

ANNUAL SECURITY & FIRE SAFETY REPORT

2023 - 2024



The Higher Education of the Navajo Nation
Diné College
Arizona & New Mexico Multi-Campus

Table of Contents

SECTION I - INTRODUCTION

The Jeanne Clery Act	2
Compliance with the Clery Act.....	3
Diné College Introduction	4
Student Population Data.....	6
Campus Safety	7
Campus Law Enforcement Services	8
Training Programs	10
Drills.....	10
Student Outreach Services.....	11
Important Emergency Phone Numbers	12

SECTION II - POLICIES

Campus Crime Introduction.....	16
College Policies	16
Crime Prevention Tips	54
Prevention Program & Services	56
Crime Reporting Procedures	57
Criminal Offense Definitions	57

SECTION III - CRIME STATISTICS REPORT

Diné College Crime Statistics by Campus, Center, & Branch	63
Diné College Crime Statistics Overall.....	66
Navajo Nation Crime Statistics	67
Crime in Arizona 2023, Department of Public Safety	69
Crime in New Mexico 2023, Crime Reporting	75

SECTION IV - FIRE

Annual Fire Safety Report	78
Fire Statistics for Facility	79
Fire Statistics for Student Family Housing & Residence Hall.....	81

Campus Security & Emergency Response Committee (CSER) - October 01, 2024

This report was prepared by the Office of Institutional Planning &
Reporting in collaboration with Campus Security

Reporting Date: October 01, 2023 - September 30, 2024

SECTION I

INTRODUCTION

CLERY ACT INTRODUCTION

Diné COLLEGE INTRODUCTION

IMPORTANT EMERGENCY PHONE NUMBERS



THE JEANNE CLERY ACT



Serving the Navajo Nation for 50 years

Apache, Navajo, Coconino, San Juan, and McKinley County

Choosing a postsecondary institution is a major decision for students and their families. Along with academic, financial, and geographic considerations, the issue of campus safety is a vital concern.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is a federal mandate requiring all institutions of higher education (IHEs) that participate in the federal student financial aid program to disclose information about crime on their campuses and in the surrounding communities. The Clery Act affects virtually all public and private IHEs and enforced by the U.S. Department of Education. Schools that fail to comply with the regulations are penalized with large fines (\$69,733) and possibly suspended from participating in the federal financial aid program (34 C.F.R. §§668.14, 668.41, 668.46, and 668.49).

The Clery Act, formerly known as the Crime Awareness and Campus Security Act, was signed in 1990 and is named after 19-year-old Jeanne Clery, who was raped and murdered in her Lehigh University residence hall in 1986. Clery's parents lobbied Congress to enact the law when they discovered students at Lehigh were not notified about 38 violent crimes that had occurred on campus in the three years before

COMPLIANCE WITH THE CLERY ACT

The Clery Act requires Diné College (DC) to provide timely warnings of crimes that represent a threat to the safety of students or employees, and to make their campus security policies available to the public. The act also requires DC to collect, report, and disseminate crime data to everyone on campus and the Department of Education annually.

When the Higher Education Opportunity Act (HEOA) signed into law in 2008, it amended the Clery Act by adding some safety- and security-related requirements to the Higher Education Act of 1965. To be in full compliance with the law, DC must do the following:

1. Publish and distribute an Annual Security Report to current and prospective students and employees by October 1 of each year. The report must provide crime statistics for the past three years, detail campus and community policies about safety and security measures, describe campus crime prevention programs, and list procedures to be followed in the investigation and prosecution of alleged sex offenses.
2. Provide students and employees with timely warnings of crimes that represent a threat to their safety. The Diné College Campus Security Department must also keep and make available to the public a detailed crime log of all crimes reported to them in the past 60 days. Crime logs must be kept for seven years, and logs older than 60 days must be made available within two business days upon request.
3. Keep the past three years of crime statistics detailing crimes that have occurred: on-campus; in residential facilities; in public areas on or near campus; and in certain non-campus buildings, such as remote classrooms. DC must also report liquor and drug law violations and illegal weapons possession if they result in a disciplinary referral or arrest.
4. Disclose missing student notification procedures that pertain to students residing in any on-campus student housing facilities.
5. Disclose fire safety information related to any on-campus student housing facilities. This includes maintaining a fire log that is open to public inspection and publishing an Annual Fire Safety Report containing policy statements and fire statistics associated with each on-campus student housing facility. These statistics must include the location, cause, injuries, deaths and property damage of each fire.
6. Submit the collected crime and fire statistics to the Department of Education each fall.
7. Inform prospective students and employees about the availability of the Annual Fire Safety Report.
8. DC has a vested interest in campus security and the personal safety of its students and employees. The following pages contain specific information, including crime prevention, fire safety, law enforcement authority, crime reporting policies, disciplinary procedures and other matters of importance related to security and safety on campus. This report also contains information about campus crime statistics.

Members of the campus community are encouraged to use this report as a guide for safe practices on and off campus. Additional Campus Security information is available on the College's webpage at https://www.Dinécollege.edu/current_students/campus-safety/

For more information, contact the Campus Security Department at 928-724-6628. For Chinle, Window Rock, and Crownpoint Center, contact Center Directors.

INTRODUCTION

Diné College is the first tribally controlled and accredited collegiate institution in the United States. Established in 1968 as Navajo Community College, it was later renamed to Diné College. The Navajo Nation sought to create an institution of higher education that encouraged Navajo youth to become contributing members of the Navajo Nation and Western society. Diné College serves a predominantly Navajo student population across the 26,000 square miles of the Navajo Nation that spans across the states of Arizona, New Mexico, and Utah. The College offers General Education courses that provides students with a high-quality experience while earning various Certificates, Associates and 5 Bachelor degree programs that are important to the economic, political, environmental and social development.



Diné College Mission

Rooted in Diné Language and culture, our mission is to advance quality post-secondary student learning and development to ensure the well-being of the Diné people.

College Vision

Our vision is to improve continuously our programs to make Diné College the exemplary higher education institution for the Diné people.

College Principles

Our educational principles are based on Sa'ah Naaghahii Bik'eh Hozhoon, the Diné traditional living system, which places human life in harmony with the natural world and universe. The system provides for protection from the imperfections in life and the development of well-being. The principles are four-fold:

- **Nitsahakees.** (Thinking) Apply techniques of reasoning. Analyze alternate solutions through the use of principles of logic and creativity.
- **Nahat'a.** (Planning) Develop and demonstrate communication skills. Demonstrate systematic organizational skills
- **lina.** (Implementation) Demonstrate self-direction based on personal values consistent with the moral standards of society. Demonstrate quality, participation, work, and materials.
- **Siihasin.** (Reflection and assurance) Demonstrate competency. Demonstrate confidence.

College Values

Our employees and students adhere to the following values to achieve the mission and purpose of the college:

- **T'aa ho ajit'eego.** Excellence and self-initiation in problem solving, compassion, setting clear goals, and establishing positive working relationships.
- **Ahil na'anish.** Cooperating and helping one another, keeping all employees well informed, using proper language for communication, respecting one another on equal terms and honoring K'e.
- **Il Idli.** Respecting the cultural, racial and gender diversity of the Diné people, maintaining safe, courteous, respectful, and positive learning environments, and valuing inclusiveness.
- **Eehozin.** Understanding thoughtfulness, competence, confidence, conscientiousness, and reflectivity for serving the needs of the Diné people.

Accreditation

Diné College is accredited by the Higher Learning Commission of the North Central Association of College and Schools, 230 South LaSalle Street, Suite 7-500, Chicago, IL 60604-1441, (800) 621-7440. www.hlcommission.org

One College, Multiple Sites

Tseehili, the "place where the stream flows into the canyon" is also known as Tsaile, Arizona, the location of the main campus. In addition to the main campus, there is a branch campus in Shiprock, New Mexico, and four regional sites located in Arizona and New Mexico. The Arizona locations are in Tsaile, Window Rock, Chinle, and Tuba City. The two New Mexico locations are in Shiprock and Crownpoint. All locations offer General Education courses and programs to support post-secondary learning.

This report contains emergency management information, campus crime statistics, and critical cam-

2023-2024 ENROLLMENT

UNDUPLICATED

2,362

DUPLICATED

4,127

FALL

1,836

SPRING

1,609

SUMMER

682

72%

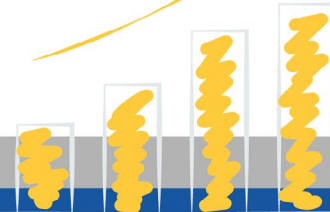
of our enrollment are Females

83%

of our students are Degree Seeking

98%

of our students are Native Americans



Academic Year 2023-2024:

Student-Faculty Ratio: 15:1
Largest Age Group: 25-34 years old
73% Single students
Retention Rate: 49%

Campus Sites

Chinle, AZ
Crownpoint, NM
Shiprock, NM
Tsaile, AZ (Main)
Tuba City, AZ
Window Rock, AZ

Microsites

Aneth, UT
Newcomb, NM

Degrees Awarded:

Graduation Rate: 05% (IPEDS - Cohort 2017)
Graduates: 201 (AY2023-2024)
Degrees Awarded: 209 (AY2023-2024)
Bachelor's Degree Conferred: 55
Associate's Degree Conferred: 128
Certificate Awarded: 25
Degrees Awarded: 1,132 (2018-2024)

Gateway Success Rate:

Math (110,114): 74% passing
English (101): 63% passing

Top Feeder Schools

Incoming Transfer:

1. San Juan College
2. Fort Lewis College
3. Coconino Community College
4. Navajo Technical University
5. University of Arizona

Outgoing Transfer:

1. Arizona State University
2. Grand Canyon University
3. Northern Arizona University
4. University of Arizona
5. San Juan College

pus safety information such as policies, crime prevention, crime reporting, and resources to aid you in becoming more safety-minded. The best protection against campus crime: a strong law enforcement presence; an aware, informed, and alert campus community; and a commitment to reporting suspicious activities and using common sense when carrying out daily activities. DC strives to be a safe place to learn, live, work, and grow.

Annual Disclosure of Crime Statistics & Security Report Preparation

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the college community that is obtained from the following sources: the Campus Security Department and non-police officials across campus (Campus Security Authorities). For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. A request for statistical information is made and collected on an annual basis by all Campus Security Authorities and to the Campus Security Department.

All of the statistics are gathered, compiled, and reported to the college community via this report which is published by the Clery Act Committee. The Campus Security Department submits the annual crime statistics published in this brochure to the Department of Education through the Crime Start system. The statistical information gathered by the Department of Education is available to the public through the Campus Safety and Security Statistics website (<https://ope.ed.gov/campussafety/#/>).

Community College Security Department

The Diné College Security Department is a full-service law enforcement agency that operates 24 hours a day, 365 days a year, from its headquarters at the Tsaile Campus (Arizona). The department employs securities who patrol the campus and are stationed at the Shiprock and Tuba City Center.

As the law enforcement agency for DC, the Campus Security Department's undertaking is to protect lives and property, maintain order, prevent crimes, receive and investigate reports of crimes, and provide other law enforcement services, all while being responsive to the special needs of the large and diverse college community.

Law Enforcement Authority

Diné College desires to maintain a secure and accessible campus for students, employees, contractors, visitors, and guests.

The Diné College Security Department is the law enforcement agency serving DC. The officers of DC are trained to enforce all applicable federal and state laws, local ordinance, and college policies. DC's campus falls under the jurisdiction of several Navajo Nation agencies across Arizona and New Mexico. DC personnel work closely with all local, state, and federal police agencies, and have a direct working relationship with the local Police Department. DC is also a part of the 911 Emergency System and is dispatched through the Diné College Campus Security Department or local Navajo Nation Police Department.

Whenever information is received by the DC Campus Security Department, Center Directors, Dean of Faculty, Vice President of Student Affairs, or the President's Office from law enforcement outside of DC that has a connection to the College, a follow-up for judicial or other purposes will be scheduled.

Campus Security & Emergency Response Committee (CSER)

Established in 2014, ensures Diné College's federal compliance under the Jeanne Clery Act of 1990, enforces safety state and federal safety laws and reports the Annual Campus Safety and Fire Report.

The CSER committee develops emergency response protocols, plans campus evacuations and drills, provides training on timely response procedures, and addresses emergency situations on campus.

Title IX Coordinator

Responsible for monitoring the overall implementation of the Title IX at Diné College and implementing regulations for campus safety. The major responsibility of the Title IX Coordinators is the prevention of sexual harassment and discrimination on campus, assist counselors and administrators with Title IX compliance, evaluate, plan, and provide policy training and enforcement. The Director of the Department of Human Resources carries the role of the Title IX Coordinator.

Orientation Programs

Campus Security Department part-take in semester-based orientations with new students to familiarize them with personal safety techniques, policies, procedures, and responses to concerns and questions to increase security awareness.

Educational presentations on alcohol and drug-related issues are made to Residence Hall students at the request to the Campus Security Department.

CAMPUS LAW ENFORCEMENT SERVICES

Mandatory training is provided to Residence Advisors on addressing security at the Residence Hall, in addition to protocols working with campus law enforcers.

Car Problems: Diné College SD officers are available to assist students, faculty, or staff with car problems such as dead car batteries, frozen door locks, lost cars, and keys locked in the car and/or tire changes on Campus. Tow services will not be conducted by the SD but called out to a third party to respond.

Students, faculty, or staff must complete and sign a waiver form prior to security providing services. When calling for help with these issues, the information should be given on the location, make, model, year, color, and license plate number of the vehicle. If possible, the hood should be lifted and the person calling for assistance should stand by the vehicle. The Diné College SD will respond and assist as soon as possible.

Automobile Accident Reports: The Diné College Security Department, Center Directors, or Navajo Nation Police Department should be called immediately when there is an automobile accident on campus. Information should be given in regard to the location of the accident, whether or not there are injuries, the make and color of the vehicles involved, and any other pertinent information. GSA vehicles involved in automobile accidents on or off-campus needs to be reported to Support Services and Center Directors immediately.

Emergency Notifications: Emergency contact may be requested through the Diné College SD or Center Directors. The dispatcher or Center Director will ask the nature of the emergency in an attempt to determine if the emergency constitutes immediate response, such as the removal of a student from the class. The name and telephone number of the caller will be taken in case the notification could not be successfully made. Emergency notifications should be limited to “true emergencies” only.

Escorts: Escort service is available 24-hours-a-day, seven-days-a-week for all members of Diné College. An officer is available to meet and walk students, faculty, or staff members to their car or other campus destinations. Requests for an escort should provide name, location, and destination.

For escort services pertaining to protection orders, documentations must be provided to the SD with a

schedule and location of the student, staff, or faculty needing routine escort service.

Property Identification:

Theft of unattended property on campus, Campus Security encourages students and employees to label personal property. Engraving of owner's name on items is made available free of charge to the students and employees at the Tsaile Campus Security Department.

Lost and Found: An officer will respond to pick-up lost and found items. The department maintains a log of all reported lost items. Unclaimed property will be destroyed if not claimed after 30 days.

Medical Assistance/Injury Reports: Emergency requests for medical treatment and ambulance service should be directed to the Diné College Security Department, using the emergency 911 number from any campus phone. The department will give basic first aid response and will contact Emergency Medical Services (EMS) if necessary. Personal injury reports will be made by SD officers.

Campus Safety Poster Campaign

Printed crime prevention brochures, posters and other pamphlets are distributed at crime prevention presentations and posted at various locations throughout the campus.

Student Outreach Services (SOS)

The SOS department consists of counseling and disability services, in which employees give workshops on healthy living and behavior in the advancement of student safety on campus, such as counseling, stress management, and physical safety. Campus Security Department officers work with the SOS team to give more services to students to promote healthy living on campus.

Rescue Boat

A year and a half ago, there was a drowning at our local Tsaile Lake. Our Security Department and Navajo police arrived but did not have the proper equipment for a water rescue. The Navajo Nation Rangers were called in but by that time the situation turn from a rescue to a recovery. To avoid tragedy like this in the future the Security Department purchased a rescue boat for water rescue when needed.

TRAINING PROGRAMS

Surviving and Active Threat: Run. Hide. Fight (LSU)

39 students, employees, and community members were certified in Academic Year 2023-2024.

This course addresses the Run. Hide. Fight. response paradigm and guides non-traditional first responders in the various ways these methods can be employed. Because active threat incidents can occur anywhere, participants are encouraged to apply principles from this course to plans and procedures in their workplaces. The course covers the basic principles of the response paradigm as it pertains to response in the event of an active threat incident.

Campus Safety

10 students, and employees were certified in Academic Year 2023-2024.

Campus security plays a pivotal role in the daily activities at colleges, universities, and trade and technical schools, as well as in the lives of the students, faculty, administrators, and staff members of these institutions of higher learning. With unique challenges in the campus environment and potential risks and threats coming from many different sources, the roles and responsibilities of a campus's security, public safety partners, emergency management professionals, and first responders are crucial. Diné College aims in recognizing indicators of terrorism, terrorism-related crime, and suspicious activity and in raising public awareness of potential threats.

Defensive Driving Course

6 employees were certified in Academic Year 2023-2024.

Defensive driving course, employees learn to improve their driving skills by reducing their driving risks by anticipating situations and making safe well-informed decisions. Such decisions are implemented based on road and environmental conditions present when completing a safe driving maneuver.

First Aid and CPR Training Program

14 students, employees, and community member were certified in Academic Year 2023-2024.

The program teaches students and employees how to deliver immediate care to a suddenly injured or ill person(s) by addressing wounds or rendering CPR techniques until more advance medical personnel arrive and take over.

Diné College Campus Security Officers are certified trainers who conduct and host the training sessions for students and employees, free of charge, once a month. Certification is granted through the National Safety Council, Arizona Chapter, for two years. Participants of the Active Shooter and R.A.D. undergo several role-playing scenarios to apply their First Aid and CPR training under a stressful event to aid individuals who are injured. Training is offered in one day.

DRILLS

Fire Drills

2 fire drills were perform in Academic Year 2023-2024.

