

# North Hennepin Community College 2023 Annual Security Report

Published October 1<sup>st</sup>

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## Report Introduction

On behalf of the Public Safety team and college leadership, I want to thank you for taking the time to read our Annual Security Report (ASR) and for being aware of the Clery Act and the Violence Against Women Reauthorization Act of 2013 (VAWA). It is our goal to ensure the safety and security of our campus community. By understanding and following the Clery Act, we can help make our campus a safer and more secure environment for everyone. Thank you for your commitment to the safety of our students, faculty, staff, and visitors. To help us achieve our goal, we ask that you report any suspicious activity or safety concerns on campus to our Public Safety Department or local law enforcement.

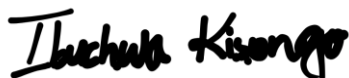
We are committed to responding to any reports we receive in a timely and effective manner. Additionally, we encourage everyone to join us in taking proactive steps to promote safety on campus, such as walking around in pairs at night, being aware of your surroundings, and staying informed of safety-related news and events. Together, we can make our campus a safe and secure place to live, learn, and work. We also ask that you become familiar with the campus safety policies, procedures, and resources. Utilizing these resources is a key part of ensuring that our campus remains secure. Please take some time to familiarize yourself with the emergency contact numbers as well as any evacuation plans or shelter-in-place instructions. By doing so, you can help ensure that our campus is prepared to respond to any potential emergency.

Finally, we encourage you to report any suspicious or concerning behavior to the appropriate authorities. If you witness or experience any type of misconduct, please know that there are resources available to help you. We encourage you to reach out to the Public Safety Department or Office of Code of Conduct if you feel unsafe or need assistance.

We are committed to creating a safe and secure campus environment and look forward to working together to make that a reality.

Thank you for your help in keeping our campus safe!

Sincerely,

A handwritten signature in black ink that reads "Thichuk Kisongo". The signature is written in a cursive, slightly slanted style.

NHCC Director of Public Safety

The North Hennepin Community College Department of Public Safety is recognized as the primary campus department responsible for providing security services for students, faculty, staff, and campus visitors. The department is comprised of full-time professional and part-time paraprofessional officers. Public Safety Officers are NOT licensed police officers and do not possess the power of arrest as defined by Minnesota State Statute, but have been granted the authority by the Institution's President to enforce institution policy, which is not inconsistent with federal, state, or local law, and to make citizens arrests when necessary.

The Brooklyn Park Police Department provides fully licensed police protection for North Hennepin Community College. The Department of Public Safety has developed a working relationship with the Brooklyn Park Police Department that allows for immediate response to all crimes, emergencies, or requests for service generated by the campus.

The North Hennepin Community College Department of Public Safety compiles all required information and statistics for this report. Statistics are collected using incident reports and from other reporting authorities including, but not limited to, local law enforcement agencies and officials of North Hennepin Community College who have significant responsibility for student and campus activities. These college/university officials, known as Campus Security Authorities, include individuals in departments such as:

Group 1 CSAs (Those with campus security and disciplinary responsibilities)			
Office	Location	Phone	Business Hours
Public Safety Officers	Learning Resources Center 101	763-424-0807	M-F 7:00 a.m. – 10:00 p.m. SAT: 7:00 a.m. – 6:00 p.m. SUN: Closed
Student Code of Conduct	Educational Services 118	763-488-0229	M-TH 8:00 a.m. – 6:00 p.m. F - SUN: Closed

Group 2 CSAs (Others responsible for security including students and employees)			
Office	Location	Phone	Comments/Hours

Student Security Monitors	Learning Resources Center 101	763-424-0807	M-F 6:30 a.m. – 10:30 p.m. SAT: 7:00 a.m. – 6:00 p.m. SUN: Closed
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**Group 3 CSAs (Those with significant responsibility for student and campus activities or disciplinary or judicial proceedings)**

Office	Location	Phone	Comments/Hrs.
Academic Affairs	Educational Services 22	763-424-0712	M-F 8:00 a.m. – 4:30 p.m.
Student Affairs	Educational Services 45	763-424-0756	M-F 8:00 a.m. – 4:30 p.m.
Dean of Students	Educational Services 118F	63-424-0736	M-F 8:00 a.m. – 4:30 p.m.
Human Resources	Educational Services 30 -35	763-424-0955	M-F 8:00 a.m. – 4:30 p.m.
Recreation and Wellness Coordinator	Recreational Sports	763-488-0195	M-F 8:00 a.m. – 4:30 p.m.
Title IX Coordinator & Code of Conduct Officer	Student Conduct and Complaint Resolution	763-488-0229	M- TH: 8:00 a.m. – 6:00 p.m.
Study Abroad Program	Advising Center	763-424-0894	M, F & Th: 8 a.m. - 4:30 p.m. T & W: 8 a.m. - 6:30 p.m.
Counseling and Career Staff	Educational Services 118	763-493-0554	M, TH & Fri.: 8 a.m. - 4:30 p.m. T & W: 8 a.m. - 6:30 p.m.

Student and Club Advisors	Campus Center	763-424-0801	M-F 8:00 a.m. – 4:30 p.m.
Community Support Advocates	Educational Services 118	763-493-0554	M, TH & Fri.: 8 a.m. - 4:30 p.m. T & W: 8 a.m. - 6:30 p.m.

It is the policy of North Hennepin Community College to report all criminal activity to the Brooklyn Park Police Department by reporting incidents directly to their office or the Department of Public Safety. All crimes or potential crimes that are reported to the campus Department of Public Safety will be forwarded to the Brooklyn Park Police Department. It is also North Hennepin Community College's position that all campus community members are responsible for reporting any criminal activity they become aware of to the Department of Public Safety Department, phone number 763-424-0807 or Learning Resources 101, or the Brooklyn Park Police Department, non-emergency number 763-493-8222 or emergency 911.

North Hennepin Community College urges all campus entities that are excluded from mandatory reporting, such as professional mental health counselors and pastoral counselors, to advise clients who are victims of crime to report those incidents to campus or local law enforcement authorities, and to report confidential information used strictly for statistical purposes to the Department of Public Safety Department.

North Hennepin Community College publishes the Annual Security Report each year by October 1. The report is distributed to all potential students on the college application form and prospective employees on the job announcement via a direct link to the report. All current students, faculty, and staff are sent an email that briefly describes the report and contains the exact Internet address where it can be found at <https://www.nhcc.edu/public-safety>

Printed copies of the report are available, at no cost, upon request from the Public Safety Department.

## Geography

Under the Act, the Department of Public Safety monitors criminal activity and publishes this report containing a three-year statistical history of select crimes or incidents that occur. The statistics are gathered from four specific geographic areas; on-campus, non-campus property or institution-sanctioned buildings or property, and public property that is

adjacent to campus, and are submitted on an annual basis to the U.S. Department of Education.

The following definitions are taken from the Higher Education Act of 1965, 485(f) (20 U.S.C. 1092(f)), the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act”, and are used to classify the locations listed in the North Hennepin Community College Crime Statistics.

**Campus:** The term “campus” means 1) any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and 2) property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).

**Residential Facilities:** North Hennepin Community College does not have residential facilities.

Campus property includes:

The NHCC campus is bordered by West Broadway Avenue on the West side. North of the campus, across 85th Avenue North, is one vacant lot which is also part of the NHCC Campus.

To the East, the campus extends to the property line of a residential housing area. In the South, there is a wooded area, which is part of the campus.

