school's education programs and activities. This means that Title IX protects the College community in connection with all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, in college transportation, at a class or training program sponsored by the school at another location, or elsewhere.

Definitions of Terms

Consent: Consent is clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

- In order to give effective consent, one must be at least sixteen years old.
- Sexual activity with someone known to be mentally or physically incapacitated, or based on the circumstances, someone who could reasonably be known to be mentally or physically incapacitated, constitutes a violation of this policy.
- Incapacitation is a state where someone cannot make rational, reasonable decisions because he/she lacks the capacity to give knowing consent (e.g., to understand the "who, what, when, where, why or how" of the sexual interaction). Alcohol or other drug use, unconsciousness or blackout is an example of incapacitation.
- This policy also covers a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of rape drugs. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another person is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org/>
- Use of alcohol or other drugs will never function as a defense to a violation of this policy.
- Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
- Previous relationships or prior consent cannot imply consent to future sexual acts.

Dating Violence: A pattern of assaultive and controlling behaviors that one person uses against another in order to gain or maintain control in the relationship. It is physical, sexual, or psychological/emotional violence within a dating relationship and can occur in persons or electronically by a current or former dating partner. Other terms used include relationship abuse, intimate partner violence, relationship violence, dating abuse, domestic abuse, domestic violence, and stalking.

Definition of Status: A full-time employee will be considered as an employee, regardless of student status. A student who is a part-time employee will be considered a student unless the incident under consideration occurred in connection with employment. Allegations of sex discrimination or sexual harassment may require the College to take measures applicable to both students and employees.

Discrimination (general definition): Actions that deprive members of the community of educational or employment access, benefits or opportunities. Any distinction, preference, advantage for or detriment to an individual compared to others that is based upon an individual's actual or perceived gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion or sexual orientation that is so severe, persistent or pervasive that it unreasonably interferes with or limits a person's ability to participate in or benefit from the College's educational programs or activities. There can be no discrimination related to pregnancy, child birth, false pregnancy, termination of pregnancy or recovery.

Discriminatory Harassment: Detrimental action based on an individual's actual or perceived gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, sexual orientation or other protected status that is so severe, persistent or pervasive that it unreasonably interferes with or limits a person's ability to participate in or benefit from the College's educational programs or activities

Domestic Violence: A pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

Domestic violence can happen to anyone regardless of race, age, sexual orientation, religion, or gender. Domestic violence affects people of all socioeconomic backgrounds and educational levels. Domestic violence occurs in both opposite-sex and same-sex relationships and can happen to intimate partners who are married, living together, or dating.

Domestic violence victims by Arkansas Law are defined as "family or household members." Arkansas defines "family or household members" as current or former spouses; parents and children; persons related by blood; a child living in the household; persons who currently or previously lived together; persons who have a child together; and persons who currently or formally were in a dating relationship.

Force: Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes overt threats, implied threats, intimidation and coercion that overcome resistance or produce consent. For example: "Have sex with me or I'll hit you. Okay, don't hit me; I'll do what you want."

- Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive. NOTE: There is no requirement that a party resist the sexual advance or request but resistance is a clear demonstration of non-consent.

Gender Identity: Refers to one's sense of oneself as male, female, or transgender. When one's gender identity and biological sex are not congruent, the individual may identify as transsexual or as another transgender category.

Hostile Environment: Any situation in which there is harassing conduct that is sufficiently severe, pervasive and objectively offensive that it alters the conditions of employment or limits, interferes with or

denies educational benefits or opportunities, from both a subjective (the alleged victim's) and an objective (reasonable person's) viewpoint.

Non-Consensual Sexual Contact: Non-consensual sexual contact is any intentional sexual touching, however slight, with any object by a man or a woman upon a man or a woman that is without consent and/or by force.

Sexual Contact includes:

- Intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

Non-Consensual Sexual Intercourse: Non-consensual sexual intercourse is any sexual intercourse however slight, with any object by a man or woman upon a man or a woman that is without consent and/or by force.