During the two fire drills, Diné College's student, staff, and faculty practiced evacuating the building in the event of a fire. As if an emergency had actually occurred, the existing fire alarm system will be activated and the building will be evacuated through the nearest exit.

STUDENT OUTREACH SERVICES

Counseling Services

Counseling services provide emotional and psychological support to students as they pursue their academic and personal goals, and strive towards enhancing the quality of each student's experience at Diné College.

The Student Affairs department houses a number of certified counselors at the Tsaile and Shiprock campus to extend social and academic counseling services to students.

Students receive personal counseling, educational counseling, and career counseling. Services include walk-in, crisis intervention, and emergency services for students who feel they need to be seen immediately.

Disabilities Services

The college provides reasonable educational support and other academic services to disabled students. A student with a disability who wishes to enroll for classes should contact Student Services at the Tsaile Campus or the designated representative at the Regional center.

Students in postsecondary education are responsible for self-identifying themselves as individuals with disabilities, providing disability documentation, and requesting accommodations. The college is responsible for providing reasonable accommodations for qualified students with disabilities. The college does not provide special education versions, IEP (Individualized Education Programs) plans, specialized progress reports, etc. Primary and secondary schools are legally mandated to identify students with disabilities and provide free and appropriate education for the needs of students with disabilities.

IMPORTANT EMERGENCY PHONE NUMBERS

National Emergency Hotline: Dial **911**

Tsaile Campus	Number	Contact
Incident Command Center	928.724.6900	Incident Commander
CSA Contact Personnel	928.724.6911	Security Supervisor
Campus Security	928.724.6911	Diné College Emergency
	928.724.6802	Diné College Non-Emergency
	928.349.3950	Diné College Security Cell
Medical Emergencies	928.724.3600	Tsaile Health Center
	928.674.7001	Chinle Hospital
Police Department	928.674.2111	Chinle Police Department
	928.337.4321	Apache County Sheriff's Office
Fire & Rescue Department	928.674.2105	Chinle, AZ
	928.283.3007	Navajo Nation, Tuba City AZ
American Association of Poison Control Centers	800.222.1222	
Counseling & Support Services	928.724.6856	DSS/Counselor
Superintendent of Physical Plant	505.368.3538	Facilities Superintendent
Information Technology Department	928.724.6646	Director Of IT Operations
Maintenance Department	928.724.6772	Maintenance Foreman

Shiprock Branch	Number	Contact
CSA Contact Personnel	505.368.3522	Director-Shiprock Branch
	505.368.3615	Security Supervisor
Campus Security	505.368.3615	Diné College Emergency
	505.809.0205	Diné College Non-Emergency
	505.406.6511	Diné College Security North Cellphone
	505.809.0205	Diné College Security South Cellphone
Medical Emergencies	505.368.3522	Northern Navajo Medial Center
	505.334.6107	San Juan Regional Medical Hospital, Cortez CO
Police Department	505.368.1350	Navajo Nation
	505.334.6107	San Juan County Sheriff's Office
Fire & Rescue Department	505.368.5719	Shiprock, New Mexico
	505.334.1180	San Juan County Fire Department
American Association of Poison Control Centers	800.222.1222	
Counseling & Support Services	505.368.3628	DSS/Counselor
Superintendent of Physical Plant	505.368.3538	Facilities Superintendent
Information Technology Department	505.368.3546	System/Network Admin
Maintenance Department	505.368.3517	Maintenance Foreman

Crownpoint Center	Number	Contact
CSA Contact Personnel	505.786.7201	Center Director
	505.368.3515	Security Supervisor
Campus Security	928.724.6911	Diné College Emergency
	928.724.6802	Diné College Non-Emergency
Center Director	505.786.7201	Patrick Sandoval
Medical Emergencies	505.786.5291	Crownpoint Health Center
	505.722.1000	Gallup Indian Medical Center
Police Department	505.786.2050	Crownpoint Police Department
	505.786.2051	Crownpoint Police Department
Fire & Rescue Department	219.662.3248	Crownpoint NM
	505.722.4195	Gallup Fire Dept. Station
American Association of Poison Control Centers	800.222.1222	
Counseling & Support Services	505.368.3528	Counselor
Superintendent of Physical Plant	505.368.3538	Facilities Superintendent
Information Technology Department	505.368.3546	System/Network Admin
Maintenance Department	505.368.3517	Maintenance Foreman

Tuba City Center	Number	Contact
CSA Contact Personnel	928.283.7501	Center Director
CSA Contact Personnel	928.283.7514	Security Supervisor
Campus Security	928.724.6911	Diné College Emergency
	928.724.6802	Diné College Non-Emergency
Center Director	928.238.5113	Center Director, ext. 7501
Medical Emergencies	928.283.2501	Tuba City Medical Center
	928.283.2661	Tuba City Emergency Room
Police Department	928.283.3111	Tuba City Police Department
	928.283.3112	Tuba City Police Department
Fire & Rescue Department	928.283.4527	Tuba City Fire Department
	928.283.3007	Navajo Nation Fire Department
American Association of Poison Control Centers	800.222.1222	
Counseling & Support Services	505.368.3528	Counselor
Superintendent of Physical Plant	505.368.3538	Facilities Superintendent
Information Technology Department	928.724.6646	Director Of IT Operations
Maintenance Department	928.724.6772	Maintenance Foreman

Window Rock Center	Number	Contact
CSA Contact Personnel	928.871.7603	Center Director
	928.724.6911	Security Supervisor
Campus Security	928.724.6911	Diné College Tsaile Campus Emergency
	928.724.6802	Diné College Non-Emergency
Center Director	928.871.2230	Center Director, ext. 7603
Medical Emergencies	928.729.8000	Tsehootsooi Medical Center
	505.722.1000	Gallup Indian Medical Center
Police Department	928.871.6111	Window Rock Police Department
	928.871.6112	Window Rock Police Department
Fire & Rescue Department	928.871.6915	Window Rock, AZ
	928.755.3400	Ganado, AZ
American Association of Poison Control Centers	800.222.1222	
Counseling & Support Services	928.724.6856	DSS/Counselor
Superintendent of Physical Plant	505.368.3538	Facilities Superintendent
Information Technology Department	928.724.6646	Director Of IT Operations
Maintenance Department	928.724.6772	Wayne O'Daniel, Maintenance Foreman



SECTION II

POLICIES

- Campus Crime Introduction
- College Crime Policies
- Crime Prevention Tips
- Prevention Programs & Services
- Criminal Offenses Definitions

CAMPUS CRIME INTRODUCTION

This report In compliance with the Jeanne Clery Disclosure of Campus Security and Policy and Campus Crime Statistics Act codified at 20 USC 1092 (f) as part of the Higher Education Act of 1965, Diné College provides information on campus and crime policies outlined in the Student Code of Conduct. This Code of Conduct has information about reporting crimes, sexual harassment, drug/alcohol policy, etc.

COLLEGE POLICIES

All Diné College students and student interns from other institutions are subject to the following rules and policies.

Academic Integrity

Academic integrity is the fundamental value and principle that underwrite the very mission of Diné College. Therefore enrolled students are solely responsible for the integrity of their academic work and upholding professional standards of research, writing, assessment, and ethics in their areas of study. Academic dishonesty, which includes cheating, misrepresentation or plagiarism, and other forms of unethical behavior, is prohibited.

Alcohol and Drug Free Workplace Policy

The College is committed to protecting the safety, health, and well-being of its students, employees and contractors, customers, and its property. Recognizing that drug and alcohol abuse pose a direct and significant threat to these goals, as well as to productivity, the College is committed to providing a drug-free working f or utilize College services.

The use of illegal drugs is inconsistent with the law-abiding behavior expected of all citizens. Employees who use illegal drugs, on or off duty, tend to be less productive, less reliable, and prone to greater absenteeism, resulting in the potential for increased cost, delay, and risk. The abuse of illicit drugs and alcohol, on or off duty, can impair an employee's judgment and ability to perform tasks safely. The lingering effects of drug abuse may adversely affect performance long after the employee has used the drug, and can also result in accidents on duty and lapses in judgment that can pose a serious threat to health and safety.

Procedures

Diné College hereby prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by employees on the property or as part of the activities of the College.

Disciplinary Sanctions

Employees who violate the foregoing standards of conduct shall be subjected to disciplinary sanctions which may include, without limitation, completion of an appropriate rehabilitation program, reprimand, probation, and suspension from employment with or without pay, temporary adjustment of pay to a lower step in the assigned pay grade, demotion, and termination. Disciplinary sanctions shall be consistent with Tribal laws and College policies. In addition to any disciplinary sanctions, violations may be reported to law enforcement authorities for criminal prosecution. Implementation – As a matter of College policy, the College shall implement drug and alcohol abuse prevention programs which, at a minimum, meet the same requirements referenced in the Drug-Free Schools and Communities Act Amendments of 1989, 20 U.S.C. § 1145(g), and shall review its programs biennially to determine their effectiveness, implement changes if needed, and ensure that the sanctions authorized by this policy are consistently enforced.

Alcohol and Drug Free Workplace Statement

The use or abuse of alcohol or illicit substances off the job which impairs to any extent performance on the job is prohibited. Employees are prohibited from reporting to work with alcohol in their system and from bringing any alcoholic beverage to the job site. A confirmed positive test showing the presence of 0.04 percent or more alcohol in the employee's system is a violation of this policy.

Furthermore, the use or abuse of alcohol or the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the workplace or a College-owned vehicle by employees is prohibited. As a term of his/her employment, every employee shall:

- Abide by the terms of this Policy Statement; and
- Notify the appropriate personnel officer of any alcohol or criminal drug conviction for a violation occurring in the workplace or a College-owned vehicle no later than five (5) workdays after such conviction. Any employee who violates the provisions of this Policy Statement shall be subject to appropriate disciplinary action, which may include termination from employment.

Employee Awareness and Assistance

As part of the College's efforts to encourage employees to become or remain drug-free, information and training will be provided on an ongoing basis, as the College deems appropriate, regarding the effects of drug and alcohol abuse. Materials on drug and alcohol use will be made available to both employees and supervisors.

- The College encourages employees who believe they have a problem with alcohol or drugs, legal or illegal, to seek assistance. Employees may contact their supervisor for assistance and referrals to outside professional counselors and programs for diagnosis and therapy. Moreover, employees may be eligible for a leave of absence to participate in such a program. Every request for assistance will be treated as confidential, and only those persons with a need to know will be informed of an employee's request.
- An employee's decision to seek help voluntarily will not be used as a basis for disciplinary action against the employee, although the employee may be transferred, given work restrictions, or placed on leave, as the College deems appropriate, while the employee seeks assistance and/or until the employee is drug-free and alcohol-free. An employee's decision to seek assistance under this policy will be considered voluntary only if the employee seeks assistance prior to being found in violation of this policy or being asked to take a drug and/or alcohol test.
- A decision to seek assistance to address a drug or alcohol problem cannot absolve or protect employees from the consequences of substandard work performance or policy violations. Therefore, it is the responsibility of each employee to seek assistance before the employee's alcohol or drug abuse problems lead to a violation of this or other College policies justifying disciplinary action.

Drug and Alcohol Testing

In furtherance of its goal of ensuring a substance-abuse-free workplace the College has established the following drug and alcohol testing procedures. The College requires all employees and job applicants to consent urine, saliva, blood, and/or breathe samples for the purpose of checking for the presence of illicit drugs or alcohol, as follows:

A. Job Applicants

- All job applicants must take and pass a mandatory drug test as soon as practical following their acceptance of a conditional offer of employment.

- Job applicants who test positive for illegal drug use will not be hired.
- Job applicants who test positive for drugs may re-apply for a position with the College after 6 months if they no longer engage in illegal drug use at the time they reapply. The College may also require proof of rehabilitation, as appropriate.
- A job applicant's refusal to submit to drug testing, or attempt to tamper with, substitute for, adulterate, dilute, or otherwise falsify a test sample will be deemed a rejection of the conditional offer of employment.

B. Current Employees

Current employees are subject to reasonable suspicion testing. When any supervising employee has reason to believe that an employee has violated this policy, the employee may be asked to submit to a reasonable suspicion drug test. Requests for tests will be based upon reasonably contemporaneous observations of the employee's behavior or performance, or other indications that this policy may have been violated. Examples of what may trigger a request to submit to a reasonable suspicion test include, but are not limited to, one or more of the following:

- Observed suspected drug or alcohol abuse;
- Bizarre or erratic behavior (endangerment to self, coworkers, the College's property, equipment or services provided) or a pattern of conduct that indicates substance abuse may be a problem;
- A conviction or acceptance of a guilty plea for drug or alcohol related criminal offenses during an individual's employment with the College;
- Observed possession of alcohol, drugs or drug paraphernalia on the College's premises;
- Information provided by a reliable and credible source or which is independently corroborated;
- A pattern of unexplained absenteeism, tardiness, or other unexplained change in job performance;
- Physical appearance or symptoms which may indicate drug or alcohol abuse; and/or
- A near-accident or incident where employee error appears to have played a part and it appears that employee impairment may have been a factor.

C. Post-Accident Testing

The College may ask employees who are involved in a workplace accident in which it appears that that employee's error may have played a part and which results in a death, an injury to any person requiring medical attention (other than first aid), and/or property damage estimated at \$1,000 or more, to submit to a test for drugs and/or alcohol as part of the investigation of the incident.

D. Unannounced Testing

All employees are subject to unannounced drug and/or alcohol testing and unannounced testing may be selected at random or by other means, such as by job classification or work site.

E. Follow-up Testing

Unannounced follow-up testing may be required as a condition of continued employment during and after an employee has participated in a treatment program for drug or alcohol abuse, as recommended by the employee's substance-abuse treatment provider and approved by the College, for a period of up to two years.

F. Return-to-Work Testing

Employees who have been permitted to take leave to address drug and/or alcohol abuse will be required to take and pass a drug test as a condition of returning to work.

Consequences of a Positive Test

An employee whose alcohol or drug test is positive, regardless of the reason for the test, is considered to be in violation of the College's policy and will be subject to immediate disciplinary action, including termination.

Refusing a Test

Refusal by an employee to submit to lawfully required drug and/or alcohol testing will be considered insubordination and grounds for disciplinary action, up to and including termination. Attempts to tamper with, substitute, adulterate, dilute, or otherwise falsify a test sample are considered equivalent to a refusal to submit to a test and are grounds for termination.

Definitions

Illicit Drugs

Shall mean controlled substances listed in Schedules I-V of the Controlled Substances Act, 21 U.S.C. § 812, and related federal regulations, 21 C.F.R. §§ 1308.11-1308.15, as they may be amended from time to time and title 17, chapter 3, subchapter 10 of the Navajo Nation Code. "Illicit drugs" shall include controlled substance analogs as defined by federal and Tribal laws.

Alcohol

Shall mean any beverage containing ethyl alcohol content of 0.5% by weight.

Property

Shall mean property owned, leased, chartered or occupied by the College, including, but not limited to, motorized vehicles.

Activities

Shall mean any act or event sponsored or participated in by the College. Without limitation, "activities" shall include all intercollegiate and intramural athletic events, faculty, staff and student meetings, conferences, field trips, retreats and all other acts or events for which the College (including approved student organizations) pays expenses, or provides facilities, services, supplies or transportation. "Activities" shall not include incidental work-related activities which employees perform.

Form(s) and/or Equipment

1. Alcohol and Drug-Free Workplace Consent Form

Classroom Management

All students are to abide by the instructor's classroom management policies as stated in the course syllabus. This includes attendance and tardiness, electronic equipment, assignments, class disruption, safety, and other departmental policies.

Computer Use

All user agreements, rules and regulations governing use of facilities and equipment shall be strictly adhered to.

Fire Drill and Active Map

The fire drill and active map can be found on the current students' campus safety statistics page on the https://www.Dinécollege.edu/current_students/campus-safety-statistics/#cs-SZMaps. The map section allows students to view the map of the campus, showing the locations of various facilities. Students can use this information to navigate the campus during an emergency.

Office of Finance & Accounting

All students must abide by all guidelines and procedures pertaining to student travel.

Rave Mobile Safety

The RAVE emergency alert system provides state employees with real-time communications about emergencies and other situations that impact their department's operations. RAVE solely to send mass electronic notifications to employees, students, and community members wherever they are to help them take immediate action to remain safe during emergencies, such as:

- Building evacuations
- Active shooter
- Weather emergencies
- Building closures due to weather, fire, smoke, etc.

Diné College employees work email and telephone devices are pre-registered to receive RAVE alerts. In addition, employees may choose to receive RAVE alerts on their personally-owned electronic devices:

- Text Messages: Employees may receive RAVE text messages on their personal cellular phones. Employees are responsible for any SMS charges imposed by their cellular provider.
- Email: Employees may receive RAVE email messages at their personal email address.

Residence Life

Application Procedures & Eligibility Requirements for Dormitory & Family Housing

All students 18 years and older will be required to pass a criminal background check prior to moving into Residence Life dormitory or housing facilities.

Married students/single parents applying for family housing must complete criminal background checks for their spouses and any high school age over 18 years still residing with the parents. Parents must provide enrollment verification from the child's school. Only dependent children still in school will be eligible to live in family units with their parents/guardian. No extended family members are allowed to reside in the housing units.

It is the responsibility of the student to complete a housing application and attach all required paperwork. The Residence Life Office will accept only completed applications submitted by the set deadlines.

All applications will be reviewed and notice of approval given to the student, through email or a written letter. Diné College does not guarantee housing. It is the student's responsibility to keep their address and other pertinent information updated with the Residence Life Office. Failure to do so may result in losing placement for housing.

Priority for housing are as follows:

1. Full-Time Students
2. Returning students in good academic standing with a 2.00 GPA and no infractions) from previous semester
3. New incoming students
4. Transfer students
5. Distance from the College

A waiting list will be created should the demand be greater than space availability. The waiting list applicants will be notified by telephone and given 2 days to respond before the next applicant in the line is notified. If the waiting list applicants does not respond, their application will be moved to the end of the waiting line.

Room Assignments

To avoid overcrowding, the College adheres to the following occupancy standards
Residence Hall rooms are at double occupancy for maximum use of space.

2-bedroom units will not exceed 5 people

3-bedroom units will not exceed 7 people.