On the south side of this area is a paved footpath, just North of Shingle Creek, which serves as the Southern border of the campus. This area is referred to as “On-Campus” and is patrolled by both North Hennepin Community College Public Safety and the Brooklyn Park Police Department.

**Non-Campus Building or Property:** The term “non-campus building or property” means 1) any building or property owned or controlled by an institution; and 2) any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or relation to, the institution’s educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

The non-campus property includes:

North Hennepin Community College sends students to off-campus sites for clinical training. The agreement with these sites is for clinical training only. North Hennepin Community College does not have an agreement for the use of the clinical sites for teaching purposes.

**Public Property:** The term “public property” means all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfares, or a parking facility, and is adjacent to a facility-owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution’s educational purposes.

North Hennepin Community College public property includes adjacent streets, sidewalks, and a parking lot (Hennepin County Library on 85<sup>th</sup> Avenue North)





Note: The map above depicts NHCC's on-campus property for the 2022 calendar year. It is important to note that the college recently concluded a sale of a portion of its land, specifically the area situated between College Parkway and Tessman Parkway.

Types of Crimes Required Under the Clery Act, (Include definitions) – (See Appendix 1)

**Criminal homicide:**

Murder and non-negligent manslaughter

Negligent Manslaughter

**Sex Offenses:**

Rape

Fondling

Incest

Statutory rape

**Robbery**

**Aggravated assault**

**Burglary**

**Motor vehicle theft**

**Arson**

**Arrests and referrals for disciplinary actions, including:**

Arrests for liquor law violations, drug law violations, and illegal weapons possession. Persons who were referred to campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession.

**Hate crimes, including:**

The number of the following crimes that are determined to be hate crimes:

Larceny-theft

Simple assault

Intimidation

Destruction/damage/vandalism of property

For each hate crime recorded, an institution must identify the category of bias that motivated the crime. For this, the categories of bias include the victim's actual or perceived: Race

Gender

Gender identity

Religion

Sexual orientation

Ethnicity

National origin

Disability

**Dating violence**

**Domestic violence**

**Stalking**

### Statistics: Criminal Offenses Reporting Table

OFFENSE	YEAR	GEOGRAPHIC LOCATION		
		ON-CAMPUS PROPERTY	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
RAPE	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
FONDLING	2022	0	0	0
	2021	0	0	0
	2020	2	0	0
INCEST	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
STATUTORY RAPE	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
ROBBERY	2022	0	0	0

	2021	0	0	0
	2020	0	0	0
AGGRAVATED ASSAULT	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
BURGLARY	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
MOTOR VEHICLE THEFT	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
ARSON	2022	0	0	0
	2021	0	0	0
	2020	0	0	0

### VAWA Offenses Reporting Table

OFFENSE	YEAR	GEOGRAPHIC LOCATION		
		ON-CAMPUS PROPERTY	NONCAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2022	1	0	0
	2021	0	0	0
	2020	0	0	0
DATING VIOLENCE	2022	0	0	0
	2021	0	0	0

	2020	2	0	0
STALKING	2022	4	0	0
	2021	0	0	0
	2020	4	0	0

## ARREST AND DISCIPLINARY REFERRALS REPORTING TABLE

OFFENSE	YEAR	GEOGRAPHIC LOCATION		
		ON-CAMPUS PROPERTY	NONCAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS:  WEAPONS: CARRYING, POSSESSION, ETC.	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSIONS, ETC.	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2022	1	0	0
	2021	0	0	0
	2020	1	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2022	0	0	0
	2021	0	0	0
	2020	0	0	0

DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2022	0	0	0
	2021	0	0	0
	2020	0	0	0

## DESCRIPTIVE HATE CRIME REPORTING

### HATE CRIMES

2022: There were no reported hate crimes characterized by religious bias.

2021: There were no reported Hate Crimes

2020: There were no reported Hate Crimes

### Emergency Response and Timely Warning

North Hennepin Community College is required by policy and fire code to have evacuation and emergency operations plans in place. Evacuation plans and emergency procedures guide can be found in each classroom, employees' office areas, and on the Public Safety's webpage. North Hennepin Community College also has a current Emergency Operations Plan based on the all-hazards concept, incorporating the National Incident Management System and coordinating with the system office and local emergency response agencies. This plan is used to respond to any level of an emergency impacting North Hennepin Community College and outlines the responsibilities and actions necessary to protect life, property, and the environment. Some of the processes and procedures are included in this report.

### Evacuation Procedures

If a building evacuation is declared by the fire department, police, or administration, please leave the building area as directed. Do not linger in the hallways or on the sidewalks near the building. Do not re-enter the building until the Public Safety Office or Administration gives the "all clear."

Should a partial or full building evacuation become necessary, the Public Safety Office and Emergency Response Team will direct the evacuation.

In case of fire, emergency sirens will sound. The complete evacuation routes plan is available at <https://nhcc.edu/contact-us/campusmaps>

An evacuation may be necessary as a protective action to reduce the campus community's exposure to a hazard. Protective actions reduce the time of exposure and can provide shielding from a specific hazard. Hazards that may require an evacuation include but are not limited to:

- Fire
- HAZMAT release
- Bomb threat or suspicious device/package
- Hostile intruder
- Massive utility failure
- Severe weather conditions
- Hazard that renders facilities uninhabitable

An evacuation can include a single building or several buildings. It is also possible for the evacuation to go beyond the borders of the college, especially when the college is impacted by an evacuation initiated by the local authorities.

Emergency Response: North Hennepin Community College will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students, faculty, or staff occurring on campus. The college has numerous 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. These methods of communication include but are not limited to:

Active messaging: North Hennepin Community College can address the campus through a public address system that covers classrooms, public spaces, and interior campus offices through VOIP phones.

Passive messaging: North Hennepin Community College will provide emergency information via the main web page. The administration will use campus-wide mass email and any other available media such as signs, and internal closed-circuit televisions to disseminate emergency notifications to students, faculty, and staff.

Individual messaging: North Hennepin Community College utilizes an emergency notification system branded Star Alert, provided by Blackboard Connect, which disseminates emergency notification through SMS text, direct phone calls, and email, at the selection of the recipient. This is an opt-out system.

Upon enrollment or hiring students, faculty, and staff are automatically enrolled in the system using the Star ID to associate them with North Hennepin Community

College Students, faculty, and staff are sent an automatic email, activating their account and encouraging them to enter additional phone and/or cell numbers, email addresses and selecting other delivery options for receiving emergency notifications. The emergency notification system is updated regularly.

Students, faculty, and staff have the option of permanently opting out of Star Alert should they choose. For additional information on access, issues concerning individual accounts, or other questions contact: Todd Luebke at [todd.luebke@nhcc.edu](mailto:todd.luebke@nhcc.edu) or Public Safety at [security@nhcc.edu](mailto:security@nhcc.edu)

North Hennepin Community College, upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees occurring on campus:

1. A North Hennepin Community College official will verify that a legitimate emergency or dangerous situation exists, even if all of the pertinent details are not known or are available at the time.
2. North Hennepin Community College officials, in coordination with and at the advice of local first responders, will determine the appropriate segment(s) of the campus community to receive a notification.
3. North Hennepin Community College will, without delay, and taking into account the safety of the community, determine the content of the notification, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or contain, respond to, or otherwise mitigate the emergency.

The following persons or organization(s) are responsible for emergency notification dissemination:

Public Safety will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students and/or employees occurring on campus.