Intercourse includes:

- vaginal penetration by a penis, object, tongue or finger
- anal penetration by a penis, object, tongue, or finger
- oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact

Quid pro Quo Sexual Harassment: Exists when there are unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature and submission to or rejection of such conduct results in adverse educational or employment action.

Reporting Party: Any party who makes a complaint/grievance against another student, employee, staff member or campus visitor.

Responding Party: The person(s) against whom a complaint has been made.

Retaliatory Harassment: Any adverse employment or educational action taken against a person because of the person's participation in a complaint or investigation of discrimination or sexual misconduct. Intentional action taken by an accused individual or allied third party, absent legitimate non-discriminatory purposes, that harms an individual as reprisal for filing or participating in a complaint/grievance procedure.

Sexual Exploitation: Occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses.

Examples of sexual exploitation include, but are not limited to:

- invasion of sexual privacy;
- prostituting another person;
- non-consensual video or audio-taping of sexual activity;

- going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- engaging in voyeurism;
- knowingly transmitting an STI or HIV to another person; or
- exposing one's genitals in non-consensual circumstances or inducing another to expose his or her genitals.

Sexually-based stalking and/or bullying may also be forms of sexual exploitation.

Sexual Harassment: Sexual Harassment is unwelcome, gender-based spoken, written or symbolic action or physical conduct that is sufficiently severe, persistent or pervasive that it has the effect of unreasonably interfering with, limiting or denying someone the ability to participate in or benefit from the College's educational programs. The unwelcome behavior may be based on power differentials, the creation of a hostile environment or retaliation. Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious, unwanted sexual attention; to punish a refusal to comply; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence; stalking; and gender-based bullying.

Not all workplace or educational conduct that may be described as "harassment" affects the terms, conditions or privileges of employment or education. For example, a mere utterance of an ethnic, gender-based or racial epithet which creates offensive feelings in an employee or student would not normally affect the terms and conditions of their employment or education.

Sexual Harassment of a Student by Another Student: Any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a student toward another student that is so severe, persistent or pervasive that it unreasonably interferes with or limits a student's ability to participate in or benefit from the College's educational programs or activities

Sexual Harassment of a Faculty/Staff Member by a Student or Another Employee: Any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature directed toward a faculty/staff member that is so severe, persistent or pervasive that it unreasonably interferes with employment or living conditions or deprives the individual of employment access or benefits. For example, a student appears at a faculty member's house uninvited. It is harassment to repeatedly subject a person to egregious, unwelcome sexual attention.

Sexual Harassment of a Student by a Faculty/Staff Member/Campus Visitor: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a faculty, staff member or campus visitor toward a student are held to constitute sexual harassment when:

- Submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating an individual's educational development or performance; or
- Such conduct is so severe, persistent or pervasive that it unreasonably interferes with or limits a student's ability to participate in or benefit from the College's educational programs or activities.

While a particular interaction must be offensive to both a reasonable person and to the victim to be defined as harassment, faculty or staff members and other persons of authority should be sensitive to questions about mutuality of consent that may be raised and to the conflict of interests that are inherent in personal relationships that result from professional and educational interactions.

Harassment is particularly damaging when it exploits the educational dependence and trust between students and faculty/staff. When the authority and power inherent in faculty/staff relationships with students, whether overtly, implicitly, or through misinterpretation, is abused in any way, there is potentially great damage to the individual student, to the accused individual, and to the climate of the institution. For example, a professor attempts to coerce an unwilling student into having sex with him/her in exchange for a good grade or some other benefit. This is harassment regardless of whether the student accedes to the request and regardless of the student's final grade.

Sexual Orientation: Refers to the sex of those to whom one is sexually and romantically attracted. Categories of sexual orientation typically have included attraction to members of one's own sex (gay men and lesbians), attraction to members of the other sex (heterosexuals), and attraction to members of both sexes (bisexuals). While these categories continue to be widely used, research has suggested that sexual orientation does not always appear in definable categories and instead occurs on a continuum.