Satisfactory Academic Progress Requirement

1. During the academic year, participants must remain in good standing as defined in the current Diné College catalog. Students must meet these requirements each semester to remain eligible for housing. Students falling below the satisfactory academic progress requirement will be placed on Residence Life probation for the following semester. A second semester of non-satisfactory progress will result in ineligibility to reapply to Residence Life Halls OR eviction from family housing units.
2. Students with families living in the family housing units. who maintain satisfactory academic progress are eligible to renew their application for the following academic year. They will remain in their assigned unit through the summer provided they are registered for the fall semester, current on their rent. and in good standing.
3. Students with families living in family housing units will be allowed to live in family housing for a maximum of three years for students pursuing an Associate's degree and an additional 3 years for student pursuing a Bachelor's degree. Students must maintain satisfactory academic progress, current on their rent, and in good social standing to remain eligible.

Criminal Background Check Clearance

An applicant and applicable tenants for single and family housing will not be eligible if they are found to have been charged with:

1. Violent or sex related crime
2. Domestic violence
3. Any drug offense
4. Furnishing alcohol to a minor
5. Any degree of burglary or robbery
6. Theft while using a firearm
7. Theft in the 1st or 2nd degree
8. Theft in the 3rd degree more than 2 times

Students who have non-violent or non-sex related crimes older than one year are eligible to appeal to the Vice President of Student Success. Students must use the Appeal Form and submit all supporting documents to the Vice President of Student Success. Appeal forms can be obtained from the Residence Life Office, Spruce Hall. Students must reapply each semester for housing.

Dormitory

There are 8 Hogan-shaped buildings to accommodate single adult students without dependents. Each building consists of the following and is set for double occupancy.

Rooms: Each room consists of two twin beds, two dressers, two desks, and two closets. There is a shared bathroom with shower between every two rooms.

ADA Rooms (American with Disabilities) - There are two ADA compliant rooms located in Aspen Hall and two in Willow Hall.

Each dormitory is equipped with an automated external defibrillator (AED), a fire extinguisher, and a first-aid kit.

An inspection of the fire extinguisher is conducted every month and on a yearly basis.

Lobby: Each building has a central lobby with fireplace and a TV, desks or tables and chairs to be used for studying. There is a courtesy phone located in each lobby. The lobby is a designated common area.

Laundry Room: Laundry rooms are equipped with two coin-operated washers/dryers and sink for student usage only. The laundry room is a designated common area.

Kitchen: Each building has a fully equipped kitchen that includes a refrigerator, stove, and microwave. The kitchen is a designated common area.

Janitor's closet: Brooms, dustpans, mops, mop buckets and faucet are available in each closet. The janitor's closet is a designated common area.

Visitation Hours and Guest Lodging

Visiting hours apply to Residence Hall room and Student Family Housing. These hours will be enforced by security personnel and Residence Life Staff for the safety and well-being of all residents.

Residence visiting hours:

- Residence Halls - Monday - Thursday; 8:00am to 11:00pm and Friday - Sunday: 8:00am to 10:00pm
- Student Family Housing - Monday - Sunday 8:00am to 9:00pm

Guest

Guests are any person(s) (including students) who are not approved to reside in College residence. The student assigned to the College residence (host) is responsible for seeing that their guest(s) follow the College policies. The host is responsible for the conduct of their guest(s) while in the College Residences.

- Guests are permitted in the Single Housing room only with the consent of the roommate(s). The room door must be kept open when there are guests of the opposite sex in the room for safety reasons.
- The College reserves the right to ask a guest to leave at any time.
- If an individual who is not assigned to a particular room/housing unit uses the space as if they were living there, or whose presence interferes with another student's ability to study or sleep will be in violation of this policy. Examples include but are not limited to
 - Using a key to enter a room/housing unit they are not assigned to.
 - Store clothing or other personal items in room/housing unit.
 - Staying overnight in the room/unit on a regular basis.

- Using the bathroom or shower as if they lived there.
- Lending keys to a guest or any other student is prohibited.

Previous residents who have been evicted from student housing for violation of residence hall policies are not allowed as guests/visitors in the residence halls or Student Family Housing.

Keys

Residence Life room keys are the responsibility of the resident and are not permitted to be copied, loaned, or left unattended. Residents allowing non-residents use of their keys will be evicted. This is considered a serious safety violation that jeopardizes the safety of residents and their personal property. A student is issued one key upon check-in.

- Residence Life staff must be informed immediately if a resident loses his/her key(s).
- The student will pay the lost key fee at the Business Office, located on the 6th floor of Ned Hatathlie Building, and, if necessary, will be charged for changing the locks.
- Diné College is not responsible for any lost or stolen personal property

Missing Student Notification

A resident is “determined to be missing” when a missing person report investigation concludes that student has been absent from the College for a period of 72 hours or longer without any known reason. The Residence Life Manager in conjunction with the VP of Student Success, or designee, and Campus Security will make the official determination of whether a student is deemed missing. The Manager or Residence Life staff should be notified of any planned absence from Residence Life for any period of time longer than 72 hours.

Rave Mobile Safety – For children (17 years of age and younger) the time period change to 24 hours.

Procedure for determination of Missing Student

Any concerned person who has information that a resident may be a missing student must notify the Residence Life Staff as soon as possible so that an official determination may be made about whether or not the student is missing. The Residence Life Manager will follow the procedures for notifying Campus Security. Campus Security will follow procedures in notifying the Navajo Nation Police Department. The Residence Life Manager will assist external authorities with these investigations as requested.

1. The Residence Life Staff will gather all essential information about the resident from the reporting person and from the resident’s acquaintances.
2. The Residence Life Manager and other appropriate campus staff will be notified to aid in the search for the student.
3. If the above actions are unsuccessful in determining the location of the student within the last 72 hours, or it is apparent immediately that the student is a missing person (e.g. witnessed abduction) the student will be determined a missing student.

Procedure for Official Notification for Missing Students

Once a student is determined to be missing:

1. The Residence Life Manager or designee will notify the confidential emergency contact; and the Residence Life Manager or designee will notify Campus Security for assistance.
2. In addition, the administration of the College reserves the right to notify the parents of a student of any age if he/she has been determined to be missing, regardless of whether the parent is listed as an emergency contact. The FERPA health and safety exception fully permits this.

Procedure for Designation of Confidential Emergency Contact Information:

1. All residents have the opportunity to identify an individual or individuals to be contacted by the Residence Life Manager or designee at such time that the resident is determined to be missing in accordance with the procedures set forth above.
 - Residents must register their designated contact person on their application or they may submit a contact in writing to Residence Life staff.
 - A designation will remain in effect in the resident life until changed or revoked by the student.
 - This information is maintained confidentially and will be available only to Residence Life staff and local law enforcement if needed.
 - For non-emancipated residents under the age of 18, the College is required to notify the emergency contact as well as the custodial parent or guardian no more than 24 hours after resident is determined to be missing.

Student Identification Card

The purpose of having an identification card is to afford Diné College students equal access to all allowable Diné College services, and in addition, to confirm student identity that will help make sure the health, safety, and welfare of the student. All enrolled Diné College students are required to get a current Diné College student identification card.

Identification cards can be obtained from the Student Programs office at Oak Hall.

Sex Offender

All registered sex offenders who become a student at the College, becomes employed (student intern), or volunteers are required to register and report to Campus Security, Office of Records and Admission, and Residence Life.

Safe Environment

Diné College is committed to personal safety, loss prevention, and violence-free workplace. It is the intention of Diné College that all student employees work under the safest conditions possible, that we keep up a workplace free from recognized hazards, and that we give timely information, training, and supervision to enable student employees to do their jobs

Sexual Misconduct/Title IX

Diné College is committed to providing an environment that is free of sexual misconduct. This policy applies to all faculty, staff, students and third parties, regardless of sexual orientation or gender identity. Sexual misconduct represents a serious threat to the well-being of all individuals on Diné College campuses or centers and will not be tolerated. Diné College requires all employees, students and third parties to report suspected violations of this policy whether or not the alleged conduct occurred on or off campus. The College will not tolerate sexual harassment, violence, assault, or retaliation as defined below and is committed to preventing it or stopping it whenever it may occur at the College or in its programs. Changes to the applicable law shall supersede this policy.

Student Employment Program Agreement

1. Student employees must adhere to the Personnel Policy and Procedure Manual (3PM) governing Diné College employees.
2. Student must maintain Satisfactory Academic Progress outlined in the current College catalog

during the duration of employment.

3. Student employees shall not disclose privileged and confidential information obtained through the Student Employment Program (work study) or use any such information for personal gain.

Title IX

It is the policy of Diné College to comply with Title IX of the Education Amendments of 1972 which prohibits discrimination based on sex in Diné College's educational programs and activities. Title IX also prohibits retaliation for asserting or otherwise participating in claims of sex discrimination.

Violence Against Women Act (VAWA)

It is the policy of Diné College to comply with the federal Violence Against Women Act amendments to the Clery Act and the corresponding regulations. VAWA imposes additional duties on colleges to investigate and respond to reports of sexual assault, stalking, and dating and domestic violence, and to publish policies and procedures related to the way these reports are handled.

Prohibited Sexual Misconduct

Sexual Harassment

Conduct on the basis of sex that constitutes one or more of the following activities:

I. Unwelcome conduct determined by a reasonable person to so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a College program or activity. Conduct that may, under certain circumstances, meet this standard could include depending on the circumstances, but is not limited to

- Unwelcome sexual innuendo, propositions, sexual attention, or suggestive comments and gestures.
- Unwelcome physical contact of a sexual nature, such as touching, hugging, kissing, patting, or pinching, that is uninvited and unwanted or unwelcome by the other person. Humor and jokes about sex or gender-specific traits; sexual slurs or derogatory language directed at another person's sexuality or gender. Insults and threats based on sex or gender; and other oral, written, or electronic communications of a sexual nature that a person communicates and that are unwelcome.
- Written graffiti or the display or distribution of sexually explicit drawings, pictures, or written materials; sexually charged name-calling; sexual rumors or ratings of sexual activity/performance; the circulation, display, or creation of e mails or Web sites of a sexual nature. (For more information on misconduct using the College's computing facilities, please see the Information Technology Policies Manual.)
- Non-academic display or circulation of written materials or pictures degrading to a person(s) or gender group.
- Unwelcome attention, such as repeated inappropriate flirting, inappropriate or repetitive compliments about clothing or physical attributes, staring, or making sexually oriented gestures.
- Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping.

II. Quid Pro Quo Harassment: A College associate conditions the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct. Examples of quid pro quo sexual harassment include:

- Offering employment or educational benefits in exchange for sexual favors.
- Threatening or taking negative action in the event of having sexual advances denied and/or after having sexual advances denied, such as a professor threatening to fail a student unless the student agrees to date the professor

- **Sexual assault:** Any sexual act directed against another person, 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. This includes:
 - **Rape:** The penetration, no matter how slight, of a person's 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:** Touching the private body parts of another person for the purpose of sexual gratification, without that person's consent, for the purpose of sexual gratification.
 - **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - **Statutory rape:** Sexual intercourse with a person who is under the legal age of consent.

III. Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: 1) The length of the relationship; 2) The type of relationship; and 3) The frequency of interaction between the persons involved in the relationship.

IV. Domestic Violence: Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of a person, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or 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.

V. Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

Sex discrimination and/or gender discrimination: Treating an individual unfavorably or adversely based upon that individual's sex and/or gender in the context of educational, or employment activities, programs, or benefits, such as in admissions, hiring, selection for and/or participation in projects, teams, or events, provision of wages or benefits, selection for promotions, etc.

Sexual Exploitation

Sexual exploitation occurs when a person takes sexual advantage of another person for the benefit of anyone other than that person without that person's consent.

Examples of behavior that could rise to the level of sexual exploitation include:

- Prostituting another person;
- Recording images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness without that person's consent;
- Distributing images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to such disclosure and objects to such disclosure; and
- Viewing another person's sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person's consent, and for the purpose of arousing or gratifying sexual desire.

Retaliation

Retaliation prohibited under this Policy includes threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy.

Intimidation, threats, coercion, or discrimination, including charges against an individual for violation of this Policy or any part of the Student Code of Conduct that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by this policy constitutes retaliation.

The exercise of any rights protected under the First Amendment does not constitute retaliation. Charging an individual with a violation of this policy or a Code of Conduct violation for making a materially false statement in bad faith in the course of a proceeding under this policy does not constitute retaliation. However, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Definition

Consent

In order to give effective consent, a person must be of legal age. Consent means a voluntary and informed agreement to engage in sexual activity. Consent can be withdrawn at any time. The following list details situations where consent is invalid. Consent can be given by words or actions as long as those words or actions create mutually understandable permission regarding the scope of sexual activity.

- A person who is incapacitated, unconscious, or asleep cannot give valid consent. A person with an intellectual disability may not be able to give valid consent.
- Valid past consent does not imply future consent. In other words, each instance of sexual activity is looked at separately to determine if there was consent by all parties.
- Silence or failure to resist does not imply consent.

Force

Additionally, the use of force or threats to obtain consent renders the consent invalid. The use of force to cause someone to engage in sexual activity is, by definition, non-consensual contact, and is prohibited. Force may include words, conduct, or appearance. Force includes causing another's intoxication or impairment through the use of drugs or alcohol. Under this policy force includes the use of any of the following:

- Physical Force
- Coercion - is to force one to act based on fear of harm to self or others. Means of coercion may include, but are not limited to, pressure, threats, or emotional intimidation.
- Intimidation, Implied Threats and/or Threats

Incapacitation

Incapacitation is the inability, temporarily or permanently, to give consent, because the person is mentally and/or physically helpless due to drug or alcohol consumption, either voluntarily or involuntarily, or the person is unconscious, asleep, or otherwise unaware that the sexual activity is occurring. Some signs of incapacitation may include, but are not limited to, lack of control over physical movements (e.g., stumbling, falling down), lack of awareness of circumstances or surroundings, the inability to speak or communicate orally, or the inability to communicate for any reason.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services the College offers victims and the accused as appropriate, as reasonably available, and without fee or charge before or after the filing of a Formal complaint or where no formal complaint has been filed. Such measures are designed to provide equal access to the College's education program or activity without causing an unreasonable burden, including measures designed to protect the safety of all parties or the College's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The College will maintain as confidential any supportive measures provided to the victim or accused, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Title IX Coordinator(s)

Diné College's Title IX Coordinators are:

Glennita Haskey, Vice President of Student Affairs Office: Student Success Building, Tsaile Campus

Email: ghaskey@Dinécollege.edu

Phone: (928) 724-6860

And

Dr. Perphelia Fowler, Director of HR

Office: 230A NHC Building- Tsaile Campus Email: pfowler@Dinécollege.edu

Phone: (928) 724-6603

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for these Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

The Title IX Coordinators are responsible for coordinating the College's prevention of and response to sexual harassment and sexual violence, as well as for addressing any questions or inquiries regarding how the College applies federal Title IX law and regulations. The Title IX Coordinators have many responsibilities as part of their job of ensuring the College complies with the law. The Title IX Coordinator has the primary responsibility for:

- Receiving reports and Formal Complaints regarding sexual misconduct;
- Signing a Formal Complaint where the victim is unwilling or unable to do so in cases where a formal complaint is necessary to ensure equal access to the College's program and activities;
- Providing information to students about resources and support services available;
- Designation of an Investigator
- Issuing supportive measures;
- Carrying out restorative remedies to Complainants when directed to do so upon conclusion of a hearing;
- Overseeing the processes in this Policy in a neutral and impartial fashion;

Investigator

The Investigator is ordinarily a member of the College's Department of Human Resources specifically trained in sexual misconduct investigations to conduct a prompt, thorough, and fair investigation of any sexual misconduct complaint against a College faculty or staff member, affiliate, or a non-affiliate.

Confidentiality

Examples of individuals who can offer confidentiality:

- Medical providers
- Lawyers providing legal advice
- Licensed mental health counselors, psychologists, and social workers
- Pastoral counselors (e.g., priests and other clergy members)
- Local rape crisis centers and other confidential community resources

As noted above, when a victim speaks to an off-campus individual offering confidentiality, the College may be unable to conduct an investigation into the particular incident or pursue disciplinary action against the accused. In those circumstances, confidential counselors and advocates will still assist the victim in receiving other necessary protections and support, such as victim advocacy services, academic support or campus accommodations, disability services, health or mental health services, and changes to living, working, or course schedules (i.e., "supportive measures").

At any time, a victim who initially requests confidentiality may also decide to file a Formal Complaint with the College and/or report the incident to campus security, law enforcement, and/or State Police. In all cases where a victim submits a Formal Complaint to the College, the College will investigate the allegations.

If the College determines that the accused poses a serious and immediate threat to the College community, law enforcement may be called upon to issue a timely warning to the community. Any such warning would not include the victim's name or any information that identifies the victim.

Privacy

Privacy cannot be offered by a College employee who is unable to offer confidentiality due to their legal obligation to report known incidents of sexual assault or other crimes to the Title IX Coordinator. Even College associates who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. The information you provide to a College employee will be relayed only as necessary for the Title IX Coordinator to investigate and/or seek a resolution.

Accused

A person accused of sexual misconduct or another violation of this policy.

Victim

An individual who is alleged to be the victim of conduct that could constitute sexual misconduct or other activity that would constitute a violation of this policy,

Bystander

Bystander includes any person who witnesses or learns about sexual misconduct or another violation of this policy who is not themselves the victim or person subjected to the sexual misconduct.

Bystanders are welcome and encouraged to report incidents of sexual misconduct that they have witnessed or learned about. If your friend is a victim of sexual misconduct, please encourage them to reach out for help.

Complainant

An individual who submits a “Formal Complaint” alleging sexual misconduct or another violation of this policy whether he or she is alleged to be the victim of such alleged activity.

Respondent

A person accused in a “Formal Complaint” of sexual misconduct or another violation of this policy.