North Hennepin Community College after ensuring that local first responders are notified, will activate the active messaging system to provide emergency notification to the campus community. An immediate Star Alert containing pertinent emergency notification and information will be disseminated. Other passive and individual messaging will provide redundant and detailed emergency information as soon as reasonably possible. North Hennepin Community College will provide follow-up information to the community as needed.



North Hennepin Community College will test the emergency response and evacuation procedures annually by this policy and applicable state and federal regulations. Tests may be announced or unannounced and emergency response and evacuation procedures will be publicized in conjunction with at least one test per calendar year. Records for all Clery-related requirements are maintained for seven years and available upon request.

**Timely Warning:** North Hennepin Community College will issue a timely warning for all Clery Act crimes reported to Campus Security Authorities or local police agencies and considered by North Hennepin Community College officials to represent a serious or continuing threat to students, faculty, and staff. A timely warning will not be limited to violent crimes or crimes against persons and may include crimes against property or other types of serious or continuing threats. Timely Warning Notices will withhold the names of victims as confidential.

Issuance of a Timely Warning is determined on a case-by-case basis. Factors included are the nature of the crime or threat, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts. North Hennepin Community College will consult with local law enforcement and other officials when determining the need and content of any Timely Warning.

A Timely Warning intends to enable the campus community to protect themselves and will include all information that would promote safety and aid in the prevention of similar crimes or protection from specific threats. Timely Warnings will be disseminated using the Star Alert text and email features, campus email system, or any other passive or individual method of notification to students, faculty, and staff.

### **Campus Security Policies**

Any North Hennepin Community College student, faculty, or staff member should call 911 from a campus phone or 911 from a cell phone to report an emergency or crime.

Crimes can also be reported directly to the Department of Public Safety at 763-424-0807. Please notify those listed above anytime 911 services are requested (fire, law enforcement, medical) on campus.

All criminal activity occurring on campus should be reported immediately to the North Hennepin Community College Department of Public Safety or others listed above, in person at the Department of Public Safety or others listed above in Learning Resources Center 101, or by telephone at 763-424-0807. If the victim chooses, an additional report can be filed with the appropriate local law enforcement agency. North Hennepin Community College Department of Public Safety or others listed above can assist the complainant in completing

reports. Internal reports may be shared with other departments on campus as necessary to complete an investigation and/ or to ensure the safety of the campus community. The Department of Public Safety or others listed above will assist Police Department(s) with investigations as required. Depending on many factors, North Hennepin Community College may or may not hold reports of crime in confidence and may be required by law to release information based on the events or nature of the crime. Whenever possible North Hennepin Community College will attempt to protect the identity of crime victims.

In addition, crimes can be reported to any of the Campus Security Authority (CSA) who has significant responsibility for student and campus activities (not including licensed counselors). Please refer to the tables above for the CSA list.

North Hennepin Community College offers an “Anonymous Report” program on the Public Safety web page (<https://www.nhcc.edu/student-resources/public-safety>) for victims and/or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual security report. North Hennepin Community College officials will share information as necessary to appropriately address a situation but will make efforts to maintain confidentiality. Absolute confidentiality of reports made to North Hennepin Community College officials cannot be promised.

North Hennepin Community College is not required to report statistics for crimes reported to a pastoral or professional counselor. Pastoral and professional counselors, if and when they deem appropriate, are encouraged to inform the persons they are counseling, of any procedures to report crimes on a voluntary, confidential basis for including in the annual disclosure of crime statistics.

North Hennepin Community College security personnel and officials ARE NOT certified or sworn peace officers and do not possess law enforcement (arrest) authority. North Hennepin Community College personnel may utilize private person arrest authority under Minnesota State Statute 629.37 when appropriate.

North Hennepin Community College works closely with the Brooklyn Park police department, State Patrol, Bureau of Criminal Apprehension, and other state and federal law enforcement agencies as required.

North Hennepin Community College encourages students, faculty, and staff to accurately and promptly report all crimes to one of the above-listed agencies and offices when the victim of a crime elects to or is unable to make such a report.

North Hennepin Community College continuously reviews the physical security infrastructure to ensure appropriate steps are taken to maintain and enhance the safety and security of the campus.

Landscaping and lighting are checked monthly by the Department of Public Safety *and* discrepancies are communicated to the Facilities Department. The campus works closely and routinely with the system Emergency Preparedness and Security Specialist and the Facilities department to evaluate campus physical security and vulnerability, and programming resources to address any potential threats, vulnerabilities, or contingencies. The campus is open during the following normal business hours:

Mon – Fri 6:30 AM to 10:30 PM  
 Saturday - 7:00 AM to 6:00 PM  
 Sunday- Closed

Campus facilities, offices, classrooms, and other spaces use a combination of keyless entry; keys issued to authorized personnel only, and manually operated locks. The Department of Public Safety opens and grants access, and secures all facility access points after hours.

North Hennepin Community College provides the following programs at the frequency noted, to inform students, faculty, and staff about campus security procedures and practices:

<b>Program</b>	<b>Frequency/Dates</b>	<b>Audience</b>
Safety and Security on campus	Fall Semester	Students & Employees
Public Safety Services	Student Orientations	Students
Student Workers Training	Fall Semester	Student workers.

North Hennepin Community College encourages students, faculty, and staff to be responsible for their security and the security of others by following the tips provided:

Protect your property:

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

Protect your automobile:

- Always lock your car doors and never leave your keys or valuable items such as cameras, wallets, etc. in plain sight or on the seats in the vehicle.
- Try to park your car in a well-lit area. Protect yourself at night:
- Avoid walking alone at night.
- Refrain from taking shortcuts; walk where there is plenty of light and traffic.
- Call Public Safety at 763-424-0807 for an escort in advance Protect yourself walking and jogging:
- Avoid walking and jogging alone after dark. If you must travel alone at night, call for someone to escort you to your on-campus destination.
- Walk along well-lit routes.
- Be alert to your surroundings. If you suspect you are being followed, run in a different direction, go to the other side of the street and yell for help, or head quickly for a lighted area or a group of people.
- Have your keys ready when returning to your residence or apartment, and keep your personal or valuable items concealed and close to your body.

Help us protect you:

- Watch for suspicious persons in and around college buildings and in parking lots. Do not pursue them. Call 911 first and then 1. Suspicious activity:
  - (a) If you see any suspicious activity or people on or near campus, call law enforcement. Do not assume that what you observe is an innocent activity or that it has already been reported.
  - (b) Do not assume the person is a visitor or college staff member that you have not seen before.
- 2. Suspicious people may be:
  - (a) Loitering about at unusual hours and locations; running, especially if something of value is being carried.
  - (b) Exhibiting unusual mental or physical symptoms. The person (s) could be under the influence of drugs or otherwise need medical or psychiatric assistance.
  - (c) Carrying property that might be suspicious, depending on the circumstances, going from room to room trying door handles.
- Report all thefts and property loss immediately to the Department of Public Safety.
- Be security conscious at all time

## Daily Crime Log

The Department of Public Safety maintains a written daily crime log. The crime log records the date the crime was reported, any crime that occurred within the institution's designated Clery geography, and that is reported to Public Safety. The crime log discloses specific information about criminal incidents, not crime statistics. The information in the crime log contains the nature, date, time, and general location of each crime and the disposition of the case if known. The log has a more specific location focus than statistical disclosure and is designed to disclose crime information on a timely basis. The college is required to make an entry or an addition to an entry to the log within two business days of the report unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim.