Stalking: A pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear for his or her safety or the safety of others and/or suffer substantial emotional distress.

Policy Expectations With Respect to Consensual Relationships

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as teacher and student, or supervisor and employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of policy.

The College does not wish to interfere with private choices regarding personal relationships when those relationships do not interfere with the goals and policies of the College. However, for the personal protection of members of this community, relationships in which power differentials are inherent (faculty-student, staff-student, administrator-student or employee) are prohibited except in extraordinary circumstances.

Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisors. This will likely result in the necessity to remove the employee from the supervisory or evaluative responsibilities, or will shift the student or employee out of being supervised or evaluated by someone with whom he/she has established a consensual relationship. Failure to self-report such relationships to a supervisor as required can result in disciplinary action for an employee.

Responsibility to Report

Any student, faculty member, staff member, administrator, or visitor to the campus who has experienced or witnessed sexual harassment is strongly encouraged to report it. The College must know about incidents of sexual harassment in order to stop them, protect victims, and prevent future incidents.

It is the responsibility of College faculty, administrators, and supervisors to report complaints of sexual harassment that they receive and of possible sexual harassment of which they become aware. When there is a relationship that involves legally recognized professional confidentiality between the complainant and the person to whom the harassment is reported, the report may be withheld at the request of the complainant.

Confidentiality

Subject to the other provisions of this policy and the requirements of law, every possible effort will be made to ensure that any information received as part of the College's resolution and complaint procedures is treated discreetly. All parties to the complaint will be asked to assist in maintaining the privacy of the parties involved. Because of the College's obligation to investigate allegations of misconduct, it is not possible to guarantee that complaints will be handled confidentially.

Except as compelled by law, in the interest of fairness and problem resolution, disclosure of complaints and their substance and the results of investigations and complaint procedures will be limited to the immediate parties, witnesses and other appropriate administrative officials. Disclosure may also be necessary to conduct a full and impartial investigation.

Confidential Advocates

Confidential Advocates are NPC employees who have been specially trained to provide affirming, empowering, and confidential support for survivors and those who have experienced gendered violence, including sexual harassment, dating and intimate partner violence, sexual assault, stalking, and sexual exploitation. They are not licensed counselors.

Anyone who has a concern may contact an advocate. The advocate will listen and explain options available while providing support.

It is the Reporting Party's decision to report an incident to the College or to law enforcement. Although rare, there are times when the College may not be able to honor the Reporting Party's request for confidentiality. If a Reporting Party discloses an incident to a Confidential Advocate but wishes that no investigation into the incident be conducted or disciplinary action taken, the Advocate must weigh that request against the College's obligation to provide a safe environment for everyone, including the Reporting Party.

Amnesty

NPC recognizes that an individual who has been drinking, using drugs, or engaging in other nonviolent offenses/behavior at the time of an incident may be hesitant to make a report because of potential consequences for his /her own conduct. An individual who reports sexual misconduct, either as a Reporting Party or a third party witness, will not be subject to disciplinary action by the College for his/her own personal consumption of alcohol or drugs at or near the time of the incident, provided that such violations did not and do not place the health or safety of any other person at risk. The College may, however, initiate an educational discussion or pursue other educational remedies.

Complaint/Grievance Procedure

These procedures are intended to apply to student grievances against employees, employee civil rights grievances against students, and student-on-student civil rights grievances. All other grievances by students against students or employees will be addressed through other student conduct procedures.

The College benefits from formal and informal procedures that encourage prompt resolution of complaints and concerns raised by members of the College community.

Notification

Students, faculty members, administrators, staff members, or visitors to the College are strongly encouraged to report allegations of discrimination or harassment to a member of the Title IX team. A report of sex discrimination or harassment should be made as soon as possible after the incident in order to facilitate an effective response. The longer a report is delayed, the more difficult it will be for the College to investigate.