Formal Complaint

A document filed by a Complainant or signed by the Title IX Coordinator alleging sexual misconduct or another violation of this policy against a Respondent and requesting that the College investigate the allegation(s). At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in an education program or activity of the College. A Formal Complaint may be filed with the designated Title IX Coordinator for the College location in person, by mail, or by electronic mail, by using the Title IX Coordinator contact information listed in this policy. As used in this paragraph, the phrase “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided by the College) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party under this policy.

In instances where there exist allegations of sexual misconduct or another violation of this policy against more than one Respondent or by more than one Complainant against one or more Respondents, or by one party against the other party, the Title IX Coordinator may consolidate Formal Complaints if the allegations of sexual misconduct or other violation arise out of the same facts or circumstances.

Scope of this Policy

The prohibitions and protections in this Policy apply to locations, events, and circumstances over which the College exercises substantial control over both the accused and the context in which the alleged sexual misconduct occurs and also includes any building owned or controlled by a student organization that the College officially recognizes. Consequently, this policy applies to on and off-campus activities and electronic and online activities so long as the alleged sexual misconduct took place on a location or in an event or circumstance over which the College exercises substantial control.

Procedures

These Procedures outlined below will be used to investigate and resolve all reports and complaints of sexual misconduct against Diné College students, faculty and staff members, affiliates, and non-affiliates, as appropriate. For purposes of the College’s Sexual Misconduct/Title IX Policy and these Procedures, an “affiliate” includes, but is not limited to, visiting scholars and post-doctoral fellows who are not otherwise classified as Diné College faculty, staff, or students.

All other complaints not covered by this Policy for discrimination or harassment against faculty and staff members and students, including but not limited to those based on race, color, creed, religion, ethnic origin, age, sex, disability, and sexual orientation, will be resolved using the College’s Complaint Procedures for Unlawful Discrimination or Harassment.

Rights of the Parties

These Procedures for the investigation, adjudication, and resolution of sexual misconduct reports and complaints brought against students, faculty, staff, affiliates and non-affiliates are designed to be accessible, prompt, fair, and impartial. Throughout this process, both the victim and the accused:

- To be treated with respect, dignity, and sensitivity.
- To receive appropriate supportive measures from the College.
- Privacy to the extent possible, consistent with applicable law and College policy.
- Information about the College's Sexual Misconduct/Title IX Policy.
- A prompt and thorough investigation of the allegations.
- Notification, in writing, of the case resolution, including the outcome of any appeals.
- A report of the incident to law enforcement can be made at any time.

Preliminary Matters

A. Effect of Criminal Proceedings

The filing and processing of a report or complaint of sexual misconduct is separate from and independent of any criminal investigation or proceeding. Diné College will not wait for the conclusion of any criminal investigation or proceedings to begin its own investigation, although the College may delay temporarily these procedures for good cause including a delay needed because of pending law enforcement activity. Neither law enforcement's decision whether to prosecute an accused nor the outcome of a criminal prosecution is determinative of whether sexual misconduct occurred under the College's Sexual Misconduct/Title IX Policy.

B. Advisor

Upon the submission of a Formal Complaint, the Complainant and Respondent may each choose to be accompanied to any interview, meeting or hearing related to these Procedures by an Advisor, who may provide support during such interview, meeting or hearing. During meetings and interviews, the Advisor may quietly confer or pass notes with the party in a non-disruptive manner. The Advisor may not intervene in a meeting or interview, or address the Investigator. Should the matter proceed to a hearing, both the Respondent and Complainant will have the opportunity to present evidence in his/her defense and to inspect and review evidence be accompanied by an advisor of his/her choice. If a Complainant or Respondent does not have an Advisor present at the hearing, the College will provide an Advisor of the College's choice without fee or charge to that party. Such Advisor may be, but is not required to be, an attorney.

C. Time Frame for Complaint Resolution

The College will seek to resolve every report of sexual misconduct within forty-five (45) business days of the start of an investigation, not counting any appeals. Time frames may vary depending on the complexity of a case and the availability of witnesses, and at certain times of the academic year (for example, during breaks, study periods or final exams). The College may extend any time frame for good cause, with a written explanation to the complainant and respondent

Reporting Misconduct and Filing a Formal Complaint

A. Disclosing to the Title IX Coordinator

A victim may wish to tell someone about an incident of sexual misconduct but isn't yet sure whether he or she wishes to have official action taken against the individual who committed it. Victims have the option to report (tell someone about) an incident without being obligated to file a Formal Complaint. Whether a victim chooses to report or chooses to formally file a Formal Complaint about an incident, the victim has the right to be protected by the College from retaliation and the right to receive assistance and resources (supportive measures) from the College.

It should be emphasized here that anyone can report sexual misconduct, even third parties and reports are not required to be in writing. However, if the victim is not identified, the College will not be able to provide supportive measures. The College will maintain confidential the identity of any individual who has made a report or submitted a Formal Complaint of sexual misconduct, any accused

or Respondent, and any witness, except as may be permitted by FERPA, or as required by law, or to carry out the purposes of the Title IX of the Civil Rights Act regulations, including the conduct of any investigation, hearing, or judicial proceeding arising under those regulations. Complaints alleging retaliation may be filed according to the grievance procedures in this policy.

When the Title IX Coordinator becomes aware of an incident of sexual misconduct, the Coordinator will promptly contact the victim or other reporting individual to discuss the availability of supportive measures, consider the victim's wishes with respect to supportive measures, provide information of the availability of supportive measures with or without the filing of a Formal Complaint, and explain the process for filing a Formal Complaint. The Title IX Coordinator is the person with whom a victim would file a Formal Complaint regarding sexual misconduct, if the victim wishes to do so. Upon receiving a Formal Complaint, the Title IX Coordinator will designate an Investigator to investigate the incident to determine whether the alleged conduct, if proven to be true, would constitute "sexual harassment" or "retaliation" as defined in this policy or otherwise constitutes "prohibited behavior" in this policy. The Investigator will also ensure that at the time of filing the Formal Complaint the victim is participating or attempting to participate in the College's education program or activity in the capacity as a student or employee, otherwise this policy does not apply to them.

If the Investigator determines that the alleged conduct, if proven, does not constitute "sexual harassment" or "retaliation" as defined in this policy, then the Investigator will assess whether the conduct constitutes other prohibited behavior. If the alleged conduct does not constitute any "prohibited behavior," the Investigator will dismiss the Complaint. If, however, the alleged conduct constitutes "prohibited behavior," the Investigator will investigate and commence the appropriate College disciplinary process against the accused, if that individual is a student or employee. The Title IX Coordinator will also offer the victim supportive measures as defined in this policy.

Victims can also report sexual misconduct to the Title IX Coordinator even if they do not want an investigation to occur. Such a report can be submitted anonymously or not anonymously. However, if the victim reports anonymously, the College will not be able to provide the victim supportive measures. If the victim reports without anonymity, the Title IX Coordinator will nevertheless maintain the confidentiality of any supportive measures provided to the victim (and the accused if such measures are provided to him or her) to the extent maintaining such confidentiality will not impair the ability of the College to provide such measures. All victims who report sexual misconduct will receive supportive measures and instructions on how to file a Formal Complaint should he or she decide to do so. Although the Title IX Coordinator is not a confidential resource, reporting an incident to the Title IX Coordinator while expressing one's wish for no investigation to occur is known as a "confidential report" to the Title IX Coordinator. In these cases, the Title IX Coordinator will first ask the victim's permission before beginning an investigation and commencing the appropriate disciplinary process. If the victim declines to give permission, the Title IX Coordinator will honor the victim's decision and will not investigate the report, except in

circumstances where failing to investigate would prevent the College from providing a safe and non-discriminatory environment for all members of the College community. In those cases, the Title IX Coordinator could file a Formal Complaint and commence an investigation and, if appropriate, a disciplinary process, as well, although the victim would not be obligated to participate in the investigation or the disciplinary process. In cases where the Title IX Coordinator, rather than the victim, files a Formal Complaint, the Coordinator will nevertheless treat the victim as a party to the process. Whatever the victim decides, the Title IX Coordinator will still offer the student supportive measures.

Disclosing to Someone Other than the Title IX Coordinator

Incidents can also be disclosed to College employees other than the Title IX Coordinator, if the victim

prefers to do so. College employees are required to notify the Title IX Coordinator when an incident of sexual misconduct is disclosed to them, in order to protect the safety of other people on campus and so that the Title IX Coordinator can reach out to the victim to offer help, support, and information about filing a Formal Complaint if the victim desires. If the victim reports the incident to the College associate anonymously, the College will not be able to provide the victim supportive measures. If the victim reports the incident to the College employee without anonymity, the Title IX Coordinator will nevertheless maintain the confidentiality of any supportive measures provided to the victim (and the accused if such measures are provided to him or her) to the extent maintaining such confidentiality will not impair the ability of the College to provide such measures. The information disclosed will be limited to only the information needed to conduct an investigation (if the victim permits) and to ensure victim safety.

If the victim does not report anonymously, upon receiving notice of the report of an incident by a College employee, the Title IX Coordinator will respond to the victim by offering supportive measures and ascertain whether the victim wishes to file a Formal Complaint.

Victims can also disclose incidents to non-College officials, such as a local rape crisis center or a mental health counselor. A list of some local rape crisis centers and other community resources is provided in the Annual Fire and Security Report found on the College's website at www.Dinecollege.edu. These types of non-College officials provide confidentiality and can offer support and referrals to helpful services and resources. These persons are not affiliated with the College and have no obligation to notify the Title IX Coordinator about the incident. Consequently, if the College is not informed of the incident, victims should not expect the College to investigate the matter. However, the College will investigate allegations contained in a Formal Complaint with the College.

Submitting a Report or Formal Complaint Confidentially and/or Anonymously

In addition to the options described above in regard to privately or confidentially disclosing an incident of sexual misconduct, victims also have several options for making a Formal Complaint. The Title IX Coordinator is the person with whom a student would file a Formal Complaint regarding sexual misconduct, if the victim wishes to do so. Formal Complaints can be made to the Title IX Coordinator by submitting a complaint to the Title IX Coordinator in-person, via email, or via the online incident report form.

All reports of sexual misconduct made to all College employees will be handled with privacy. Those reporting instances of sexual misconduct - whether they are the victim, an employee, a friend, or a witness/bystander - can also make confidential and/or anonymous reports if they prefer to do so.

A. Confidential Reports

Reports can be made by informing the Title IX Coordinator in person or in writing that you do not want an investigation to occur.

While this reporting method is known as a "confidential report", due to the nature of their responsibilities, the Title IX Coordinator is not truly a confidential resource. As noted above, all information provided will be handled with the utmost privacy.

When a reporting individual reports an incident of sexual misconduct but expresses that he/she does not wish for the College to conduct an investigation, the College will typically honor that request. However, sometimes the College will be obligated to weigh such a request against the College's duty to ensure the safety of others on campus. Some of the factors the College may consider in weighing a request to not investigate may include: whether the accused has

a history of violent behavior or is a repeat offender; whether the incident represents escalation in unlawful conduct by the accused individual; the increased risk that the accused individual will commit additional acts of violence; whether the accused individual used a weapon and/or force; whether the reporting individual is a minor; and whether the institution possesses other means to obtain evidence (e.g., security footage) and whether available information reveals a pattern of perpetration at a given location or by a particular group. If the Title IX Coordinator determines that a victim's confidentiality cannot be maintained and that an investigation is necessary, the victim who reported the incident will be notified in writing, prior to the start of an investigation and will, to the extent possible, only share information with the people responsible for handling the College's response. The Title Coordinator will remain ever mindful of the victim's well-being and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or College employees, will not be tolerated. In these cases, should the Title IX Coordinator decide to commence a disciplinary proceeding against the accused, the Coordinator will nevertheless treat the victim as a party to the process and offer the victim supportive measures.

B. Anonymous Reports

These reports can be made by not including your name or email address when submitting the online incident report form. Individuals who wish to anonymously report an incident should be aware that their anonymity may inhibit the College's ability to conduct a full investigation of the incident, provide supportive measures, and/or update the victim regarding actions taken.

Regardless of how a victim chooses to disclose the alleged misconduct, the College may not require a victim to participate in any investigation or disciplinary proceeding.

In the event that sexual misconduct has been committed by a non-member of the College community (including an unknown person or stranger), victims may still report the incident to the College and receive supportive measures and protection. For a list of on-campus and off-campus resources and support services near you please contact the Department of Human Resources.

Victims also have the option to make a report to law enforcement, either in addition to or as an alternative to making a report to the College.

Amnesty Policy for Alcohol and/or Drug Use

Students should not be afraid to report an incident of sexual misconduct merely because they were drinking alcohol or using drugs at the time of the incident, whether they were a victim, witness, or bystander. Diné College has adopted an amnesty policy for alcohol and/or drug use in regard to incidents of sexual misconduct. The health and safety of every student at the College is of utmost importance. The College recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The College strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to College employees. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to the College associates or law enforcement will not be subject to the College's code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

4. Disclosures During Advocacy Events

Individuals occasionally disclose information regarding sexual misconduct during a public awareness and/or advocacy event, such as candlelight vigils, protests, survivor speak-outs, Take Back the Night events, Day of Unity events, and other similar public events. These events typically serve the purpose of empowering survivors and raising awareness about issues related to sexual violence, as opposed to serving as a forum in which an allegation of sexual misconduct is reported. Accordingly, the College may not investigate allegations disclosed at these events. However, any individual always remains free to report such conduct with the College and the College will investigate all allegations in a Formal Complaint. The College may use information provided at such events to inform its efforts for additionally education and prevention efforts regarding sexual misconduct and sexual violence.

Campus Alerts

When certain crimes occur in certain areas on and/or near campus that represent a serious or continuing threat to the campus community, the College is obligated under federal law to issue a timely warning, in order to protect the safety of others. Crimes triggering a timely warning might include, for example, a rapist who is still present on campus. When a timely warning is issued, the warning will never identify any victims or reporting individuals. See the College's Annual Fire and Security Report for more information on the Campus Emergency Notification System. This report can be found on the College's website at: <https://www.Dinecollege.edu>.

Campus Crime Data

When the Title IX Coordinator receives reports of sexual misconduct and certain other crimes that occur in certain locations on and/or near campus, federal and State laws require the Title IX Coordinator to count the number of those reports for inclusion in the College's Jeanne Clery Campus and Security Survey and inclusion in the College's Annual Fire and Security Report. This is merely an anonymous tally - neither the identity of the reporting individual nor the specifics of the crime are included in these reports.

Resources and Protection for Victims

Diné College is committed to supporting victims and survivors of sexual misconduct and sexual violence, regardless of when, where, or who committed the acts in question. If you or a friend need help finding resources, the College encourages you to reach out to your campus Title IX Coordinator, who can help obtain those resources. If you aren't sure who your campus Title IX Coordinator is, a list of all campus Title IX Coordinators is provided in this policy. If you are in immediate danger at any point, call 911.

A. Obtaining Immediate Medical Attention

If you have been the victim of rape, sexual assault, domestic violence, or dating violence and are in need of immediate medical attention, please call 911 and/or consider visiting a hospital, urgent care center, or medical provider. Some State law requires that all hospitals in the State offer forensic rape examinations (sometimes also called 'forensic sexual assault examinations' or simply 'rape kits'). Some states require hospitals to notify the victim/survivor that they can choose to have the forensic rape exam and its related charges billed to the Victim Services at no cost to the victim/survivor. After the exam, you might receive other medical services or counseling services for which the hospital might charge you or bill your health insurance; if your insurance plan is through someone else (such as your parent), you are encouraged to tell hospital staff if you do not want your insurance policyholder to be notified about your access to these services.

Especially in incidents of rape or sexual assault, it may be important to receive a forensic examination as soon as possible in order to preserve evidence and/or to receive protection from

sexually transmitted infections and pregnancy. To best preserve evidence, you should avoid showering, washing, changing clothes, discarding clothes, combing hair, or otherwise altering your physical appearance until the exam is complete, and you should seek an exam as soon as possible. Even if you don't want evidence to be collected, it is still recommended that you get examined by a doctor in order to address physical injuries, potential pregnancy, and possible exposure to sexually transmitted infections. For more information about what to do after an assault, visit the National Sexual Violence Resource Center website at www.nsvrc.org.

More information regarding forensic examinations and sexually transmitted infections, as well as other resources available through your campus Title IX Coordinator.

B. Provision of Supportive Measures

In addition to the above on-campus and off-campus resources, the College is prepared to offer all victims of sexual misconduct, whether reported with or without a Formal Complaint, certain protections and reasonable campus accommodations. These accommodations are known as "supportive measures" as defined above in this policy. Of course, in cases where a victim chooses to report anonymously, the College will not be able to provide supportive measures.

Below is a non-exhaustive list of protections and campus accommodations that may be available, if appropriate. To request any of the below supportive measures, please contact your campus Title IX Coordinator. Your Title IX Coordinator will then make the necessary arrangements, including coordinating with other campus offices as needed, in order to maintain your privacy.

1. No-Contact Order

Having the College issue, a one-way 'no contact' order against the accused or a mutual no-contact order against both the accused and the victim. A no-contact order can be formulated appropriately as the circumstances warrant. The no-contact can range from prohibited communication to prohibiting physical contact.

A one-way 'no contact' order requires a fact-specific inquiry to determine whether imposition of such an order would be punitive, disciplinary, or unreasonably burdensome to the other party. In cases where a one-way no-contact order would help enforce a restraining order, preliminary injunction, or other court-mandated protective order or if such an order would not unreasonably burden the other party, a one-way no-contact order may be appropriate.

When a one-way no-contact order is issued, if the accused, victim, or reporting individual observes each other in a public place, it will be the responsibility of the accused to avoid contact on the accused, leave the area immediately and without directly contacting the reporting individual and/or victim. If necessary, the College may establish a schedule for the accused and the victim to access College buildings and property at separate times. Violating the 'no contact' order could subject the accused to additional consequences and/or the involvement of law enforcement.

Both the accused and the victim will, upon request and consistent with these policies, be afforded a prompt review, reasonable under the circumstances of the need for and terms of the 'no contact' order, including potential modification and will be allowed to submit evidence in support of their his or her request.

2. Assistance from College associates in obtaining an order of protection or restraining order from law enforcement against the accused individual.