The institution may withhold information required if there is clear and convincing information that the release of the information would:

- 1) Jeopardize an ongoing criminal investigation or the safety of an individual,
- 2) Cause a suspect to flee or evade detection, or
- 3) Destroy evidence

North Hennepin Community College may disclose any information withheld once the adverse effect described above is no longer likely to occur. The institution can withhold only that information that would cause an adverse effect.

The Department of Public Safety makes the crime log for the most recent 60-day period open to public inspection during normal business hours. In addition, North Hennepin Community College can make any portion of the crime log, older than 60 days available within two business days when requested. The request can be made by contacting the Department of Public Safety at 763-424-0807 or [securitydesk@nhcc.com](mailto:securitydesk@nhcc.com)

## Sexual Assault and Related Offenses

North Hennepin Community College does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Sexual violence includes a continuum of conduct that includes sexual assault, non-forcible sex acts, dating and relations violence, stalking, as well as aiding acts of sexual violence. Sexual assault and related offenses are governed and adjudicated under Minnesota State Board Policy 1B.3 Sexual Violence Policy, the Violence Against Women Act as amended, and the Clery Act as amended. As a result, North Hennepin Community College issues this statement of policy to inform the community of our comprehensive plan

addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to North Hennepin Community College official. In this context, North Hennepin Community College prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking and reaffirms its commitment to maintaining a campus environment emphasizing the dignity and worth of all members of the university community.

For a complete copy of Minnesota State Board Policy 1B.3 Sexual Violence Policy, visit <http://www.minnstate.edu/board/policy/1b03.html>. For a complete copy of North Hennepin Community College policy governing sexual misconduct, visit <https://www.nhcc.edu/about-nhcc/administration/college-policies-procedures-disclosures/disclosures/discrimination-and-3>

Definitions: The following definitions apply:

**Affirmative Consent:**

Consent is an informed, freely given, and mutually understood willingness to participate in sexual activity that is expressed by clear, unambiguous, and affirmative words or actions. It is the responsibility of the person who wants to engage in sexual activity to ensure that the other person has consented to engage in the sexual activity. Consent must be present throughout the entire sexual activity and can be revoked at any time. 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, there is no consent; this includes conditions due to alcohol or drug consumption or being asleep or unconscious. A lack of protest, absence of resistance, or silence alone does not constitute consent, and past consent to sexual activities does not imply ongoing future consent. The existence of a dating relationship between the people involved or the existence of a past sexual relationship does not prove the presence of, or otherwise provide the basis for, an assumption of consent. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.

**Sexual Assault:**

an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. 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 Minnesota law, as well as form the basis for discipline under

Minnesota State 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 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. Intentional and unwelcome touching, or coercing, forcing or attempting to coerce or force another to touch a person's intimate parts (defined as the primary genital area, groin, inner thigh, buttocks, or breast).
4. Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.

Rape: is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling: is defined as the touching of the private parts of another person for sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest: is defined as nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: is defined as nonforcible sexual intercourse with a person who is under the statutory age of consent.

Domestic Violence: The term "domestic violence" means a felony or misdemeanor crime of violence committed—

1. By a current or former spouse or intimate partner of the victim;
2. By a person with whom the victim shares a child in common;
3. By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;

4. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
5. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating Violence: The term "dating violence" means violence committed by a person – who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For this definition, Dating Violence includes but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. Any incident meeting this definition is considered a crime for Clery Act reporting.

Stalking: The term "stalking" means engaging in a course of conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated; and that would cause a reasonable person to fear for the person's safety or the safety of others, or suffer substantial emotional distress.

1. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means that follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
2. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily, require medical or other professional treatment or counseling.
3. A reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Any incident meeting this definition is considered a crime for Clery Act reporting.

North Hennepin Community College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking. North Hennepin Community College developed an annual educational campaign consisting of presentations that include the distribution of educational materials to new students and participating in and presenting



information and materials during new employee orientation. Primary prevention and awareness programs are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome. Environmental risk and protective factors are considered as they occur on the individual, relationship, institutional, community, and societal levels.

<b>Name of Awareness Program(s)</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Prohibited Behavior Covered</b>
Mental Health First Aid	January 6 <sup>th</sup> , 2022 August 17 <sup>th</sup> , 2022	Virtual session	Drug overdose, substance abuse, and mental health
National Suicide Prevention Week	September 4 <sup>th</sup> , 2022 – September 10 <sup>th</sup> , 2022	Virtual and Learning Resources Center 104	Suicide
Peace Ritual Series	October 4 <sup>th</sup> , 2022 & October 25 <sup>th</sup> , 2022	Campus Center Black Box Theater The Greenhouse	Mental health stigma
National Depression Screening Day	Thursday, October 6 <sup>th</sup>	Campus Center Cafeteria	Mental health stigma - depression, anxiety, or alcohol addiction
Wellness Circles	October 20 <sup>th</sup> , 2022	Virtual	Bullying, religious intolerance, microaggressions, anxiety, depression, grief, and racial discrimination
Self- Care Workshop	November 8 <sup>th</sup> , 2022	Campus Center 244	Mental health stigma

Veterans Day Resource Fair	November 9 <sup>th</sup> , 2022	Center for Business and Technology 195	Unemployment and homelessness
Hunger & Homelessness Awareness	November 12 <sup>th</sup> & November 22 <sup>nd</sup>	Educational Services 120	Hunger and homelessness
Racial Healing Circle	November 18 <sup>th</sup> , 2022	Virtual	Racial discrimination
Safe Zone/LGBT+ Inclusion Series with Queer Space Collective	November 8 <sup>th</sup> , 2022	Virtual	Discrimination based on sexual orientation and gender

<b>Name of Ongoing Prevention Program(s)</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Prohibited Behavior Covered</b>
Sexual Violence Prevention Training	Upon registering for classes (students)	Desire 2 Learn (D2L)	Sexual Violence

Procedures for Reporting a Complaint: North Hennepin Community College has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. North Hennepin Community College will make such accommodations if the complainant requests them and if they are reasonably available, regardless of whether the complainant chooses to report the crime to the Department of Public or local law enforcement. Students and employees should contact the Department of Public Safety (763) 424-0807; the Director of Public Safety (763) 424-0806; or the Brooklyn Park Police Department (911) as soon as possible after the offense.

For support, assistance, and referral please contact NHCC CARE Center at 763-493-0554 or [CARECenter@nhcc.edu](mailto:CARECenter@nhcc.edu)

*For Sexual Harassment/Racial Harassment:*

Melissa Danner, Interim Human Resources Director  
763-424-0955, ES 31, [Melissa.danner@nhcc.edu](mailto:Melissa.danner@nhcc.edu)  
Elton Dahn, Dir. Of Student Conduct and Conflict Resolution 763-488-0229, ES 118F, [Elton.dahn@nhcc.edu](mailto:Elton.dahn@nhcc.edu)  
Eda Watts, Associate Vice President for Equity and Inclusion  
763-424-0944, CC 101F, [eda.watts@nhcc.edu](mailto:eda.watts@nhcc.edu)

After an incident of sexual assault or domestic violence, the victim should consider seeking medical attention as soon as possible at one of the following locations:

### **Maple Grove Hospital**

9875 Hospital Drive, Maple Grove, MN 55369  
Emergency Department: 763-581-1200

### **North Memorial Medical Center**

3300 Oakdale Dr. N Robbinsdale, MN 55422  
Emergency Department: 763-520-5200

### **Hennepin Healthcare**

701 Park Ave, Minneapolis, MN 55415  
Office: 612-873-5832  
Emergency Department: 612-873-3132  
Hennepin Assault Response Team: Contact 612-873-5832

### **Methodist Hospital**

6500 Excelsior Blvd. St. Louis Park, MN 55426  
Emergency Department: 952-993-5353

In Minnesota, evidence may be collected even if you choose not to make a report to law enforcement. Evidence collected during a medical forensic exam will only be tested if a report is made to law enforcement.