A person who raises a complaint may discuss the situation believed to constitute sex discrimination or sexual harassment with any member of the Title IX team. Reports may be made by the person experiencing the discrimination or harassment or by a third party, such as a witness or someone who is told of the discrimination or harassment.

Upon receipt of the complaint/grievance, the Title IX team will meet to review the information presented and to determine the appropriate course of action. The Title IX team consists of:

Title IX Coordinator Title IX

Susan Millerd
Title IX Coordinator/Investigator
Social Sciences Faculty Building

(501) 760-4163

Susan.Millerd@np.edu

Deputy Coordinator

John Tucker
Deputy Coordinator
Dean of Students
Fisher Building

(501) 760-4229

John.Tucker@np.edu

Title IX Deputy (Employee Issues)

Janet Brewer
Associate Vice President of Human Resources
Fisher Building

(501) 760-4221

Janet.Brewer@np.edu

Title IX (Student Issues)

James Montgomery
Social Sciences Division Instructor
Social Sciences Faculty Building

(501) 760-4137

jmontgomery1@np.edu

Possible solutions may include an informal administrative process, an educational conversation, educational sanctions and/or disciplinary actions, separating the parties involved (i.e. class changes, work changes, etc.), or other determined best practices.

If it is determined that a formal investigation is warranted, the Title IX Coordinator or Deputy Coordinator will convene an investigation team and will assign 1-3 members of the Title IX team to conduct the

investigation. The Coordinator or Deputy will determine appropriate accommodations for the Reporting Party or other necessary remedial short term actions. In any complaint, the appropriate Deputy or designee will play a role in the investigation of the incident and in the enforcement of sanctions, if any. The Title IX Coordinator or his/her Deputy will apprise the Vice President for the appropriate division of the grievance, or if the grievance is against the student, the Vice President of Student Affairs and Enrollment Management.

Investigation

1. The Investigative Team will:

- Be staffed with trained faculty/staff;
- Identify the policies allegedly violated;
- Meet with the reporting party to finalize the grievance;
- Prepare the notice of charges on the basis of the initial investigation;
- Develop a strategic investigation plan which may include a witness list, an evidence list, an intended timeframe, and an order of interview for all witnesses including the responding party.
- Conduct a thorough, reliable and impartial investigation. Witnesses may or may not be given notice prior to the interview;
- Complete the investigation promptly and without reasonable deviation from the intended timeframe;
- Make a finding on the case based upon a preponderance of the evidence which indicates that a policy violation has or has not occurred; and
- Prepare a complete report on the investigation and its findings to present to the Vice President for the appropriate division of the grievance, or if the grievance is against a student, the Vice President of Student Affairs and Enrollment Management and the Title IX Coordinator or Deputy Coordinator.

2. The Title IX Coordinator or Deputy Coordinator will:

- Present the findings to the individual(s) alleged to have committed discrimination harassment, who may accept the findings, accept the findings in part and reject the findings in part, or may reject all findings;
- Share the findings and the outcome with the reporting party.

3. If the findings indicate that the alleged discrimination or harassment has not occurred, the investigation should be closed. The Reporting Party who filed a complaint may request from the Title IX Coordinator or Deputy Coordinator an extraordinary decision to refer the complaint to a hearing. A hearing will only be granted by the Coordinator or Deputy in exceptional circumstances

4. Where the findings indicate that the alleged discrimination or harassment has occurred, and the Responding Party (ies) accepts the findings that he/she violated College policy, an appropriate sanction will be imposed. If the complaint is against a student, the sanction will be determined by the Vice President of Student Affairs and Enrollment Management in consultation with the Coordinator or Deputy Coordinator. If the complaint is against an NPC employee, the Vice President for the appropriate division, in consultation with the Associate Vice President of Human Resources, will determine the sanction. NPC will

act to end the discrimination, prevent its recurrence, and remedy its effects on the person who filed the complaint and on the NPC community.