Orders of protection and restraining orders are similar to 'no contact' orders, except that they are imposed by a court, not by the College. If an accused individual violates an order of protection or restraining order, they could be arrested. The College reserves the right to impose consequences on accused individuals who violate orders of protection and restraining orders, such as imposing additional conduct charges and/or subjecting the accused to interim suspension.

3. Assistance from College campus security in calling on & assisting law enforcement in effecting an arrest when the accused individual violates an order of protection.

4. Emergency Removal, Interim Suspension or Administrative Leave

When the accused is determined to present a continuing threat to the health and safety of the community, to subject the accused or victim to emergency removal, interim suspension or administrative leave pending the outcome of the disciplinary process consistent with the law and the College's policies and procedures. Both the accused or victim and the reporting individual shall, upon request and consistent with the College's policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of emergency removal, an interim suspension, or administrative leave and shall be allowed to submit evidence in support of his or her request.

Determinations of whether an accused poses a continuing threat to the health and safety of the College community are made by individuals at each campus. In making such determinations, these individuals act in good faith and takes into consideration:

- Whether the accused has a history of violent behavior or is a repeat offender
- Whether the reporting individual is a minor
- The nature of the allegation in question
- Subsequent behavior occurring after the allegation
- The potential risk of harm or disruption to the campus community and the reporting individual
- Other relevant factors, such as whether the alleged behavior represents an escalation in behavior from past incidents, the possession and/or use of a weapon and/or force, whether the College possesses other means to obtain evidence (e.g. security footage), whether available information reveals a pattern of perpetration at a given location or by a particular group and whether alternatives to interim suspension or administrative leave are available.
- And/or use of a weapon, and whether alternatives to interim suspension are available.

When the threat posed implicates mental health issues, the victim will be required to provide the College with documentation from an appropriate healthcare provider in order to return to campus. Additional safety precautions may also be taken where the College deems it necessary.

When certain crimes occur in certain areas on and/or near campus that represent a serious or continuing threat to the campus community, the College is obligated under federal law to issue a timely warning, in order to protect the safety of others. Crimes triggering a timely warning might include, for example, a rapist who is still present on campus. When a timely warning is issued, the warning will never identify any victims or reporting individuals.

5. Obtaining reasonable and available interim measures and accommodations for changes in the accused's or victim's academics, housing, employment, transportation, or other applicable arrangements in order to help ensure safety, prevent retaliation, and avoid a hostile environment consistent with the College's policies and procedures.

Other protections, services, and accommodations that may be appropriate including, for example, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus.

Disciplinary Process for Allegations of Sexual Misconduct

In cases where this Policy is applicable, when an accused commits or is believed to have committed sexual misconduct or other conduct prohibited by this Policy—whether committed against another student, other member of the campus community, or non-member of the campus community—the accused may face conduct charges and be subjected to the College's disciplinary process. All accused who are subjected to the disciplinary process are entitled to a presumption of 'not responsible' (not guilty), and all processes will be conducted in a fair, impartial, thorough, and timely manner. However, there may be circumstances where prior to the conclusion of the disciplinary proceedings, the College deems it necessary to carry out the emergency removal or interim suspension of a student or placing an employee on administrative leave.

At all times, the burden of proof and the burden of gathering evidence is on the College to establish that the alleged violation of this policy was committed by the Respondent. The standard of evidence required in both the Sexual Misconduct Hearing and in the Appeal Hearing, if one is sought, is a preponderance of evidence. "Preponderance of evidence" means that the relevant Code of Conduct committee must decide in favor of the party that, as a whole, has the stronger evidence that the violation was or was not committed, however slight the edge over the other party's evidence may be. "Preponderance of evidence" is sometimes described as "more likely than not" or "51% probability." The evidence should be sufficient to incline a fair and impartial mind to one side of the issue over the other, but it is not necessary for that mind to be completely free from all reasonable doubt. "Preponderance of evidence" is a different and lesser standard of evidence than that used in criminal proceedings; rather, it is the standard of evidence often used in civil court proceedings. This standard will be used for Formal Complaints against both students and employees, including faculty.

In all disciplinary proceedings brought against a Respondent, there will be a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the disciplinary process.

Before or after the filing of a Formal Complaint (and even where no Formal Complaint has been filed), the College will offer without fee or charge Supportive Measures to both the accused and the victim, as appropriate and as reasonably available.

Informal Resolution Process

At any time prior to a Sexual Misconduct Committee reaching a determination, a Complainant may, but is not required to, seek informal resolution of his or her Formal Complaint. This informal process is not available when the accused is a College employee and both parties must voluntarily consent in writing to the informal resolution process or such a process will not be permitted. An informal resolution avoids a full investigation and Committee hearing and allows the parties to mediate a resolution. The informal resolution process is not available unless a Formal Complaint has been submitted. If a Complainant seeks an informal resolution, both the Respondent and the Complainant will be sent a

written notice disclosing:

- That if the parties reach a mutually acceptable resolution to which they agree in writing, the Complainant will be prevented from resuming a Formal Complaint arising from the same allegations;
- Any party has a right to withdraw from the informal resolution process and resume the Formal Complaint process.
- Should a party withdraw from the information resolution process, all records resulting from the informal resolution process that could have been maintained by the College or shared with the College or the other party will be shared or maintained in the Formal Complaint process.

Sexual Misconduct Review/Investigation Process

Reports of potential and actual violations of this policy, will be processed as follows. All written notifications referenced below will be provided to both parties in a manner that requires the parties to acknowledge receipt, such as certified mail or email, return receipt requested or hand delivery with a signed receipt.

All submitted reports and Formal Complaints regarding incidents of sexual misconduct will be reviewed by the Title IX Coordinator.

The Title IX Coordinator may not have a conflict of interest or bias for or against the Complainant or the Respondent specifically or for or against Complainants or Respondents generally. A designee for the Title IX Coordinator will be appointed if a conflict exists.

In all cases where a Formal Complaint is submitted by a Complainant or signed by a Title IX Coordinator, the Title IX Coordinator (or his/her designee) will conduct an investigation into the incident reported. Upon the submission of a Formal Complaint, the victim will be referred to as the “Complainant” and the accused will be referred to as the “Respondent.”

When a Formal Complaint is submitted, the College will provide a written notice to both the Complainant (if known) and the Respondent containing:

- A description of the Code of Conduct process, including the informal resolution process;
- The allegations of violation of behavior prohibited in this policy with sufficient details known at the time the notice is drafted. The description of the allegations include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment as defined in this policy, and the date and location of the alleged incident, if known.
- A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Sexual Misconduct Hearing.
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be an attorney.
- Notice that the parties may inspect and review evidence.
- The College’s prohibition of knowingly making false statements or knowingly submitting false information during the Code of Conduct process.

During the course of any investigation, if investigation is pursued about allegations of either a Complainant or a Respondent that were not included in this notice, the College will provide notice of those allegations to the parties whose identities are known.

In cases where a Formal Complaint has not been submitted by a Complainant, victims who have reported an incident of sexual misconduct - whether done so privately, confidentially, or anonymous-

ly- have the option of requesting that the College not conduct an investigation; however, under certain circumstances, the College may determine that an investigation is necessary to protect the health and safety of other students and/or the College community. When the College determines that an investigation is necessary, the victim will be treated as a party in any disciplinary proceeding. Victims who have anonymously submitted a report regarding an incident of sexual misconduct should be aware that their anonymity may inhibit the College's ability to conduct a full investigation of the incident and/or communicate with the victim regarding actions taken. In addition, such anonymity will inhibit the ability of the College to provide the victim supportive measures.

Any investigation conducted will be done so in a fair, impartial, thorough, and timely manner. The burden of gathering the evidence will be on the College and not on the parties. However, the College may not access, consider, or otherwise use a party's records that are: 1) made or maintained by a physician, psychiatrist, or other recognized professional or paraprofessional acting in their professional's or paraprofessional's capacity, or assisting in that capacity, and 2) which are made and maintained in connection with the provision of treatment to the party. However, the College may access, consider, and use these records if the College that party's (or the party's parent's, if necessary) voluntary, written consent to do so for a disciplinary proceeding.

The parties will be provided equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations in the Formal Complaint, including evidence that the College does not intend to rely upon in reaching a determination regarding responsibility. This includes such evidence that is inculpatory or exculpatory whether it was obtained from a party or another source. Such access will be provided to ensure that the parties are able to meaningfully respond to the evidence at the conclusion of the investigation.

To this end, before the Investigator completes his or her investigative report, the College will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will be provided ten (10) business days to submit a written response. Any such responses will be considered prior to completion of the investigative report. At any hearing that follows, this evidence will be made available to the parties and both parties will have equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

Should investigative interviews or meetings be necessary or should an individual's participation at the hearing be requested, the Investigator will provide written notice to the individual whose interview, meeting, or hearing participation is requested with the date, time, location, participants, and the purpose of the interview, meeting, or hearing 15 days before the date of the hearing or as soon as possible but with sufficient time for the participant to prepare for the meeting or interview.

Upon completion of the investigation, the Investigator will prepare an investigative report which fairly summarizes the relevant evidence. If it is decided that the Respondent should be subject to proceedings under the Sexual Misconduct hearing process, each party and any advisor will be provided a copy of the report in an electronic format or a hard copy at least 10 days before the hearing. Both parties will be given an opportunity to submit a written response to the report which will be due no later than 3 business days before the hearing.

If upon the completion of the investigation, it is determined that there is sufficient evidence to proceed to a hearing, written notice will be provided to the Respondent, Complainant, and any other party whose participation is invited or expected. The notice will contain the date, time, location, participants, and the purpose of the hearing at least 15 days before the date of the hearing. The date selected

by the Title IX Coordinator will provide the Respondent a reasonable amount of time to prepare for the Sexual Misconduct Hearing while also not constituting an unreasonable delay in resolving the charges. When an alleged violation involves more than one victim or more than one Complainant, or when more than one violation is alleged to have been committed by the Respondent, the Title IX Coordinator may determine, in his/her discretion, to schedule separate Sexual Misconduct Hearings.

Upon completion of the investigation, if the Investigator determines: 1) that the conduct alleged in the Formal Complaint would not constitute “sexual harassment” or “retaliation” as defined in this Policy even if proved; 2) that the alleged conduct did not occur with respect to locations, events, or circumstances over which the College exercises substantial control over the Respondent and the context in which the alleged sexual harassment occurs; or 3) that the alleged conduct did not occur against a person physically located in the United States, the Coordinator will dismiss the Formal Complaint with respect to a claim of violation of Title IX, but may continue the proceeding if the Coordinator believes there is other conduct that, if proven, would violate another provision of this Policy.

The Investigator may also dismiss the Formal Complaint if at any time during the investigation or the hearing, if: 1) the Complainant notifies the Title IX Coordinator in writing that he or she would like to withdraw the Formal Complaint or any allegations in it; 2) Respondent is no longer enrolled or employed by the College; or 3) specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations in it. If the Formal Complaint is dismissed, the College will promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to all of the parties.

Sexual Misconduct Hearing Process

When the Investigator files Sexual Misconduct charges against the Respondent, the Investigator will promptly notify the Respondent in writing of the facts of the allegations made against him/her, the specific College policy violation committed by the Respondent if the alleged facts are determined to have occurred, the time and date on which the violation allegedly occurred, possible consequences and/or sanctions against the student for such violation, information regarding how the student can dispute the violation alleged (including the date, time, and location of a Sexual Misconduct Hearing at which the Respondent will be entitled to present evidence), and what (if any) supportive measures will be imposed upon the student while the Student Conduct Hearing is in progress (e.g., temporary suspension). Where the alleged violation involves sexual harassment or sexual harassment retaliation, the written notice will also notify the parties of their right to be accompanied at the Sexual Misconduct Hearing by an advisor of his/her choice.

The Sexual Misconduct Hearing will be conducted in a fair, impartial, and thorough manner. The Sexual Misconduct will be presided over by a Sexual Misconduct Committee, which will be composed of impartial individuals selected by the Title IX Coordinator. The Title IX Coordinator may not serve on the Committee. Committee members may not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent specifically. The Committee will hear all evidence presented on the alleged violation. During the Sexual Misconduct Hearing, the Respondent will have the opportunity to present evidence in his/her defense and to inspect and review evidence be accompanied by an advisor of his/her choice. Likewise, the Complainant may, if he/she desires, also have the opportunity to present evidence of the incident and to be accompanied by an advisor of his/her choice. Such advisor for both parties may be, but is not required to be, an attorney. Such advisor may accompany the party not only at the hearing but also at any interview or meeting. However, the investigator and the Committee may establish restrictions on the extent to which the advisor may participate in the hearing, interview, or meeting. Such restrictions will apply equally to both parties.

During the hearing, the Committee will objectively evaluate all of the relevant evidence including both inculpatory (evidence indicating culpability) and exculpatory evidence (evidence indicating lack of culpability). The Committee will not make credibility determinations based on a person's status as a Complainant, Respondent, or witness.

The Sexual Misconduct Committee will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

During the course of the Sexual Misconduct Hearing, the College will not restrict the ability of either party to discuss the allegations under investigation or to gather and then present relevant evidence. The parties will be given an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

The Sexual Misconduct Hearing will be live (in person) with the following procedural rights and restrictions:

- The Sexual Misconduct Committee will decide on the location of the hearing. Depending on the circumstances, the Committee may hold the hearing with all parties physically present in the same geographic location or it may decide to have any or all parties, witnesses, and other participants to appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. An audio or audiovisual recording, or transcript, of any live hearing will be made available to the parties for inspection and review. This record will be maintained for seven years.
- The Committee will permit each party's advisor to cross-examine the other party and any witnesses' relevant questions and follow-up questions, including those that challenge credibility.
- If a party does not have an advisor present at the live hearing, the College will provide without fee or charge to that party, an advisor of the College's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.
- All cross-examination will be conducted directly, orally, and in real time by the party's advisor and never by the party personally. Only relevant cross-examination and other questions may be asked of a party or witness. The party or individual being examined by the other party's advisor will await a relevancy determination from the Committee Chair before answering each question. Should the Committee Chair exclude the question, the Chair will explain the reason for the exclusion.
- If a party or witness does not submit to cross-examination at the live hearing, the Committee will not rely on any statement of that party or witness in reaching a determination regarding responsibility. However, the Committee will not draw an inference about the determination regarding Respondent's responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross examination or other questions.
- If either party so requests, the hearing will be carried out with the parties located in separate rooms with technology, such as video conferencing, which enables the Code of Conduct Committee and the parties to simultaneously see and hear the party or witness answering questions.
- Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent;
- After all evidence has been presented in the hearing, the Committee will render a decision as

to whether the Respondent is “responsible” (guilty) or “not responsible” (not guilty) for the violation and will impose consequences and/or sanctions on the Respondent if found “responsible”, if appropriate. If the Respondent fails to or declines to attend the hearing, the hearing will be held without the Respondent present and the Committee may reach a decision of “responsible” and impose consequences and/or sanctions even in the Respondent’s absence. However, the Committee will not make a determination based solely on the absence of the Respondent.

- Upon conclusion of the hearing, the Committee will privately deliberate and will issue a written determination applying the preponderance of the evidence standards. The written determination will be simultaneously sent to both parties within 5 days of the conclusion of the hearing and will include:
 - A summary of the allegations including which provisions of this policy were alleged to be violated;
 - A summary of the procedural steps the College carried out from receipt of the Formal Complaint through the determination, including notifications to the parties, any interviews with parties and/or witnesses, any site visits, other methods used to gather evidence, and hearings held.
 - Findings of fact supporting the determination;
 - Conclusions regarding the application of this policy to the facts;
 - With respect to each allegation, a statement of the determination of responsibility, any disciplinary sanctions imposed, and whether any restorative remedies will be provided to the Complainant;
 - A description of the process and permissible bases for either the Complainant or the Respondent to appeal. The Committee will not make a determination based solely on the absence of the Respondent.

Either the Respondent “responsible” or the Complainant may commence his/her appeal by following the procedures described in the paragraphs titled “Appeals Process” below. In the event an appeal is requested, the Committee’s decision will be protected from public release by the College until the Appeals Process is complete and final, unless the law requires otherwise. However, the parties involved may choose whether or not to discuss or disclose the outcome of the hearing.

If a party does not commence an appeal within ten days from receiving written notification of the Committee’s decision, then the Committee’s decision will be final.

Appeals Process

Any Respondent found “responsible” by a Sexual Misconduct Committee and any Complainant following a dismissal or finding of “not responsible” may appeal the Committee’s decisions, including its determination of responsibility and/or the consequences/sanctions imposed.

Any party seeking an appeal of the Committee’s decision(s) (“Appellant”) must submit a written request for an appeal to the Title IX Coordinator within ten days of receiving written notification of the Committee’s decision. The written request for appeal must include a brief statement of the basis of the appeal. Permissible bases for appeal are:

- A procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the Committee made the determination regarding responsibility or dismissal, which could affect the outcome of the matter;
- The Title IX Coordinator, Investigator, or a member of the Sexual Misconduct Committee had a conflict of interest or bias for or against complainants or respondents, in general, or the individual Complainant or Respondent specifically that affected the outcome of the matter;

- The burden of proof was met or was not met but the Committee concluded otherwise;
- The appealing party objects to the Committee’s determination of responsibility, the imposed consequences/sanctions, or both.

Upon receiving the Appellant’s written request for appeal, the Title IX Coordinator will schedule the date for an Appeal Hearing, to be held in a timely manner at a campus location or virtually. Upon scheduling the Appeal Hearing, the Title IX Coordinator will provide written notification of the location, date, and time to both the Respondent and the Complainant.

The Appeal Hearing will be conducted in a fair, impartial, and thorough manner. The Appeal Hearing will be presided over by a panel of impartial individuals selected by the Title IX Coordinator. The Title IX Coordinator, any individual who served on the Sexual Misconduct Committee, or the Investigator may not serve on the Appeal Hearing panel. In addition, no member of the Appeal Hearing panel may have a conflict of interest or bias for or against complainants or respondents, in general, or the Complainant or Respondent specifically. When such an appeal is submitted, the non-appealing party will be notified in writing of the appeal and these procedures will be applied equally to both parties. Both parties will be given the opportunity to submit a written statement in support of or challenging the outcome of the Committee’s determination before the Appeal Hearing.