Under Minnesota law, the county in which the sexual assault or rape occurred is responsible for the cost of collecting evidence during your medical forensic examination. The county must pay regardless of whether or not you report to law enforcement. After your medical forensic examination has been performed, the county may be reimbursed from your

insurance with your permission. Counties must obtain your approval before billing your insurance. Whether or not the county uses your insurance is your choice. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing, or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may help obtain a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, healthcare providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted diseases.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, and other communications, and keeping pictures, logs, or other copies of documents, if they have any, that would be useful to North Hennepin Community College investigators or police. Although North Hennepin Community College strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether to make such a report and victims have the right to decline involvement with the police. North Hennepin Community College will assist any victim with notifying local police if they so desire. Brooklyn Park Police Department may also be reached directly by calling 763493-8222, or in person at 5400 85th Ave N, Brooklyn Park, MN 55443.

Additional information about the Brooklyn Park Police Department may be found online at: <https://www.brooklynpark.org/mobile/city-government/police>

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Elton Dahn. The victim can contact Elton Dahn by calling 763-488-0229, sending an email to [Elton.dahn@nhcc.edu](mailto:Elton.dahn@nhcc.edu), or coming into the office to report in person in Educational Services 118.

North Hennepin Community College Department of Public Safety is also available to take reports of such nature. The Department of Public Safety can be reached at 763-424-0807 or via email at [securitydesk@nhcc.edu](mailto:securitydesk@nhcc.edu). The Public Safety office is located in the Learning Resources Center 101. North Hennepin Community College will provide resources, on campus, off campus, or both, including medical, and health, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with the North Hennepin Community College Department of Public Safety or other law enforcement to preserve evidence if the victim changes her/his mind at a later date.

If a report of domestic violence, dating violence, sexual assault, or stalking is reported to the institution, below are the procedures that the institution will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

North Hennepin Community College Department of Public Safety, when informed of an alleged incident of sexual violence, shall promptly assist the complainant, as requested. North Hennepin Community College may:

1. Provide the complainant with written information to access medical care, depending on when reported (immediate vs. delayed report).
2. Assess the immediate safety needs of the complainant.
3. Assist the complainant with contacting local police if the complainant requests and provide contact information for the local police department.
4. Provide the complainant with referrals to off-campus mental health providers.
5. Assess the need to implement interim or long-term protective measures, such as housing changes in class schedule, "No Contact" directive between both parties
6. Provide a "No Trespass" directive to the accused party if deemed appropriate
7. Provide written instructions on how to apply for an Order of Protection
8. Provide a copy of the Sexual Violence Policy to the complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution
9. Inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged, and what the outcome of the hearing is
10. Enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.

When appropriate, North Hennepin Community College may pursue legal action against a respondent, including, but not limited to, trespass or restraining orders, in addition to disciplinary action under the applicable student or employee conduct standard.

Assistance for Victims - Rights and Options: Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus,

North Hennepin Community College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. In Minnesota, a victim of domestic violence, dating violence, sexual assault, or stalking has the following rights:

1. Be informed of the prosecutor's decision to decline prosecution or dismiss the case along with information about seeking a protective or harassment order at no fee
2. Protection against employer retaliation for victims to take reasonable time off to attend order for protection or harassment restraining order proceedings
3. Domestic abuse victims can terminate a lease without penalty
4. Sexual assault victims can make a confidential request for HIV testing of a convicted offender
5. Sexual assault victims do not have to pay the cost of a sexual assault examination
6. Sexual assault victims may not be required to undergo a polygraph examination for an investigation or prosecution to proceed.

Further, North Hennepin Community College complies with Minnesota law in recognizing Orders of Protection and Harassment Restraining Orders.

The Department of Public Safety presumes a protection order is valid when the order: gives the names of the parties; contains the date the order was issued, and if the order has an expiration date, that the date of expiration has not yet occurred; contains the name of the issuing court; is signed by or on behalf of a judicial officer; and specifies the terms and conditions against the abuser.

Also, the Department of Public Safety works directly with other applicable jurisdictions when enforcing custody provisions in protection orders and gives the victim referrals to appropriate resources on campus.

Any person who obtains an order of protection from Minnesota or any reciprocal state (Under VAWA's full faith and credit provision, every state must recognize and enforce protection orders issued in other states, as if issued in the enforcing state) should provide a copy to Department of Public Safety and the Office of the Title IX Coordinator. A complainant may then meet with the North Hennepin Community College Department of Public Safety to develop a plan, which is a plan for campus officials and the victim to reduce the risk of harm while on campus or coming and going from campus. This plan may include, is but not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc.) North Hennepin Community College cannot apply for a legal order of protection, no-contact order, or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services. Protection from abuse orders may be available through the local county

court at no cost. North Hennepin Community College may issue an institutional no-contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim's cooperation and consent, North Hennepin Community College offices will work cooperatively to ensure that the complainant's health, physical safety, work, and academic status are protected, pending the outcome of a formal investigation of the complaint. The victim will be provided written notification about options for or available assistance, and how to request changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance, and assistance in notifying appropriate local law enforcement. Additionally, personally identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who is investigating/ adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without the inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20). Further, North Hennepin Community College will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Type of Order	Who Can File for One	Where to go for assistance	*Criteria for Order
<p>Order for Protection (OFP)</p> <p>Domestic Abuse</p>	<ul style="list-style-type: none"> <li>• Spouses</li> <li>• Former Spouses</li> <li>• Parents and Children</li> <li>• Persons related by blood</li> <li>• Persons who live together or who have lived together in the past</li> <li>• Persons who have a child in common, even if they have not been married or lived together</li> <li>• Persons who have an unborn child in common</li> <li>• Persons involved in a significant romantic or sexual relationship</li> </ul>	<p>Visit the Hennepin County Courthouse. District Court staff will help you complete the paperwork (Affidavit and Petition) needed to ask for a temporary "ex parte" Order for Protection. You are called the "Petitioner" and the person you are filing against is called the "Respondent."</p> <p>The Department of Public Safety or Title IX can assist students in completing and filing OFPs and harassment orders.</p>	<ul style="list-style-type: none"> <li>• Physical harm, bodily injury, or assault;</li> <li>• the infliction of fear of imminent physical harm, bodily injury, or assault; or</li> <li>• terroristic threats, within the meaning of section 609.713, subdivision 1; criminal sexual conduct, within the meaning of section 609.342, 609.343, 609.344, 609.345, or 609.3451; or interference with an emergency call within the meaning of section 609.78, subdivision 2.</li> </ul>



Harassment Restraining Order (HRO)	Anybody who does not fall under the criteria for the Order for Protection.	To file a Harassment Restraining Order, you must first fill out a Court Administration form titled "Petitioner's Affidavit and Petition for Harassment Restraining Order." You may pick up a copy of this form from the Hennepin County Service Center, or download it from the Minnesota Court System's website. Provide as many details as possible on the form,	A single incident of physical or sexual assault or repeated incidents of intrusive or unwanted acts, words, or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another, regardless of the relationship between the actor and the intended target.
		and return it to the Court Administration.	