5. Following the investigation, the Coordinator will distribute a written Letter of Determination to the affected parties.

Hearing

- In the event that the individual(s) alleged to have committed discrimination or harassment rejects the investigation findings in part or entirely, he/she must notify the Coordinator or Deputy Coordinator in writing of that rejection within five business days of receipt of the Letter of Determination. Acceptable means of notification include email, facsimile, hand delivered notification, or postal delivery. The Coordinator or Deputy will convene a hearing to discuss the contested aspects of the formal complaint. The Title IX Coordinator or Deputy will select three (3) NPC employees (who have received specific Title IX hearing board training) for the Hearing Board.
- The sanctions that were identified following the investigation are implemented immediately unless the party determining the sanction stays their implementation in extraordinary circumstances, pending the outcome of the hearing.
- At the hearing, the findings of the investigation will be admitted and the Investigation Team may give evidence. However, the Hearing Board is not bound by the finding(s) of the Investigation Team. The hearing will determine whether it is more likely than not that a violation of policies has occurred. The goal of the hearing is to provide an equitable resolution via an equitable process, respecting the civil and legal rights of all participants.

Prior to the Hearing

The Title IX Coordinator or Deputy Coordinator will select the hearing board members and provide the investigation report to them for their participation.

No later than five (5) business days before the hearing,

- The Coordinator or Deputy Coordinator will notify the reporting party and the responding party of the date, time, and place of the hearing and the time that each party should appear.
- The reporting party will notify the Coordinator or Deputy Coordinator if he/she will be accompanied by an attorney or other advocate; and
- The responding party will notify the Coordinator or Deputy Coordinator if he/she will be accompanied by an attorney or other advocate.

No later than three (3) business days prior to the hearing,

- The hearing board members will study the investigation report and determine what witnesses they wish to interview;
- The Reporting Party and the Responding Party will have the opportunity to study the investigation report;

- The Reporting Party and the Responding Party will provide the Coordinator or Deputy Coordinator with the names and contact information of any witnesses they wish to have the hearing board interview;
- The Coordinator or Deputy Coordinator will notify the witnesses that the board wishes to interview them at the date and time designated;
- The parties will be informed of the names of the witnesses to be called, unless there is a compelling safety reason for nondisclosure;
- The Reporting Party and the Responding Party will provide any documentation they wish to make available to the hearing board and;
- The Reporting Party and the Responding Party may submit questions to the Coordinator or Deputy Coordinator that they would like for the hearing board to ask.
Please note that the hearing board is under no obligation to ask those questions during the hearing if they are deemed by the board to be inappropriate or irrelevant.

No later than two (2) business days prior to the hearing, any participant in the hearing who requires special accommodations should notify the Coordinator or Deputy Coordinator.

At the Hearing

The Title IX Coordinator or Deputy Coordinator will chair the hearing and oversee the proceedings. The hearing may be recorded so that the proceedings may be reviewed in the event or an appeal.

The following parties may ask questions that are relevant to the complaint:

- The Title IX Coordinator or Deputy Coordinator; and
- The hearing board members

The Reporting Party has the right to be interviewed without the Responding Party present and vice versa. However, each Party has the right to know the content of the statements of the other and to respond to them.

Both the Reporting Party and the Responding Party will be given the opportunity to make a brief and relevant impact statement.

Witnesses will not be present during the testimony of any Party or other witness. If a witness is unable to appear, a statement from the witness may be accepted into the record. Telephone, Skype, or other technology may also be used for the convenience of the witness.