The Appeal Hearing panel will hear all arguments presented in regard to whether the Committee’s decisions were appropriate. After all arguments have been presented, the Appeal Hearing panel will render a written decision on the appealed issues and, if appropriate, impose revised consequences/sanctions on a party. Within five days of the Appeal Hearing, the parties will simultaneously be sent written notification of the Appeal Hearing panel’s decision and the rationale for such decision. The Appeal Hearing panel’s decisions are final and are not subject to further appeal.

Timeframes

Any of the deadlines in this Policy may be extended upon the showing of good cause. When considering whether to grant an extension, the absence of a party, a party’s advisor, or a witness, concurrent law enforcement activity, or the need for language assistance, or accommodation of disabilities will be considered. Where extensions are granted, the Complainant and Respondent will be provided written notice of the extension or delay and the reasons for the action.

Possible Sanctions

The following possible sanctions may be imposed as a result of a Sexual Misconduct Hearing and/or an Appeal Hearing. In addition, if at any point (whether during or prior to any such hearing) the presence of a student or College associate on campus creates a threat to the health, safety, and/or well-being of other students or other members of the College community, the College reserves the right to immediately remove that individual from campus until the time of the Sexual Misconduct Hearing and/or Appeal Hearing.

The following list of the range of possible consequences/sanctions is not exhaustive, and these consequences/sanctions may be imposed singularly or in any combination. Different and/or additional consequences or sanctions may be imposed by a Sexual Misconduct Committee and/or Appeal Hearing panel as they may deem appropriate. Pursuant to individual State law, all parties involved - both the Complainant and the Respondent - will receive written notice of any imposed consequences/sanctions and the rationale in support of such consequences/sanctions.

- No Consequences/Sanctions: Where the Sexual Misconduct Committee and/or the Appeal Hearing panel, in the event an appeal is sought, determines that a Respondent is “not respon-

sible”, the Code of Conduct charges against the Respondent will be dismissed and the Respondent’s name will be cleared.

- **Written Warning:** A notice in writing that the Respondent is violating or has violated institutional regulations.
- **Probation:** A written reprimand for violation of specified regulations which places the Respondent in a probationary status for a designated period of time. Violation of any College rules or policies during a probationary period may result in the imposition of additional and/or more severe disciplinary sanctions.
- **Discretionary Sanctions:** Work assignments, essays, or other discretionary assignments.
- **Loss of Privileges:** Denial of specified privileges for a designated period of time.
- **Restitution:** Financial reimbursement for damages to property.
- **Community Service:** A stated number of hours, set in writing, of donated service.
- **Permanent “No Contact” Order:** A permanent ‘no contact’ order effective for the duration of the Respondent’s enrollment or employment at the College requiring the Respondent found to be “responsible” to stay away from the Complainant against whom he/she has committed misconduct. This may be imposed in addition to any interim “no contact” order already issued.
- **Residence Hall Suspension:** Separation of a Respondent student from the residence halls for a defined period of time, after which the Respondent student is eligible to return. Conditions for readmission may be specified.
- **Residence Hall Expulsion:** Permanent separation of the Respondent student from the residence halls.
- **College Suspension:** Separation of the Respondent student from the College for a defined period of time, after which the student is eligible to return. Conditions for readmission may be specified. This sanction automatically results in a Transcript Notation sanction.
- **Disciplinary Dismissal or Expulsion from the College:** Permanent termination of status as a student or employee of the College. This sanction, if imposed on a student, automatically results in a Transcript Notation sanction.
- **Transcript Notation:** For crimes of violence carried out by a Respondent student, including, but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act established in 20 U.S. C. 1092(f)(1)(i)(I)-(viii), the College will make a notation on the transcript of students found responsible after a disciplinary hearing that they were “Suspended after a finding of responsibility for a Code of Conduct violation” or “Expelled after a finding of responsibility for a Code of Conduct violation,” as appropriate. For a Respondent who withdraws from the College while such charges are pending, and declines to complete the disciplinary process, the College will make a notation stating, “Withdrew with conduct charges pending.” Transcript notations regarding expulsion, suspension and withdrawal shall be permanent. Suspended Respondent students may appeal such notation and seek its removal after one year after conclusion of the suspension. A Respondent student subjected to suspension or expulsion, and by extension subjected to an automatic transcript notation, may appeal this sanction by commencing the appeals process within the required timeframe. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.
- **Other consequences and/or sanctions as deemed appropriate by the Sexual Misconduct Committee and/or Appeal Hearing panel.**

Recordkeeping

The College will maintain records of the following for seven years:

- Each investigation of alleged violations of this Policy including any determination regarding responsibility and any audio or audiovisual recording or transcript of a Code of Conduct Hearing;
- Disciplinary sanctions imposed on the Respondent, and any remedies provided to the Com-

plainant to restore or preserve equal access to the College's programs and activities;

- Any appeal and the results of that appeal;
- Any informal resolution and the results of that informal resolution;
- All materials used to train Title IX Coordinators, investigators, Code of Conduct Hearing Committee members or members of Appeal Panels, and individuals who facilitate an informal resolution process. These training materials will be made available on the College's website;
- Supportive measures taken in response to a report or Formal Complaint alleging violation of this Policy and the basis for the College's conclusion that its response was not deliberately indifferent and how such measures were designed to restore or preserve equal access to the College's program and activities;
- The reasons why supportive measures for a Complainant were not provided in cases where they were not provided and why the lack of such measures was not clearly unreasonable in light of the known circumstances.

Training

Title IX Coordinators and their designees, Sexual Misconduct Committee members, Investigators, members of Appeal panels, and any person who facilitates an informal resolution process will receive training on the following:

- The definition of "sexual harassment" as defined in this policy;
- The scope of the College's education or activity, i.e., the locations, events, and circumstances over which the College exercises substantial control and any buildings owned or controlled by any student organizations that the College officially recognizes;
- How to properly conduct an investigation and Sexual Misconduct hearing including hearings, appeals, and the informal resolution process. This also includes training on how to serve in their capacities impartially and avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
- Technology used at live hearings; and
- How to assess relevance of questions and evidence, including when questions about the Complainant's sexual predisposition or prior sexual behavior are not relevant;

Title IX Coordinators and Investigators will receive training on issues of relevance when creating an investigative report that fairly summarizes relevant evidence. The training materials will not rely on sex stereotypes and will promote impartial investigations and adjudications of Formal Complaints of sexual harassment.

Substance Abuse Policies

Drug abuse and use at the workplace are subjects of immediate concern on the Navajo Nation. These problems are extremely complex and ones for which there are no easy solutions. From a legal standpoint, individuals convicted of violations of drug laws can face imprisonment and substantial fines. From a safety perspective, the users of drugs may impair the well-being of all employees or the public at large and result in damage to College property. Therefore, it is a policy of this College that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the College's workplace is prohibited. Any employees or students violating this policy will be subject to disciplinary action up to and including termination or dismissal and referral for prosecution. The specifics of this policy are as follows:

1. Diné College does not differentiate between drug users and drug pushers or sellers. Any employee or student who gives or in any way transfers a controlled substance to another person or sells or manufactures a controlled substance while on the job or on College premises will be subject to disciplinary action up to and including termination or dismissal and referral for

prosecution.

2. The term “controlled substance” means any drug listed in 21 U.S.C. Title 21, Chapter 12, Sub-section I, Part B, §812. Generally, these are drugs which have a high potential for abuse. Such drugs include but are not limited to heroin, marijuana, cocaine, PCP and “crack.” They also include “legal drugs” which are not prescribed by a licensed physician.
3. For traditional Native American religious use of peyote, students and employees must abide by the U.S. Code, Title 42, Chapter 21, Subchapter I, §1996a.
4. Each employee and student is required to inform the College within five days after he/she is convicted for violations of any federal or state criminal drug statute where such violation occurred on the College’s premises. A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal or state court.
5. The College Human Resources Department (employees) or Student Affairs Department (students) will notify the appropriate U.S. government agency within ten days after receiving notice from the employee or student or otherwise receiving actual notice of such a conviction.
6. If an employee or student is convicted of violating any criminal drug statute while on the workplace, he/she will be subject to disciplinary action up to and including termination or dismissal and referral for prosecution.

Federal and State Laws

Non-Discrimination: All College staff, faculty, and students are not to discriminate against any agent or organization of Diné College for reasons of age, creed, ethnic or national origin, sex/gender, disability, veteran status, marital status, political or social affiliation, race, religion, or sexual orientation. The College complies with the Civil Rights Act of 1964, the Title IX of the Education Amendment Act of 1972, Section 503 and 504 of the Rehabilitation Act of 1973, Section 402 of Vietnam Era Veterans Readjustment Act of 1975, the Age Discrimination in Employment Act of 1967, as amended, and the Navajo Preference in Employment Act.

Freedom of Speech & Expression: All students are welcome to express themselves freely on any subject provided that they do so in a manner that does not violate the SCC. Students in turn have the responsibility to respect the rights of all members of the College to exercise this freedom.

Drug Free Compliance - Zero Tolerance Policy: A drug-free school policy has been adopted by the College and the Navajo Nation in compliance with The Drug-Free Workplace Act (41 USCA 701), The Safe and Drug-Free Schools and Communities Act (20 USCA 7101), and the Drug and Alcohol Abuse Prevention Regulations (34 CFR 86). The College is committed to preventing the abuse of alcohol and the illegal use of drugs and alcohol by students and employees. All College students and their visitors are prohibited from possession, use, and/or distribution of illegal drugs and alcohol while on College property and/or while participating in a College-sponsored activity held either on or off College property. In accordance with the College’s Drug-Free policy, the zero tolerance policy will be enforced.

The College will foster a safe and productive study environment and provide drug awareness, prevention, and intervention education for all students.

Confidentiality: Students have the right to access and have control to their educational records as provided in the Federal Family Educational Rights and Privacy Act of 1974, also known as the Buckley Amendment.

Family Educational Rights and Privacy Act (FERPA): The Family Educational Rights and Privacy Act of 1974 (20 U.S.C. § 1232g; 34 CFR Part 99), also known as FERPA or the Buckley Amendment, protects the privacy of student education records while allowing colleges to maintain campus safety.

1. FERPA requires colleges to keep education records confidential. The education records of students and formerly enrolled students consist of those records, files, documents and other materials directly related to a student that the college maintains, including digital records.
2. Colleges may disclose records with the consent of the student, if the disclosure meets one of the statutory exemptions, or if the disclosure is directory information and the student has not placed a hold on release of directory information. Directory information includes: name of student, address (both local, including e-mail address and permanent), telephone number (both local and permanent), dates of registered attendance, enrollment status (e.g. full-time or part-time), school or division of enrollment, major field of study, nature and dates of degrees and awards received, participation in officially recognized activities and unique student identifier numbers (not Social Security Number).
3. In accordance with The Family Educational Rights and Privacy Act of 1974 (FERPA), Diné College restricts the disclosure of information from student education records to third parties and provides students the right to review their education records.

The Jeanne Clery Act: The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is a federal mandate requiring all Institutions of Higher Education (IHE) that participate in the federal student financial aid program to disclose information about crime on their campuses and in the surrounding communities. The Clery Act affects virtually all public and private IHEs and is enforced by the U.S. Department of Education (ED). Campuses that fail to comply with the act can be penalized with large fines (\$69,733 per violation) and may be suspended from participating in the federal financial aid program.

Form(s) and/or Equipment

1. Formal Complaint Form

Tribal, State, and Federal Violations – Table of Consequences

Violations	Definition	1st Offense	2nd Offense	3rd Offense
Rape	The person engages in sexual intercourse with a complainant; by forcible compulsion, by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution. Who is unconscious or where the person knows, that the complainant is unaware that the sexual intercourse is occurring. Where the person has substantially impaired the complainant's power to appraise or control his or her conduct by administering employing, without the knowledge of the complainant, drugs, intoxicants, or other means for the purpose of preventing resistance. Who suffers from a mental disability which renders the complainant incapable of consent.	Commuter and Residence Life Students: Expulsion and Eviction	X	X
Statutory Rape	The offense of having sexual relations with somebody who has not reached the legal age of consent, which is 18 years of age in the state of Arizona and the Navajo Nation.	Commuter and Residence Life Students: Expulsion and Eviction	X	X
Driving Under the Influence (DUI)	"It is unlawful for a person who is under the influence of intoxicating liquor to drive a vehicle. It is unlawful for a person who is under the influence of any drugs to a degree that renders him incapable of safely driving a vehicle. It is unlawful for person who has an alcohol concentration of eight one hundredths or more in his/her blood or breathe to drive a vehicle."	Commuter and Residence Life Students: Expulsion and Eviction	X	X
Fire Alarms, Drills and Emergency Equipment	Intentional or reckless misuse or damage to fire safety equipment, including the inappropriate activation of a fire alarm or tampering with fire safety equipment.	Commuter and Residence Life Students: Expulsion and Eviction	X	X

Violations	Definition	1st Offense	2nd Offense	3rd Offense
Manufacture or Delivery of Liquor	He or she intentionally or knowingly manufactures, delivers, or possesses, with intent to deliver, any beer, ale, wine, whiskey, or any other beverages which produces alcoholic intoxication.	Commuter and Residence Life Students: Expulsion and Eviction	X	X
Possession of Liquor	He or she knowingly or intentionally possess, or transports any beer, ale, wine, whiskey, or any other beverage which produces alcoholic intoxication, and such alcoholic beverage is intended for his/her personal use.	Commuter and Residence Life Students: Expulsion and Eviction	X	X
Controlled Substances Possession Prohibited	It is unlawful for any person intentionally to possess a controlled substance unless the substance was obtained pursuant to valid prescription or order of a practitioner while acting in the course of his professional practice or except as otherwise authorized by Controlled Substance Act. It is unlawful for any person intentionally to possess a controlled substance.	Commuter and Residence Life Students: Expulsion and Eviction	X	X
Assault	Attempts to commit battery upon the person of another by any unlawful act, threat or menacing conduct causes the other person to reasonably believe that he/she is in danger of receiving immediate battery.	Commuter and Residence Life Students: Expulsion and Eviction	X	X
Battery	A person commits battery if one unlawfully or intentionally strikes or applies force to another person.	Commuter and Residence Life Students: Expulsion and Eviction	X	X
Burglary	A person enters or remains unlawfully in a residential, nonresidential structure, or motor vehicle with the intent of committing an offense therein.	Commuter and Residence Life Students: Expulsion and Eviction	X	X
Theft	Intentionally or knowingly controls property of another with the intent to deprive a person of such property permanently; comes into control of loss, misled or misdelivered property under circumstances providing means of inquiry as to the true owner.	Written Warning and Probation with conditions	"Expulsion (for non-residential) Eviction (for residential)"	X

Violations	Definition	1st Offense	2nd Offense	3rd Offense
Criminal Impersonation	Assumes a false identity with the intent to defraud another; pretends to be a representative of some person or organization with the intent to defraud.	"Commuter: Suspension Residence Life Student: Eviction"	Expulsion	X
Sexual Assault	A person commits sexual assault if a person engages in sexual intercourse or sexual contact with any person without consent.	"Commuter: Suspension Residence Life Student: Eviction"	Expulsion	X
Receiving Stolen Property	A person purchased, received, concealed, or aided in the concealing of property of another knowing, having person to know that such property was obtained by theft, fraud, extortion, or unlawful means.	"Commuter: Suspension Residence Life Student: Eviction"	Expulsion	X
Reckless Driving	Any person who drives a vehicle carelessly in a willful or wanton disregard of the rights or safety of others.	"Commuter: Suspension Residence Life Student: Eviction"	Expulsion	X
Sexual Harassment	Unwelcome sexual advances, such as verbal or physical conduct of a sexual nature that creates an intimidating, threatening, abusive, or hostile environment.	"Commuter: Suspension Residence Life Student: Eviction"	Expulsion	X
Shoplifting	Any person obtained the goods of another while in a mercantile establishment, in which merchandise is displayed for sale by willful possession of merchandise with the intention of converting it without paying for it.	"Commuter: Suspension Residence Life Student: Eviction"	Expulsion	X
Criminal Trespass	A person intentionally and knowingly and without consent or permission of the owner, user, or person in lawful possession thereof; Enters upon, remains or traverses upon private, allocated lands or the property not one's own.	"Commuter: Suspension Residence Life Student: Eviction"	Expulsion	X

Violations	Definition	1st Offense	2nd Offense	3rd Offense
Felony History	Failure to disclose felony history.	Meet with Counselor to determine course of action.	X	X
Sex Offenders	Failure to report status to the Office of Records and Admissions and to Campus Security.	Expulsion	X	X
Sexual Misconduct: Physical contact or other non-physical conduct of a sexual nature in the absence of clear, knowing and voluntary consent, including but not limited to:				
A	Sexual contact, defined as any intentional sexual touching, with any body part or object, by any person upon another without consent.	"Commuter: Suspension Residence Life Student: Eviction until Title IX Hearing"	Expulsion	X
B	Sexual exploitation, defined as taking nonconsensual, unjust or abusive sexual advantage of another. Examples include, but not limited to, prostituting another student, nonconsensual video or audio-taping of sexual activity, going beyond the boundaries of consent (such as knowingly allowing another to secretly watch otherwise consensual sexual activity), engaging in non-consensual voyeurism, and knowingly transmitting or exposing an STD or HIV to another student without the knowledge of the student.	Expulsion	X	X
Criminal Damage of Property	A person intentionally or recklessly defaces or damages tangible property of another person; tampers with tangible property of another person as to substantially impair its function or value.	"Commuter: Suspension with conditions. Residence Life Student: Suspension (5 to 10 days temporary removal from the dorm)"	Expulsion with Eviction	X

Violations	Definition	1st Offense	2nd Offense	3rd Offense
Endangering the Welfare of a Minor	A parent, guardian or any other person commits endangering the welfare of a minor if they intentionally or knowingly contribute, encourage or cause a person under the age of 18 years of age. To be subjected to the infliction of physical or mental injury including failing to maintain reasonable care and treatment thereof. To live in a home, which by reason of neglect, cruelty or depravity is an unfit place.	Probation with conditions.	"Commuter: Expulsion Residence Life Student: Eviction and Expulsion"	X
Child Abuse and/or Neglect	Physical, sexual or emotional mistreatment of a child and/or children.	Expulsion	X	X
Disorderly Conduct	A person commits disorderly conduct if, with intent to cause public inconvenience, annoyance or alarm, or with knowledge of doing so, or recklessly creating a risk thereof, a person engages in fighting, or provokes a fight in a public or private place. In a public place uses abusive or offensive language or gestures to any person present.	"Commuter: Suspension Residence Life Student: Eviction"	Expulsion	X
Criminal Street Gangs	An on-going, club, organization, or association of 5 or more persons. Participates in a criminal street gang with knowledge that its members engage in or have engaged in a continued series of offenses. Intends to promote or further the felonious activities of the criminal street gang or maintain or increase their position in the gang.	"Commuter: Suspension Residence Life Student: Eviction"	Expulsion	X
"Unlawful Use of a Firearm"	Without lawful authority discharges a firearm in the proximity of a building, or into any building or vehicle knowingly to endanger a person or property.	Commuter and Residence Life Students: Expulsion and Eviction	X	X

Conduct Sanctions

When a student is found in violation of the College policies and regulations, any of the following sanctions or combination thereof may be imposed.