\*Criteria for Order reflects Minnesota Statutes

The institution does not publish the names of crime victims nor house identifiable information regarding victims in the Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by request to the Department of Public Safety.

**Resources for victims (On-Campus)**

<b>Service</b>	<b>Office to Contact</b>	<b>Contact Information</b>
Counseling	CARE Center	763-493-0554
Mental Health	CARE Center	763-493-0554
Legal Assistance	Legal Services Clinics	952-697-1308
Financial-aid Assistance	Financial Aid Office	763-424-0728
Visa and Immigration Assistance	Admissions and Outreach	763-424-0724
Safety and Security	Public Safety	763-424-0807
Discrimination & Harassment	Code of Conduct Office	763-488-0229
Community Support Advocates	CARE Center	763-493-0554
Food Cupboard	CARE Center	763-493-0502

**Off-Campus Resources**

<b>Service</b>	<b>Community Resource</b>	<b>Contact Information</b>
Counseling	Walk-In Counseling Center	612-870-0565
Health	Cedar Riverside People's Center Clinics & Services	612-332-4973
Mental Health	Community Outreach for Psychiatric Emergencies (COPE)	612-596-1223
Legal Assistance	Volunteer Lawyers Network	612-752-6655
Financial-aid Assistance	Federal	1-800-433-3243

Visa and Immigration Assistance	The Immigrant Law Center of Minnesota	651-641-1011
Crime Prevention	Brooklyn Park Police	763-493-8222

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

<http://www.rainn.org> – Rape, Abuse, and Incest National Network

<https://www.justice.gov/action-center/find-help-and-information-crime-victims> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

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

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

Reducing the Risk of Sexual Assault: You can reduce the chances of sexual assault by doing the following:

1. Be aware of your surroundings. Knowing where you are and who is around you may help you find a way to get out of a bad situation.
2. Try to avoid isolated areas; it is more difficult to get help if no one is around.

3. Walk with purpose. Even if you do not know where you are going, act as you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably is not the best place to be.
5. Try not to load yourself down with packages or bags as this can appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cash money.
7. Do not allow yourself to be isolated from someone you do not trust or someone you do not know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (call 911)
11. Do not leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you have left your drink unattended, just get a new one.
12. Do not accept drinks from people you do not 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, do not drink from the punch bowls or other large, common open containers.
13. Watch out for your friends and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they have had, or is acting out of character, get the friend to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a. Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - b. Be true to yourself. Do not feel obligated to do anything you do not want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.

- c. Have a code word with your friends or family so that if you do not feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come and get you or make up an excuse for you to leave.
  - d. Lie. If you do not want to hurt the person's feelings, it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

**The complainant's rights:** are as follows:

1. Complainants have the right to file criminal charges with local law enforcement officials in any sexual assault case
2. They have all of the rights under the crime victims bill of rights, Minn. Stat. §§ 611A.01 – 611A.06, including the right to assistance from the Crime Victims Reparations Board and the commissioner of public safety
3. Complainants are afforded the availability of prompt assistance from campus officials, upon request, in notifying the appropriate campus investigating authorities and law enforcement officials, and, at the direction of law enforcement authorities, assistance in obtaining, securing, and maintaining evidence in connection with a sexual violence incident
4. Campus Security Authorities will assist in preserving for a sexual violence complainant material relating to a campus disciplinary proceeding
5. Complaints of incidents of sexual violence made to campus security authorities must be promptly and appropriately investigated and resolved
6. Upon a sexual assault complainant's request, North Hennepin Community College will take action to prevent unwanted contact with the alleged assailant, including, but not limited to, transfer of the complainant and/or the respondent to alternative classes, or a work site or alternative college-owned housing, if such alternatives are available and feasible. Any accommodations or protective measures provided to the victim will be maintained in confidence, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

7. Upon the request of the complainant, students who report sexual assaults to North Hennepin Community College and subsequently choose to transfer to another college or university will be provided with information about resources for victims of sexual assault at the college or university to which the complainant is transferring

**Investigation and Disciplinary Procedures:** Investigations and disciplinary procedures will be conducted by North Hennepin Community College officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to investigate and hearing process that protects the safety of victims and promotes accountability. North Hennepin Community College officials who conduct investigations and disciplinary procedures will not have any bias or conflict of interest toward either the accuser or the accused.

Procedures used in response to a complaint of sexual violence complainants should avoid requiring complainants to follow any plan of action, to prevent the possibility of revictimization. The process will be respectful of the needs and rights of the individuals involved and they will be treated with dignity. It is never assumed or suggested that the complainant or victim was at fault for the sexual assault or should have behaved differently to prevent the assault. All proceedings will be acted on promptly and conducted within reasonable timeframes. The process will allow for extensions of those timeframes for good cause with written notice to the complainant and the respondent of the delay and the reason for the delay. The process will be consistent with these policies and transparent to the complainant and the respondent. Student complainants and respondents will have the same opportunity to have an appropriate support person or advisor present at any interview or hearing, in a manner consistent with the governing procedures and applicable data practices law. Employees have the right to representation consistent with the appropriate collective bargaining agreement or personnel plan. All procedures will be conducted in accordance with applicable due process standards and privacy laws. The complainant and respondent will simultaneously be informed, in writing, of the outcome promptly, as permitted by applicable privacy law. Outcomes will be based on a preponderance of evidence standard, meaning that it is more likely than not that the policy, procedure, or code has been violated. The past sexual history of the complainant and respondent is deemed irrelevant except as that history may directly relate to the incident being considered. A respondent's use of any drug, including alcohol, judged to be related to an offense may be considered to be an exacerbating rather than mitigating circumstance.

North Hennepin Community College takes allegations of sexual violence very seriously and recognizes the consequences such allegations may have on a respondent as well as the complainant. Any individual who knowingly provides false information regarding the filing of a complaint or report of sexual violence, or who provides false information during the

investigation of such a complaint or report, may be subject to discipline or, under certain circumstances, legal action. Complaints of conduct that are found not to violate policy are not assumed to be false.

If a complainant no longer desires to pursue a complaint through North Hennepin Community College proceedings, North Hennepin Community College reserves the right to investigate and resolve the complaint as it deems appropriate. North Hennepin Community College reserves discretion whether to pursue alleged violations of policy under appropriate circumstances, including, but not limited to, a determination that an effective investigation is not feasible because of the passage of time, or because the respondent is no longer a student or employee of North Hennepin Community College.

## STUDENT CODE OF CONDUCT PROCESS FLOW CHART

### INCIDENT REPORT IS RECEIVED

An incident report is submitted to the Director of Student Conduct and Complaint Resolution by College representative (e.g., Faculty, Staff, Public Safety, other campus entity). A confirmation email/communication will be sent out within 24 – 48 hours (i.e., excluding weekends) on receipt of the formal report. The incident is reviewed and the Student Conduct Process begins in accordance with MN Statute.\* If appropriate, reporting parties will be notified of case outcomes within data privacy policies.