- The hearing board may recall the Reporting Party, the Responding Party, or witnesses if clarification is needed.
- Following the hearing, the hearing board will go into closed session to deliberate and will notify the Coordinator or Deputy Coordinator in writing of the finding.
- If the Hearing Board determines that a violation has occurred, it will be recommended that sanctions for the violation be imposed. The Vice President for the appropriate division of the complaint, or if the complaint is against a student, the Vice President of Student Affairs and Enrollment Management, will impose appropriate sanctions for the violation, after consultation with the Responding Party's supervisor and the Coordinator. NPC will act to end the discrimination or harassment, prevent its recurrence, and remedy its effects on the person who

filed the complaint and on the NPC community. If the Hearing Board determines that no violation has occurred, the case will be closed.

- Within ten (10) business days, the Title IX Coordinator or designee will notify both parties in writing of the determinations by the hearing board by sending a second Letter of Determination to them.

Appeals

- **Appeals Following an Investigation**

In cases where the respondent accepts the findings of discrimination or harassment after the investigation, those findings cannot be appealed. Although the findings cannot be appealed, the sanctions that have been imposed post-investigation can be appealed by any party according to the grounds below by contacting the Title IX Coordinator within five (5) business days following receipt of the written Letter of Determination as previously defined. Acceptable means of notification include email, facsimile, hand delivered notification, or postal delivery.

- **Appeals Following a Hearing**

After the hearing, either the Reporting Party(s) or Responding Party(s) may appeal the findings and/or sanctions only under the grounds described below. All sanctions imposed by the original hearing body will be in effect during the appeal. A request may be made to the Title IX Coordinator for special consideration in exigent circumstances, but the presumptive stance of the institution is that the sanctions will stand. In the event that the Reporting Party or Responding Party rejects the findings in part or in their entirety, he/she may seek an appeal by contacting the Title IX Coordinator within five (5) business days following receipt of the written Letter of Determination.

Appeal Procedures

Any party who files an appeal must do so in writing to the Title IX Coordinator or Deputy Coordinator within five (5) business days. Acceptable means of notification include email, facsimile, hand delivered notification, or postal delivery. The Title IX Coordinator or Deputy Coordinator will share the appeal with the Title IX team, who will accept or deny the appeal based upon the evidence provided (see criteria below).

If the appeal is accepted, it will be shared with other concerned parties. The original finding and sanction will stand if the appeal is not timely or substantively eligible, and the decision is final.

Because the original finding and sanction are presumed to have been decided reasonably and appropriately, the party requesting an appeal must show error. The ONLY grounds for appeal are as follows:

- A procedural or substantive error occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.).
- New evidence has been found which was unavailable during the original hearing or investigation that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included in the appeal.

- The sanctions imposed are substantially disproportionate to the severity of the violation.

If the Title IX Coordinator or Deputy Coordinator determines that a material procedural or substantive error occurred, they may return the grievance to the Hearing Board with instructions to reconvene to correct the error. In rare cases, where the procedural or substantive error cannot be corrected by the Hearing Board (as in cases of bias), the Title IX Coordinator, upon advice from the Title IX team, may order a new investigation and/or hearing on the complaint with new members forming the Hearing Board. The results of a reconvened hearing cannot be appealed. The results of a new hearing can be appealed, once, on the three applicable grounds for appeals.

If the Title IX team determines that new evidence should be considered, he/she will return the grievance to the Hearing Board to reconsider only the new evidence. The reconsideration of the Hearing Board is not appealable.

If the Title IX team determines that the sanctions imposed appear to be disproportionate to the severity of the violation, the Title IX Coordinator or Deputy Coordinator will refer the complaint to a board composed of three (3) cabinet officers, which may then increase, decrease or otherwise modify the sanctions. This decision is final.

The appeal procedure and determination will typically be completed within 20 business days. The procedures governing the hearing of appeals include the following:

- Sanctions imposed are implemented immediately unless the party determining the sanction stays their implementation in extraordinary circumstances, pending the outcome of the appeal.
- All parties should be informed in a timely manner of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision;
- The appeal will be returned to the original hearing body unless bias has been determined;
- Appeals are not intended to be full re-hearings of the complaint, with the exception of substantiated cases of bias. In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal;
- The Chair of the hearing board will render a written decision on the appeal to all parties within seven (7) business days, or as soon as possible thereafter from hearing of the appeal.