- Warnings: A written warning is issued to the student to refrain from repeating the offense(s).
- Loss of Privilege: Denial of specified privileges for a designated period of time. This sanction may include, but not limited to, denial of the right to represent the college in student leadership activities or sports; denial of the use of campus facilities, etc.

- Student Conduct (Probation): A status imposed for a specified period of time during which a student must demonstrate conduct that conforms to the College’s Code. Conditions restricting the student’s privileges or eligibility for activities may be imposed. Misconduct during the probationary period may result in further disciplinary action.
- Student Conduct (Suspension): Temporary separation of the student from the College.
- Student Conduct (Eviction): Removal of a student from residential hall or family housing for a period of a semester, an academic year, or indefinite due to violation(s). Student may appeal eligibility to return with conditions at the discretion of the Vice-President of Student Affairs.
- Student Conduct (Expulsion): The permanent dismissal of the student from the College.
- Record Hold: A hold may be placed on transcripts, diplomas, or other records during the terms of the student’s sanction and/or until the student satisfies the terms and conditions of any sanction imposed.

Regulations by Departments and Schools

All students shall abide by each of the departments and Schools within the College and their set policies and regulations. Violations of such policies shall result in disciplinary action.

- Residence Halls: Please refer to the Diné College Warriors Residence Life Handbook for guidelines and procedures.
- Student Organizations: All student clubs or organizations will abide by the Associated Students of Diné College (ASDC) Constitution and By Laws and the Student Code of Conduct.
- Campus Security: All students, faculty, staff, and community members must refer to the current Diné College

Vehicle Registration

The operation of a vehicle on Diné College campus is subject to all applicable rules, policies, and laws. Students who park their vehicle on campus during the semester must register their vehicle with the Campus Security Department.

Visitation

All visitors of Diné College students are expected to abide by the Student Code of Conduct.

Weapons Policy

All weapons, knives, firearms, dangerous chemicals, or instrumentals/articles that might be harmful to persons or property are prohibited on DC’s campus, except for permitted exclusions for DC’s security staff, and law enforcement. This statute provides that a handgun may be brought on campus by a law enforcement individual (such as Navajo Nation Police Officer) who has a valid “concealed handgun permit” and such a handgun remains either (1) in a closed compartment or container within such permit holder’s locked vehicle, or (2) within a locked container securely affixed to such permit holder’s vehicle.

CRIME PREVENTION TIPS

Security awareness and crime prevention trips encourage students and employees to be aware and take responsibility for their own security and the security of others.

For Tsaile Campus only (on-site residence)

Housing student resident advisors (SRA), resident managers (RM), community coordinator (CC), and residence life coordinators (RLC) facilitate training for residents of DC.

For staff and faculties residing in campus housing

Training is offered and provided by Human Resources and Maintenance & Operations.

1. If possible, avoid studying alone. Always let someone know where you are and an approximate time when you will be finished.
2. Never leave your personal belongings unattended, even for a moment, to use the restroom or get a drink.
3. Never prop open doors, especially fire doors.
4. If you observe an individual in an inappropriate place or location, notify Security Department.
5. If you observe a suspicious person, report it to Security Department.
6. Always walk with another person. Never walk alone to your car at night. If a classmate is not available, call the Security Department and request an escort.
7. Learn the locations of emergency telephones on campus.
8. Walk on designated walkways that are well lit. Report poor lighting to the Diné College Security Department. Avoid shortcuts through vacant lots, and other deserted places.
9. Know the location of the Security Department and other safe areas.
10. If you suspect that you are being followed, use an emergency campus phone to call Diné College Security Department. Find a safe area to proceed to, such as an office, highly visible area, or a place where there are people who can see you.
11. Do not leave valuables, like your wallet, purse, GPS, or backpack in open view. Conceal or leave the items in a safe place, such as in a locker or trunk of your car.
12. Do not give your keys away. Keys can be duplicated. Always keep your keys in your possession. Engrave valuables with your name and/or driver's license number. Diné College Security Department can engrave items for you.
13. Require photo identification from maintenance and utility workers prior to allowing them access to your house or office. Verify that the workers have authorization to remove items from the office or your area of workspace or dorm room.
14. Report all thefts immediately.
15. Keep police and fire emergency numbers programmed in or near your phone.
16. Do not let a stranger into your dorm room, even if the stranger states that it is an emergency. Instead, offer to make a call for help.
17. Be alert and aware of your surroundings when walking outdoors.
18. Purses should be carried close to the body and secured under one arm, not swung from the strap.
19. Do not walk, jog, or run alone, especially after dark.
20. Do not hitchhike.
21. Leave a light on in your room when you are away. An inexpensive timer on several lights could discourage a break-in.
22. Make arrangements with a neighboring student or other office staff when you will be away from your office or dorm room. Ask them to keep an eye on the place.
23. Transfer telephone calls to another department or staff.
24. Walk with confidence. Show that you are aware and in control. Body language works!

PREVENTION PROGRAM & SERVICES

	Number
Diné College Tsaile Counseling Center	928.724.6858
Diné College Tuba City Counseling Center	505.368.3628
Diné College Shiprock Counseling Center	505.368.3628
Diné College Tsaile Campus Police	928.724.6802
Diné College Tuba City Campus Police	928.283.5113
Diné College Shiprock Campus Police	505.368.3521
Navajo Nation Chinle Police Department	928.674.2111/2112
Navajo Nation Shiprock Police Department	505.368.1350/1351
Navajo Nation Tuba City Police Department	928.283.3111/3112
Chinle Comprehensive Health Care Facility – Main Line	928.674.7001
Chinle Comprehensive Health Care Facility – Emergency Room	928.674.7090 or 911
Chinle Comprehensive Health Care Facility -Counseling Services	928.674.7377/7412
Crownpoint New Horizon Wellness Center – Alcohol & Substance Abuse	505.786.6464
Many Farms Clinic – Mental Health/Counseling	928.781.3813
Tsaile Health Center – Main Line	928.724.3600
Tsaile Health Center – Mental Health	928.724.3712
Northern Navajo Medical Center – Main Line	800.549.5644
Northern Navajo Medical Center – Emergency Room	505.368.6600
Northern Navajo Medical Center – l’ina Counseling Services	505.368.7301
Northern Navajo Medical Center – Day Treatment Center	505.368.7272
Northern Navajo Medical Center – Substance Abuse Program	505.368.6821
Sage Memorial Hospital – Ganado	928.755.3411/4500
Tsehootsooi Medical Center- Main Line	928.729.8000
Tsehootsooi Medical Center – Mental Health	928.729.8500
Tsehootsooi Medical Center – Emergency Room	928.729.8600
Tuba City Regional Health Care Corporation –Emergency Room	928.283.2661
Tuba City Regional Health Care Corporation Mental Health	928.283.2831
Suicide Hotline	800.SUICIDE
	800.784.2433
Lifeline	800.273.TALK
	800.273.8255
Eve’s Place Community Services	844.301.7908

CRIME REPORTING PROCDEURES

A. Students/Faculty/Staff/Visitors

Known and suspected violations of federal, state, and tribal laws and campus violations will be reported to campus security for appropriate action.

Incident Report Form is submitted by student, staff and faculty to formally communicate a problem on Diné College property as well as student travel. While most incident reports are used to document a disciplinary situation, they are used to communicate a student injury, damage, vandalism or theft on campus.

1. Student is informed that an incident report will be written and filed.
2. Incident Report is written within 24 hours of incident.
3. Academic related report is submitted to the appropriate Dean of Faculty.
4. Student Life related report is submitted to the Vice President of Student Affairs. If incident involves a resident student, then it is also referred to the Residence Life Manager.

B. Campus Security will, upon notification of criminal activity

1. Respond to, process and document the complaint/report.
2. Involve (as necessary) the appropriate law enforcement support agency.
3. Conduct necessary follow-up activities and file required documentation to the College administration.

C. Responsible Administrator(s) will review campus crime reports with the Security Department to ensure that:

The data required by the Crime Awareness and Campus Security Act is compiled and disseminated to the vice presidents of administrative and fiscal services.

Campus crime prevention programs are followed with special emphasis placed on campus community involvement.

Students, faculty and staff will take responsibility for their own personal safety.

Accidents and Emergencies: Response/Reporting

If a student, visitor, or employee should become sick or injured, security should be contacted immediately to report the nature of the situation. If the situation warrants, security will request assistance from the local EMS.

Any cost generated in any medical situation requiring transport by EMS will be the responsibility of the person sick or injured.

CRIMINAL OFFENSE DEFINITIONS

partment of Education, Higher Education Act, and Violence Against Women Act.

Aggravated Assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Arrest

Persons processed by arrest, citation or summons.

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 to commit a felony or a theft.

Category of Fire

For The Higher Education Act purposes, there are three categories of fire:

- **Unintentional Fire:** A fire that does not involve any intentional human act to ignite or spread fire into an area where the fire should not be.
- **Intentional Fire:** A fire that is ignited, or that results from a deliberate action, in circumstances where the person knows there should not be a fire.
- **Determined Fire:** A fire in which the cause cannot be determined.

Cause of Fire

The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure or act of nature.

Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

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.

Domestic Violence

A felony or misdemeanor crime of violence committed—

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or 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.

Drug abuse violations

The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any

controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics - manufactured narcotics which can cause true addiction (Demerol, Methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

Fire

Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Fire-related death

Any instance in which a person - (1) Is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) Dies within one year of injuries sustained as a result of the fire.

Fire-related injury

Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term "person" may include students, employees, visitors, firefighters, or any other individuals.

Hate crime

A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of Clery, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

Intimidation

To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Theft

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

Liquor law violations

The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Include in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on train or public conveyance; and attempts to commit any of the above.

Motor vehicle theft

The theft or attempted theft of a motor vehicle.

Murder/Non-negligent manslaughter

The willful (non-negligent) killing of one human being by another.

Negligent manslaughter

The killing of another person through gross negligence.

Non-campus building or property

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

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

On Campus

Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

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

Property damage

The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

Public property

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

Referred for disciplinary action

The referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.

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.

Sex Offense - Forcible

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Rape: 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: The touching of the private body parts of another person for the purpose of 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.

Sex Offense - Non Forcible

Unlawful, non-forcible sexual intercourse.

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.

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.

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.
- For the purposes of this definition:
- 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, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Unfounded Crime

A reported crime that upon investigation by law enforcement authorities is found to be false or baseless. Only sworn or commissioned law enforcement personnel may determine an unfounded crime. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner.

Weapons: carrying, possessing, etc.

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Include in this classification: manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

SECTION III

CRIME STATISTICS REPORT

Crime Reporting Procedures
Limited Voluntary Confidential Reporting

- Diné College Crime Statistics
- Navajo Nation Crime Statistics
- Crime in Arizona Statistics
- Crime in New Mexico Statistics

DINÉ COLLEGE CRIME STATISTICS BY CAMPUS, CENTER, & BRANCH

In compliance with the Clery Act, Diné College much report its annual crime statistics collected throughout the years.

Criminal Offenses	21-22	22-23	23-24	21-22	22-23	23-24
	Crownpoint			Shiprock		
Aggravated Assault	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Burglary	0	0	0	0	0	3
Criminal Homicide: Murder and Non-Negligent Manslaughter, Manslaughter by Negligence	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	1
Murder	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Sexual Assault: Rape, Fondling, Incest, Statutory Rape	0	0	0	0	0	0
Subtotal	0	0	0	0	0	4
Hate Crimes						
Destruction/damage/vandalism of property	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0
Subtotal	0	0	0	0	0	0
VAWA Offenses						
Dating Violence	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
Subtotal	0	0	0	0	0	0
Arrests						
Drug abuse violation	0	0	0	0	0	1
Liquor Law violations	0	0	0	0	0	0
Weapon: Carrying, possessing	0	0	0	0	0	1
Subtotal	0	0	0	0	0	2
Disciplinary Actions						
Drug abuse violation	0	0	0	0	0	1
Liquor Law violations	0	0	0	0	0	0
Weapon: Carrying, possessing	0	0	0	0	0	1
Subtotal	0	0	0	0	0	2
Total	0	0	0	0	0	8
Unfound Crimes	0	0	0	0	0	0

Criminal Offenses	21-22	22-23	23-24	21-22	22-23	23-24	21-22	22-23	23-24
	Tsaile			Tuba City			Window Rock		
Aggravated Assault	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Burglary	3	0	0	0	0	0	0	0	0
Criminal Homicide: Murder and Non-Negligent Manslaughter, Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	2	0	0	0	0	0	0
Murder	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Sexual Assault: Rape, Fondling, Incest, Statutory Rape	1	0	0	0	0	0	0	0	0
Subtotal	4	0	2	0	0	0	0	0	0
Hate Crimes									
Destruction/damage/vandalism of property	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0	0	0
Subtotal	0	0	0	0	0	0	0	0	0
VAWA Offenses									
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	3	3	0	0	0	0	0	0	0
Stalking	0	5	0	0	0	0	0	0	0
Subtotal	3	8	0	0	0	0	0	0	0
Arrests									
Drug abuse violation	0	1	6	0	0	0	0	0	0
Liquor Law violations	0	1	0	0	0	0	0	0	0
Weapon: Carrying, possessing	0	1	0	0	0	1	0	0	0
Subtotal	0	3	6	0	0	1	0	0	0
Disciplinary Actions									
Drug abuse violation	1	1	9	0	0	0	0	0	0
Liquor Law violations	7	1	0	0	0	0	0	0	0
Weapon: Carrying, possessing	3	1	0	0	0	1	0	0	0
Subtotal	11	3	9	0	0	1	0	0	0
Total	18	14	17	0	0	2	0	0	0
Unfound Crimes	0	0	0	0	0	0	0	0	0

Criminal Offenses	21-22	22-23	23-24	21-22	22-23	23-24
	Dorms			Student Family Housing		
Aggravated Assault	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Criminal Homicide: Murder and Non-Negligent Manslaughter, Manslaughter by Negligence	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Murder	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Sexual Assault: Rape, Fondling, Incest, Statutory Rape	0	0	0	0	0	0
Subtotal	0	0	0	0	0	0
Hate Crimes						
Destruction/damage/vandalism of property	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0
Subtotal	0	0	0	0	0	0
VAWA Offenses						
Dating Violence	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
Subtotal	0	0	0	0	0	0
Arrests						
Drug abuse violation	0	0	0	0	0	1
Liquor Law violations	0	0	2	0	0	0
Weapon: Carrying, possessing	0	0	1	0	0	0
Subtotal	0	0	3	0	0	1
Disciplinary Actions						
Drug abuse violation	0	0	2	0	0	0
Liquor Law violations	0	0	2	0	0	0
Weapon: Carrying, possessing	0	0	1	0	0	0
Subtotal	0	0	5	0	0	0
Total	0	0	8	0	0	1
Unfound Crimes	0	0	0	0	0	0

DINÉ COLLEGE CRIME STATISTICS OVERALL

Criminal Offenses	21-22	22-23	23-24
Aggravated Assault	0	0	0
Arson	0	0	0
Burglary	3	0	3
Criminal Homicide: Murder and Non-Negligent Manslaughter, Manslaughter by Negligence	0	0	0
Motor Vehicle Theft	0	0	3
Murder	0	0	0
Robbery	0	0	0
Sexual Assault: Rape, Fondling, Incest, Statutory Rape	1	0	0
Subtotal	4	0	6
Hate Crime			
Destruction/damage/vandalism of property	0	0	0
Intimidation	0	0	0
Larceny-theft	0	0	0
Simple assault	0	0	0
Subtotal	0	0	0
VAWA Offenses			
Dating Violence	0	0	0
Domestic Violence	3	3	0
Stalking	0	5	0
Subtotal	3	8	0
Arrests			
Weapon: Carrying, possessing	0	1	8
Drug abuse violation	0	1	2
Liquor Law violations	0	1	3
Subtotal	0	3	13
Disciplinary Actions			
Weapon: Carrying, possessing	1	1	12
Drug abuse violation	7	1	2
Liquor Law violations	3	1	3
Subtotal	11	3	17
Total	18	14	36
Unfound Crimes	0	0	0

NAVAJO NATION CRIME STATISTICS

Navajo Police Department - Information Management Section
 Calls for Service by Offense on Diné College Campuses
 10/1/2023 to 9/23/2024

Criminal Offenses	Crownpoint	Shiprock	Tsaile	Tuba City	Grand Total
Weapons Offenses			1		1
Sex Offenses			1		1
Disorderly Conduct			2		2
DUI			2		2
Family Offenses			3		3
Drunkenness			3	1	4
Assault		1	4		5
Destruction/Damage/Vandalism of Property		4	2		6
Curfew/Oitering/Vagrancy Violations		2	6		8
All Other Offenses		1	16		17
All Other Reports	2	6	27		35
Grand Total	2	14	67	1	84