### INVESTIGATION

- Gather evidence on submitted report.
- Determine next steps for case:
  - Case Closed, If complaint unwarranted
  - Care Team/BCRT Referral
  - Informal meeting or mediation with student(s) and parties involved
  - Complaint Valid-Move forward with Student Conduct Process

### STUDENT NOTIFICATION

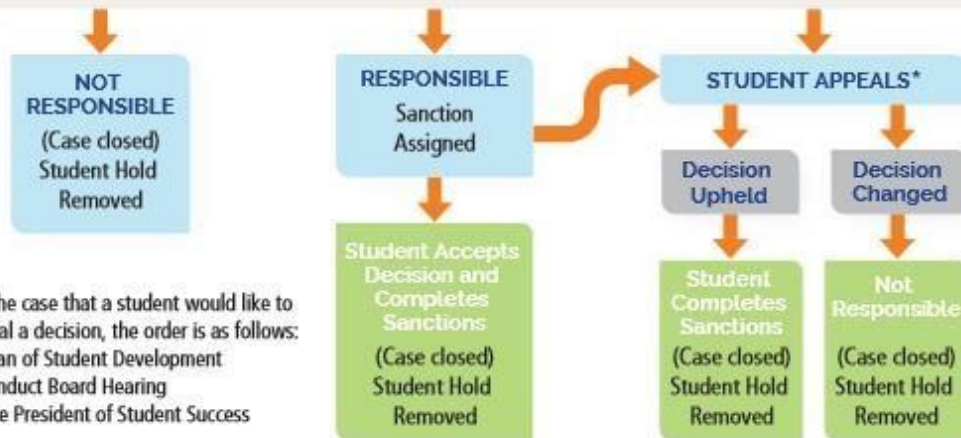
The Director of Student Conduct and Complaint Resolution sends the accused student a letter that includes:

- Description of incident.
- A hold will be placed on the students account.
- Alleged violation(s) of the Student Conduct Code.
- Meeting date and time, or deadline to schedule a meeting.
- A copy of the Student Conduct Code and where to find additional conduct information.

### FORMAL HEARING

A meeting is held with the accused student. The meeting will:

- Acquaint the student with the Student Conduct Code and the Student Conduct Process.
- Provide the student the opportunity to state his/her side of the story and present additional information/evidence.
- Discuss the reported incident, supporting evidence, and alleged violation(s).
- Discuss possible outcomes and/or disciplinary sanctions.
- Sign Tennessee Agreement.



\*In the case that a student would like to appeal a decision, the order is as follows:

- Dean of Student Development
- Conduct Board Hearing
- Vice President of Student Success



The institution will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for this paragraph.

Sanctions: North Hennepin Community College may, at any time during the report/complaint process, reassign or place on administrative leave an employee alleged to have violated Board Policy 1B.3, in accordance with the procedures in System Procedure 1B.1.1. Such action must be consistent with the applicable collective bargaining agreement or personnel plan.

North Hennepin Community College may summarily suspend or take other temporary measures against a student alleged to have violated Board Policy 1B.3, in accordance with System Procedure 1B.1.1 or Board Policy 3.6.

Sanctions that may be imposed if a finding is made that sexual violence has occurred include, but are not limited to, suspension or expulsion of students, or termination from employment for employees. The appropriate sanction will be determined on a case-by-case basis, taking into account the severity of the conduct, the student's or employee's previous disciplinary history, and other factors as appropriate. Witnesses or victims who report in good faith an incident of sexual violence will not be sanctioned by North Hennepin Community College for admitting in the report a violation of the student conduct policy on the use of alcohol or drugs.

Actions by a student or employee intended as retaliation, coercion, discrimination, reprisal, or intimidation against an individual for making a complaint or participating in any way in a report or investigation under this policy are prohibited and are subject to appropriate disciplinary action.

Per the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne

*Clery Act*, section 121 of the Adam Walsh Child Protection and Safety Act of 2006, and the Family Educational Rights and Privacy Act of 1974, the North Hennepin Community College Department of Public Safety is providing a link to the Minnesota Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student.

The Minnesota Level 3 Sex Offender Registry is available via the Internet. Information regarding Level 3 sex offenders can be found at

<https://mn.gov/doc/communitysupervision/community-notification/>

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

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

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

### **Drug and Alcohol Policies:**

North Hennepin Community College prohibits the unlawful possession, consumption (use), sale, or distribution of alcohol by all students and employees and enforces all applicable liquor laws and policies on campus, including Federal law, Minnesota State law, the City of Brooklyn Park Ordinances and institution policy.

The possession or consumption of alcohol is prohibited in all North Hennepin Community College campus buildings and applies regardless of age. Consuming alcohol and loitering with an open container of alcohol is a violation of the law under Minn. Stat. §§ 169A.35. The only exception is for special events authorized by the Minnesota State Colleges and Universities Board of Trustees.

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 North Hennepin Community College Department of Public Safety and the Office of Student Conduct.

Students who are found to be in possession of an open container or consuming alcohol while on campus will be subject to disciplinary action for violating the Student Code of Conduct. If students are not cooperative the Brooklyn Park Police Department may be called to assist, and the student may be subject to citation or arrest. Employees who are found to be in possession of an open container or consuming alcohol while on campus will be subject to disciplinary action. Non-students/ non-employees who are found to be in possession of an open container or consuming alcohol while on campus may be asked to leave campus and may be prohibited from returning for one year, if uncooperative the Brooklyn Park Police Department may be called to assist, and the individual may be subject to citation or arrest.

Students who are believed to be under the influence of alcohol may be subject to disciplinary action for violating the Student Code of Conduct. Employees who are believed to be under the influence of alcohol may be subject to disciplinary action. Non-students/ non-employees who are believed to be under the influence of alcohol may be asked to leave campus, may be prohibited from returning for one year, and if uncooperative the Brooklyn Park Police Department may be called for assistance, and the individual may be subject to citation or arrest.

**The Illegality of Drugs on Campus and the Enforcement of Federal and State Drug Laws:** North Hennepin Community College enforces Federal, State, and local drug laws regarding the use, possession, and sale of illegal drugs and drug paraphernalia. North Hennepin Community College forbids the possession, use, or distribution of illegal drugs on campus. This includes but is not limited to the possession, and use, growing, manufacturing, and, making of narcotic drugs. Exceptions would be drugs prescribed by a doctor's order.

Students who are believed to be under the influence of a controlled substance may be subject to disciplinary action for violating the Student Code of Conduct. Employees who are believed to be under the influence of a controlled substance may be subject to disciplinary action. Nonstudents/ non-employees who are believed to be under the influence of a controlled substance may be asked to leave campus, may be prohibited from returning for one year, and if uncooperative the Brooklyn Park Police Department may be called to assist, and the individual may be subject to citation or arrest.

Although Minnesota state law legalizes cannabis use for people 21 years and older, the possession and use of marijuana remains illegal under federal law, including the Drug-Free

Schools and Communities Act, the Controlled Substances Act, and the Campus Security Act, and Board Policy 5.18

For possession of marijuana, the following actions will be taken:

Students found to have violated this policy will be subject to disciplinary action according to the Student Code of Conduct, including, but not limited to any one or all of the following: warning, confiscation, suspension, expulsion, and referral for prosecution

Employees who are found to be in violation on campus may be subject to disciplinary action.

Visitors who are found to be in violation of this policy may be asked to leave campus and may be prohibited from returning for one year, if uncooperative the Brooklyn Park Police Department may be called to assist, and the individual may be subject to citation or arrest for misdemeanor.

Drug and Alcohol Abuse Education Programs: North Hennepin Community College recognizes the reality of chemical dependency and is aware of its occasional presence in the higher education community. As a safeguard against this dependency, numerous campus organizations provide prevention programs to the campus community. North Hennepin Community 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 referrals to prevention programs for those seeking help with substance abuse.