Complaint and Grievance Process Provisions

Time Periods

All effort will be made to make a determination in no more than 60 calendar days of filing a formal complaint/grievance.

For purposes of calculating all time periods set forth in this Complaint and Grievance Policy, a business day is defined to mean normal operating hours, Monday through Friday, excluding recognized national and state holidays and NPC closings.

Timelines may be modified in cases where information is not clear, judged to be incomplete, relevant parties are not available for interview, and/or other related circumstances as may arise. In the event that this step is necessary, the Title IX Coordinator or Deputy Coordinator will notify the complainant who filed the grievance in writing within the set timeline.

No Retaliation

Retaliation against any person who files a complaint of discrimination, participates in an investigation, or opposes a discriminatory employment or educational practice or policy is prohibited by NPC policy and federal and state law. A person who believes retaliation has occurred should notify the Title IX Coordinator as soon as possible

False Reports

NPC will not tolerate intentional false reporting of incidents. It is a violation of the Code of Conduct governing NPC to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.

Office of Civil Rights Complaint

Although complainants are encouraged to attempt to resolve complaints pertaining to discrimination by utilizing this Grievance Procedure, they have the right to file a complaint directly with the U.S. Department of Education, Office for Civil Rights (OCR) (Dallas regional office). Information regarding applicable timelines and procedures is available from OCR.

Notice That Cases Will Not be Re-Heard

Absent new evidence, NPC will not re-hear a complaint if the same complaint allegations have been filed by the Reporting Party against the same Responding Party with another civil rights enforcement agency of the federal, state or local government or through NPC's internal complaint procedures, including due process proceedings.

Effective Date

This Policy will be effective upon formal adoption. NPC reserves the right to make changes and amendments to this policy and procedure as needed, with appropriate notice to the community.

Statement of the Rights of Reporting Party

- The right to be treated with respect by College officials;
- The right to investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith to College administrators;
- The right to have an advisor or advocate to accompany and assist in the campus hearing process. This advisor can be anyone, including an attorney (provided at the reporting party's own cost), but the advisor may not take part directly in the hearing itself, though they may communicate with the Responding Party as necessary. The College should be notified five (5) business days in advance of the hearing if an advisor or advocate will accompany the Reporting Party.

- The right not to be discouraged by College officials from reporting an assault to both on-campus and off-campus authorities;
- The right to be informed in a timely manner of the outcome and sanction of any disciplinary hearing involving sexual assault, usually within five (5) business days of the end of the conduct hearing;
- The right to be informed by College officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by campus authorities in notifying such authorities, if the Reporting Party so chooses. This also includes the right not to report, if this is the Reporting Party's desire;
- The right to be notified of available counseling, mental health or student services for victims of sexual assault, both on campus and in the community;
- The right to notification of options and assistance for changing academic or employment situations after an alleged sexual assault incident. These changes will be made if they are reasonably available and desired by the Reporting Party. No formal complaint, or investigation, campus or criminal, need occur before this option is available.
- Accommodations may include:
 - Exam (paper, assignment) rescheduling;
 - Taking an incomplete in a class;
 - Transferring class sections;
 - Temporary withdrawal;
 - Alternative course completion options;
 - Alternative work assignments and/or supervisory changes.
- The right not to have irrelevant prior sexual history admitted as evidence in a campus hearing;
- The right not to have any complaint of sexual assault mediated (as opposed to adjudicated);
- The right to make a victim-impact statement at the hearing board proceeding and to have that statement considered by the board in determining its sanction;
- The right to a campus no contact order against another person who has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the Reporting Party or others;
- The right to have complaints of sexual misconduct responded to quickly and with sensitivity by campus disciplinary officials;
- The right to appeal the finding and sanction of the hearing board, in accordance with the standards for appeal established by the institution;
- The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law;
- The right to be informed of the names of all witnesses who will be called to give testimony, within 48 hours of the hearing, except in cases where a witness' identity will not be revealed to the Responding Party for compelling safety reasons (this does not include the name of the Reporting Party, which will always be revealed);
- The right to a hearing closed to the public;
- The right to preservation of privacy, to the extent possible and allowed by law;
- The right to petition that any member of the hearing board be removed on the basis of demonstrated bias;
- The right to give testimony in a campus hearing by means other than being in the same room with the Responding Party;
- The right to ask the investigators to identify and question relevant witnesses, including expert witnesses;

- The right to be fully informed of campus conduct rules and procedures as well as the nature and extent of all alleged violations contained within the complaint;
- The right to be present for all testimony given and evidence presented before the hearing board;
- The right to have complaints heard by appeals officers who have received annual sexual misconduct training;
- The right to a hearing board with officials comprised of representatives of both genders;
- The right to have College policies and procedures followed without material deviation;
- The right to be informed in advance, when possible, of any public release of information regarding the complaint;
- The right not to have released to the public any personally identifiable information about the Reporting Party, without his or her consent.
- The right to a fundamentally fair hearing, as defined by these procedures;
- The right to an outcome based on evidence presented during the hearing process. Such evidence shall be credible, relevant, based in fact, and without prejudice.

Statement of the Rights of Responding Party

- The right to be treated with respect by College officials;
- The right to investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith to College administrators against the Responding Party;
- The right to have an advisor or advocate to accompany and assist in the campus hearing process. This advisor can be anyone, including an attorney (provided at the Responding Party's own cost), but the advisor may not take part directly in the hearing itself, though they may communicate with the Responding Party as necessary. The College should be notified five (5) business days in advance of the hearing if an advisor or advocate will accompany the Responding Party.
- The right to be informed in a timely manner of the outcome and sanction of any disciplinary hearing involving sexual assault, usually within five (5) business days.
- The right to be informed of available counseling, mental health, and/or student services both on campus and in the community;
- The right not to have irrelevant prior sexual history admitted as evidence in a campus hearing;
- The right to make an impact statement at the hearing board proceeding and to have that statement considered by the board in determining its sanction;
- The right to have complaints of sexual misconduct responded to quickly and with sensitivity by campus disciplinary officials;
- The right to appeal the finding and sanction of the hearing board, in accordance with the standards for appeal established by the institution;
- The right to be fully informed of the nature, rules and procedures of the Title IX process and to timely written notice of all alleged violations within the complaint, including the nature of the violation and possible sanctions;
- The right to a hearing on the complaint, including timely notice of the hearing date, and adequate time for preparation;
- The right to review the Reporting Party's testimony and all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law;
- The right to be informed of the names of all witnesses who will be called to give testimony, within 48 hours of the hearing, except in cases where a witness' identity will not be revealed to the Responding Party for compelling safety reasons (this does not include the name of the Reporting Party which will always be revealed);

- The right to preservation of privacy, to the extent possible and allowed by law;
- The right to a hearing closed to the public;
- The right to petition that any member of the hearing committee be removed on the basis of demonstrated bias;
- The right to ask the investigators to identify and question relevant witnesses, including expert witnesses;
- The right to be fully informed of the nature, rules, and procedures of the hearing process and to timely written notice of all alleged violations within the complaint, including the nature of the violation and possible sanctions;
- The right to have complaints heard by a hearing board who has received annual sexual misconduct adjudication training;
- The right to a hearing board with officials comprised of representatives of both genders;
- The right to have College policies and procedures followed without material deviation;
- The right to a fundamentally fair hearing, as defined in these procedures;
- The right to a campus conduct outcome based solely on evidence presented during the conduct process. Such evidence shall be credible, relevant, based in fact, and without prejudice;
- The right to be informed in advance, when possible, of any public release of information regarding the complaint.

Updated 10/31/2017