Additionally, North Hennepin Community College offers Drug and Health courses that examine how drugs relate to and affect holistic health. The courses provide current information regarding the various drugs in society today.

**Firearms Policy: Board Policy 5.21 Possession or Carry of Firearms**

<https://www.minnstate.edu/board/policy/521.html>

**Purpose and Scope:**

The purpose of this policy is to establish restrictions on the possession or carry of firearms applicable to the Minnesota State Colleges and Universities System, under the Minnesota Citizens' Personal Protection Act of 2003, Minnesota Statutes section 624.714, and other applicable laws.

## Definitions:

**Employee.** "Employee" means any individual employed by Minnesota State Colleges and Universities, its colleges and universities, and the system office, including student employees.

**Firearm.** "Firearm" means a gun, whether loaded or unloaded, that discharges a shot or a projectile by means of an explosive, a g, or compressed air.

**Pistol.** Means a weapon as defined in Minnesota Statutes section 624.712, sub.2

**Student.** "Student" means an individual who is:

1. registered to take or is taking one or more courses, classes, or seminars, credit or noncredit, at any system college or university; or
2. between terms of a continuing course of study at the college or university, such as summer break between spring and fall academic terms; or
3. expelled or suspended from enrollment as a student at the college or university, during the pendency of any adjudication of the student disciplinary action.

**Campus property.** "Campus property" means the facilities and land owned, leased, or under the primary control of Minnesota State), Minnesota State Colleges and Universities, its Board of Trustees, and the system office.

**Visitor.** "Visitor" means any person who is on campus property but does not include (1) an employee of the Minnesota State Colleges and Universities acting in the course and scope of their employment; or (2) a student when that student is on campus property.

No person is permitted to carry or possess a firearm on campus property except as provided in this policy.

## Employees.

1. **Prohibition.** Employees are prohibited from possessing or carrying a firearm while acting in the course and scope of their employment, either on or off campus property, regardless of whether the employee has a permit to carry a firearm, except as otherwise provided in this policy.
2. **Employee reporting responsibility.** An employee with a reasonable basis for believing an individual is in possession of or carrying a firearm in violation of this policy has a responsibility to report the suspected act promptly unless

doing so would subject the employee or others to physical harm. Reports should be made to the official designated in the applicable policy included in this report. This policy shall not prohibit prompt notification to appropriate law enforcement authorities when an immediate threat to personal safety exists. Employees shall not make reports of a suspected violation knowing they are false or in reckless disregard of the truth.

**Students.** Students are prohibited from possessing or carrying a firearm while on campus property, regardless of whether the student has a permit to carry a firearm, except as otherwise provided in this policy.

**Visitors.** Visitors are prohibited from possessing or carrying a firearm while on system property, except as otherwise provided in this policy.

**Exceptions.** The following are exceptions to this policy:

**Parking areas.** This policy does not prohibit the lawful possession or carrying of firearms in a parking area or parking facility.

**Authorized uses.** This policy does not prohibit:

1. Lawful possession or carry related to an academic use or use at a campus shooting range, such as law enforcement programs, approved in writing by the college or university president; or
2. Transport of an unloaded firearm directly between a parking area or parking facility and the location authorized for its use, or transport of an unloaded firearm directly between a parking area or parking facility and a storage facility provided by the college or university.
3. Possession or carrying of a pistol by a visitor who has a lawful permit to carry a pistol pursuant to Minnesota Statutes section 624.714, sub.1a
4. Possession or carry of a firearm by a licensed peace officer under Minnesota Statutes section 626.84, subd.1(c) or by a qualified law enforcement officer pursuant to 18 United States Code section 926B, when possession or carry is otherwise authorized by law.

**Violations.** Violations of this policy by students or employees are misconduct subject to discipline, up to and including expulsion or termination.

**Referral to Law Enforcement.** North Hennepin Community College may refer suspected violations of weapons law to appropriate law enforcement authorities and provide access to investigative or other data as permitted by law.

## **Appendix 1**

### **Terms and Definitions**

#### *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 a 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).

#### *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.

#### *Burglary*

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

### **Affirmative Consent**

Consent is an informed, freely given, and mutually understood willingness to participate in sexual activity that is expressed by clear, unambiguous, and affirmative words or actions. It is the responsibility of the person who wants to engage in sexual activity to ensure that the other person has consented to engage in the sexual activity. Consent must be present throughout the entire sexual activity and can be revoked at any time. 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, there is no consent; this includes conditions due to alcohol or drug consumption or being asleep or unconscious. A lack of protest, absence of resistance, or silence alone does not constitute consent, and past consent to sexual activities does not imply ongoing future consent. The existence of a dating relationship between the people involved or the existence of a past sexual relationship does not prove the presence of, or otherwise provide the basis for, an assumption of consent. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.

#### *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).

*Dating and Relationship Violence*

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

*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.

*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.

*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 an actual physical attack. Note: This offense includes stalking.

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

*Liquor law violations*

Arrests or referrals for the violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, or possessing of intoxicating liquor.

*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 the land and not on rails and that fits one of the following property descriptions:

- Automobiles - sedans, coupes, station wagons, convertibles, taxicabs, or other similar motor vehicles that serve the primary purpose of transporting people
- Buses - motor vehicles that are specifically designed (but not necessarily used) to transport groups of people on a commercial basis



- Recreational Vehicles - motor vehicles that are specifically designed (but not necessarily used) to transport people and also provide them temporary lodging for recreational purposes
- Trucks - motor vehicles that are specifically designed (but not necessarily used) to transport cargo
- Other Motor Vehicles - any other motor vehicles, e.g., motorcycles, motor scooters, trail bikes, mopeds, snowmobiles, or golf carts.

### *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).

### *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 theft or larceny but is aggravated by the element of force or threat of force.

### *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 Minnesota 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 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 the primary genital area, groin, inner thigh, buttocks, or breast).
4. Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.

*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.

### **Sex Offenses – Defined**

#### *Forcible Sex Offenses*

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

Reported offenses may include:

- Forcible Rape - The carnal knowledge of a person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
- Forcible Sodomy - Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- Sexual Assault with an Object - To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will where in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Note: An object or instrument is anything used by the offender other than the offender's genitalia. Examples include but are not limited to a finger, bottle, handgun, or stick.

- Forcible Fondling - The touching of the private body parts of another person for 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, non-forcible sex acts, dating and relationship violence, stalking, as well as aiding acts of sexual violence.

### **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.

Weapons law violations

Arrests or referrals for the violation of laws or ordinances dealing with weapon offenses.

Resources: 2016 Handbook for Campus Safety and Security Reporting

Title 34: Education [PART 668—STUDENT ASSISTANCE GENERAL PROVISIONS](#)  
[Subpart D—Institutional and Financial Assistance Information for Students](#)  
Bystander Intervention Strategies Stanford University’s Office of Sexual  
Assault & Relationship Abuse

## Distribution of Annual Notification

The North Hennepin Community College annually provides alcohol and drug policies, resources, programs, and health risks to all employees and students through the Annual Compliance and Security Act. Employees and students receive the document via e-mail. A copy of the annual report is located at: <https://nhcc.edu/student-resources/public-safety>

Special acknowledgment to the Brooklyn Park Police Department for their help in gathering these statistics and for their professionalism and unyielding service to the NHCC community.