Navajo Police Department - Information Management Section
 Calls for Service by Offense on Diné College Campuses
 10/1/2023 to 9/23/2024

Criminal Offenses	Crownpoint	Shiprock	Tsaile	Tuba City	Grand Total
2023		3	13		16
October		3	5		8
November			5		5
December			3		3
2024	2	11	54	1	68
January	1		4		5
February		1	3		4
March	1	4	6		11
April		1	7		8
May		2	5		7
June		2	6	1	9
July		0	3		3
August		1	11		12
September		0	9		9
Grand Total	2	14	67	1	84

Navajo Police Department - Information Management Section
 Calls for Service by Hour on Diné College Campuses
 10/1/2023 to 9/23/2024

Time	Crownpoint	Shiprock	Tsaile	Tuba City	Grand Total
12:00 AM			3		3
1:00 AM	1		2		3
6:00 AM			1		1
7:00 AM		1	2		3
9:00 AM		1	2		3
10:00 AM		4	3		7
11:00 AM			3		3
12:00 PM		1	4		5
1:00 PM	1	2	3		6
2:00 PM			3	1	4
3:00 PM			5		5
4:00 PM		1	5		6
5:00 PM		1	4		5
6:00 PM		3	1		4
7:00 PM			5		5
8:00 PM			7		7
9:00 PM			4		4
10:00 PM			6		6
11:00 PM			4		4
Grand Total	2	14	67	1	84

Navajo Police Department - Information Management Section
 Calls for Service by Day of Week on Diné College Campuses
 10/1/2023 to 9/23/2024

Days of Week	Crownpoint	Shiprock	Tsaile	Tuba City	Grand Total
Sunday			8		8
Monday	1	1	10		12
Tuesday	1	2	5		8
Wednesday		2	10	1	13
Thursday		4	14		18
Friday		3	11		14
Saturday		2	9		11
Grand Total	2	14	67	1	84

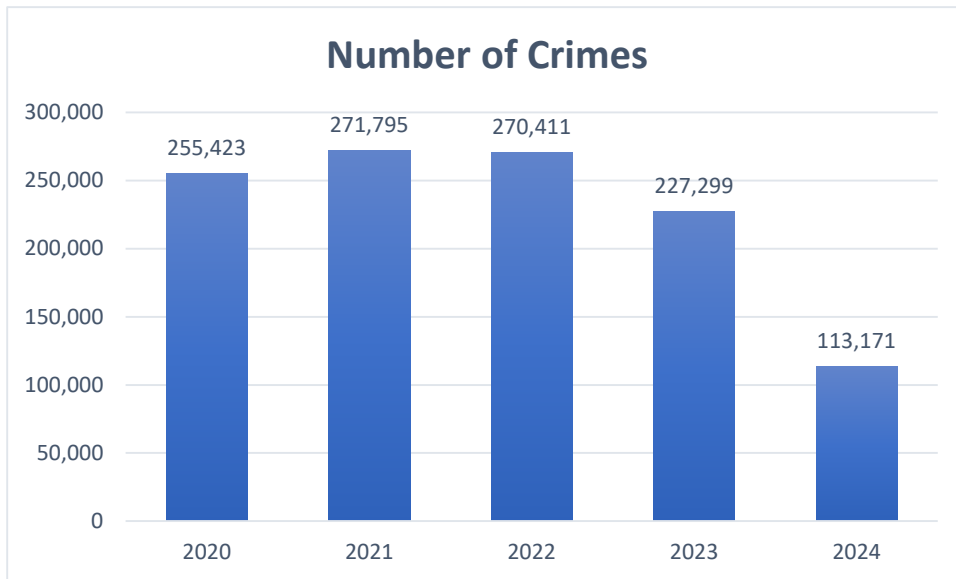
CRIME IN ARIZONA 2023

<https://azcrimestatistics.azdps.gov/tops/report/crime-overview/arizona/2023>

The data on this page is based on data reported in the legacy FBI format (known as “Summary”), which has some limitations. Since 2017, some agencies in the state have been reporting more detailed reports (known as “NIBRS”). As a result, the data may not reflect the data exactly as submitted by the agency. For exact reporting information, please contact the reporting agency.

↓ -10.68
Compared to 2022

Number of Crimes: 227,299
Population: 7,438,637
Crime Rate (per 100,000): 3055.65



Crime Against Person Offenses

Crimes where victims are always individuals.

	Criminal Homicide	Forcible Rape	Aggravated Assault	Other Assaults - Simple, Not Aggravated	Human Trafficking - Commercial Sex Act	Human Trafficking - Involuntary Servitude
Number of Actual Offenses	494	2,933	19,823	67,539	70	6
Percent Cleared	68.02%	11.29%	39.93%	40.90%	55.71%	66.67%
Total Offenses Cleared	336	331	7,916	27,621	39	4

Crime Against Property Offenses

The object of a crime against property is to obtain money, property or another benefit.

	Robbery	Burglary	Larceny - Theft	Motor Vehicle Theft	Arson
Number of Actual Offenses	4,586	17,005	89,944	19,882	709
Percent Cleared	29.33%	12.46%	18.89%	8%	29.34%
Total Offenses Cleared	1,345	2,118	16,988	1,591	208

Crime Against Society Offenses (This is a NIBRS only report)

Society Crimes represent Society's prohibition against engaging in certain types of activity, they are typically victimless crimes in which property or persons are not the object.

	Number of Crimes		Number of Crime Rate	
	All Clearances	Cleared	All Clearances	Cleared
Drug/Narcotic Violations	19,972	16,413	100	82.18%
Drug Equipment Violations	23,004	20,327	100	88.36%
Betting/Wagering	1		100	
Operating/Promoting/Assisting Gambling				
Gambling Equipment Violation				
Sports Tampering	16	14	100	87.5%
Pornography/Obscene Material	1,262	241	100	19.1%
Prostitution	442	331	100	74.89%
Assisting or Promoting Prostitution	126	101	100	80.16%
Purchasing Prostitution	256	230	100	89.84%
Weapon Law Violations	5,130	3,162	100	61.64%
Animal Cruelty	595	150	100	25.21%

Arrests

An arrest is the taking or detaining in custody by authority of law.

 **6.26**

Compared to 2022

Number of Crimes: 130,620
 Population: 7,438,637
 Arrest Rate (per 100,000): 1755.97

Arrest Breakdown (This is a NIBRS only report)

Arrest Offense	Total
Bad Checks	
Curfew/Loitering/Vagrancy Violation	479
Disorderly Conduct	9,416
Driving Under the Influence	17,867
Drunkenness	4
Family Offenses (Nonviolent)	297
Liquor Law Violations	2,981
Peeping Tom	9
Trespass of Real Property	6,466
All Other Offenses	23,627
Crimes Against Persons	21,779
Crimes Against Property	21,448
Crimes against Society	26,247

Arrest Juvenile/Adult

Arrest Offense	Juvenile	Adult
Bad Checks		
Curfew/Loitering/Vagrancy...	238	241
Disorderly Conduct	942	8,474
Driving Under the Influen...	190	17,677
Drunkenness		4
Family Offenses (Nonviole...	15	282
Liquor Law Violations	618	2,363
Peeping Tom	2	7
Trespass of Real Property	352	6,114
All Other Offenses	1,784	21,843
Crimes Against Persons	3,343	18,435
Crimes Against Property	2,669	18,778
Crimes against Society	1,167	25,075

Crimes Against Person Arrests (This is a NIBRS only report)

Crimes where victims are always individuals.

Arrest Offense	Total
Simple Assault	15,202
Aggravated Assault	4,117
Intimidation	1,581
Kidnapping/Abduction	207
Fondling	170
Others	502

Crimes Against Property Arrests (This is a NIBRS only report)

The object of a crime against property is to obtain money, property or another benefit.

Arrest Offense	Total
Shoplifting	10,017
Destruction/Damage/Vandal...	4,028
All Other Larceny	1,951
Burglary/Breaking & Enter...	1,316
Motor Vehicle Theft	933
Others	3,203

Crimes Against Society Arrests (This is a NIBRS only report)

Society Crimes represent Society's prohibition against engaging in certain types of activity, they are typically victimless crimes in which property or persons are not the object.

Arrest Offense	Total
Drug/Narcotic Violations	13,918
Drug Equipment Violations	9,684
Weapon Law Violations	1,820
Pornography/Obscene Material	315
Purchasing Prostitution	187
Others	323

Group B Arrests (This is a NIBRS only report)

Group B offenses tend to be minor in nature therefore only arrest data is collected for these crimes

Group – A group is a member that has an underlying hierarchy associated with it. For example, the “Offense Type” dimension contains groups for “Crimes Against Person”, “Crimes Against Property” and “Crimes Against Society” which are broad categorizations of the individual offenses. Note that both a group and its underlying members can be included in the table; the values associated with the group are not affected by which underlying members are selected.

Arrest Offense	Total
All Other Offenses	23,627
Driving Under the Influen...	17,867
Disorderly Conduct	9,416
Trespass of Real Property	6,466
Liquor Law Violations	2,981
Others	789

Department of Public Safety - Hate Crime

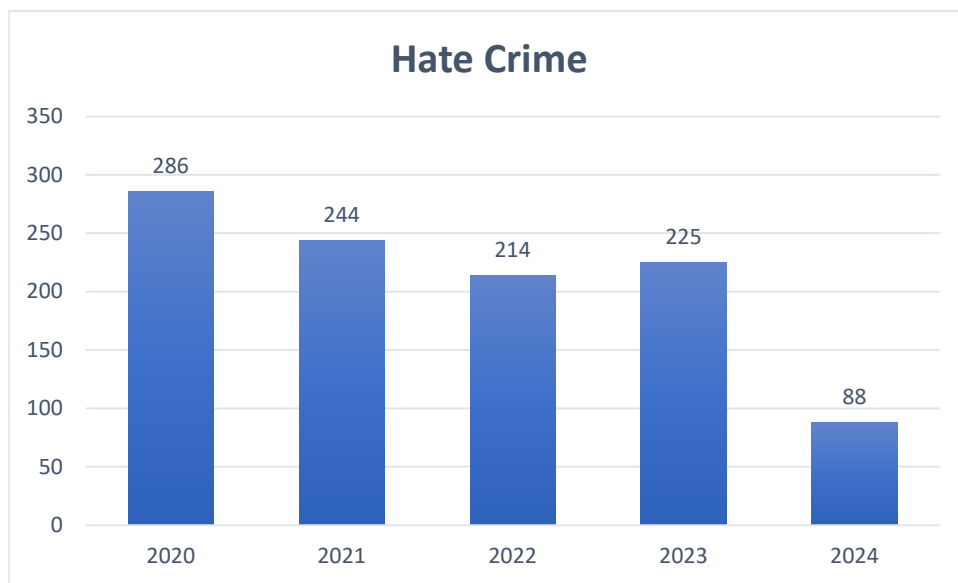
<https://azcrimestatistics.azdps.gov/tops/report/hate-crime/arizona/2023>

The data on this page is based on data reported in the legacy FBI format (known as “Summary”), which has some limitations. Since 2017, some agencies in the state have been reporting more detailed reports (known as “NIBRS”). As a result, the data may not reflect the data exactly as submitted by the agency. For exact reporting information, please contact the reporting agency.

↑ 5.14

Compared to 2022

Case (Incidents): 225



Hate Crime by Race

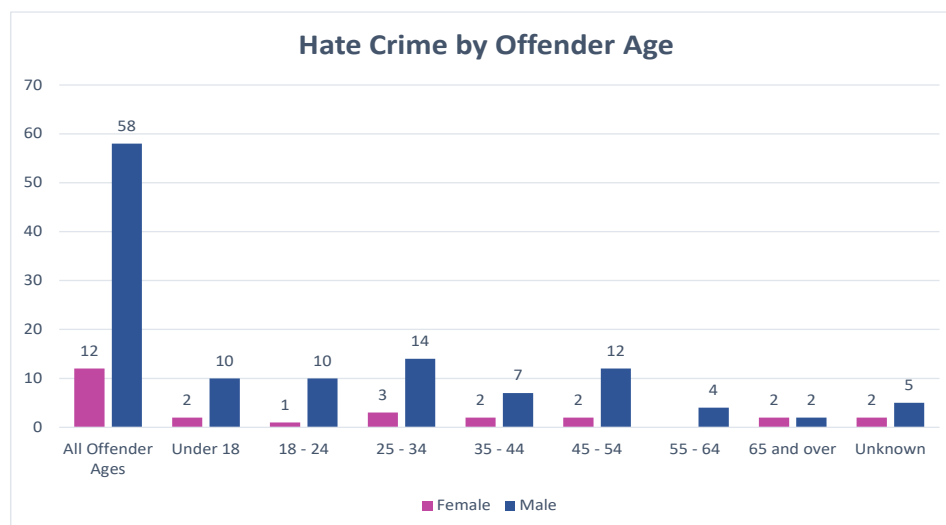
Offense Bias	Total
Race/Ethnicity/Ancestry Bias	126
Anti-Black or African American	70
Anti-Hispanic or Latino	20
Anti-White	18
Anti-Other Race/Ethnicity	7
Anti-Asian	5
Anti-American Indian or American	4
Anti-Multiple Races	4
Anti-Native Hawaiian or Other Pacific Islander	
Anti-Arab	

Hate Crime by Sexual Orientation Bias

Offense Bias	Total
Sexual Orientation Bias	37
Anti-Gay	18
Anti-Lesbian, Gay, Bisexual, or Transgender	16
Anti-Lesbian	3
Anti-Heterosexual	
Anti-Bisexual	

Hate Crime by Religious Bias

Offense Bias	Total
Religious Bias	53
Anti-Jewish	33
Anti-Islamic (Muslim)	9
Anti-Sikh	4
Anti-Protestant	1
Anti-Mormon	1
Anti-Jehovah's Witness	1
Anti-Other Christian	1
Anti-Buddhist	1
Anti-Multiple Religions	1
Anti-Other Religion	1
Anti-Catholic	
Anti-Atheism/Agnosticism	
Anti-Eastern Orthodox (Russian, Greek, Other)	
Anti-Hindu	



CRIME IN NEW MEXICO 2023

<https://cde.ucr.cjis.gov/LATEST/webapp/#>

Incident Offense

Offense Category	Incidents	Offenses	Victims	"Known Offenders"
Total	11,195,659	13,166,782	13,834,692	9,873,871
Crimes Against Persons	2,988,454	3,456,189	3,456,190	3,169,852
Assault Offenses	2,737,786	3,187,575	3,187,575	2,918,676
Homicide Offenses	17,189	18,785	18,786	19,274
Human Trafficking Offenses	2,234	2,691	2,691	2,428
Kidnapping/Abduction	39,098	43,083	43,083	43,012
Sex Offenses	192,147	204,055	204,055	186,462
Crimes Against Property	7,849,624	7,849,624	8,517,495	4,524,653
Arson	30,166	30,166	36,637	21,249
Bribery	652	652	695	656
Burglary/Breaking & Entering	672,139	672,139	781,093	407,560
Counterfeiting/Forgery	147,573	147,573	161,913	109,595
Destruction/Damage/Vandalism	1,497,908	1,497,908	1,627,386	859,080
Embezzlement	32,481	32,481	34,284	32,730
Extortion/Blackmail	20,298	20,298	20,897	9,451
Fraud Offenses	843,491	843,491	915,256	428,944
Larceny/Theft Offenses	3,618,452	3,618,452	3,853,150	1,978,985
Motor Vehicle Theft	721,157	721,157	753,345	346,525
Robbery	149,862	149,862	197,705	195,201
Stolen Property Offenses	115,445	115,445	135,134	134,677
Crimes Against Society	1,860,969	1,860,969	1,861,007	2,179,366
Animal Cruelty	20,512	20,512	20,513	18,864
Drug/Narcotic Offenses	1,459,460	1,459,460	1,459,472	1,755,788
Gambling Offenses	2,121	2,121	2,121	3,215
Pornography/Obscene Material	39,871	39,871	39,872	32,925
Prostitution Offenses	13,007	13,007	13,007	14,945
Weapon Law Violations	325,998	325,998	326,022	353,629

Adult and Juvenile Arrest Offense

Arrest Offense Category	Adult	Juvenile	Unknown Age
Total	5,038,017	367,777	2,066
Crimes Against Person	872,658	105,389	321
Assault Offenses	828,612	99,328	299
Homicide Offenses	8,583	953	4
Human Trafficking Offenses	471	12	0
Kidnapping/Abduction	12,454	385	3

Arrest Offense Category	Adult	Juvenile	Unknown Age
Sex Offenses	22,538	4,711	15
Crimes Against Property	783,439	85,232	319
Arson	5,340	961	0
Bribery	195	5	0
Burglary/Breaking & Entering	73,081	8,032	29
Counterfeiting/Forgery	20,399	359	15
Destruction/Damage/Vandalism	95,258	17,279	31
Embezzlement	6,696	315	2
Extortion/Blackmail	451	56	0
Fraud Offenses	57,396	1,907	29
Larceny/Theft Offenses	399,127	34,919	160
Motor Vehicle Theft	44,221	8,474	23
Robbery	29,871	7,249	15
Stolen Property Offenses	51,404	5,676	15
Crimes Against Society	870,101	58,080	204
Animal Cruelty	3,829	111	4
Drug/Narcotic Offenses	744,324	42,846	177
Gambling Offenses	741	24	0
Pornography/Obscene Material	4,181	1,660	3
Prostitution Offenses	8,625	55	2
Weapon Law Violations	108,401	13,384	18
Group B Offenses	2,511,819	119,076	1,222
Curfew/Loitering/Vagrancy Violations	11,853	5,512	49
Disorderly Conduct	163,854	26,520	117
Driving Under the Influence	577,497	3,878	143
Family Offenses, Nonviolent	35,589	1,564	15
Liquor Law Violations	64,760	11,397	29
Trespass of Real Property	180,098	7,978	83
All Other Offenses	1,478,168	62,227	786

A stylized illustration of a fire scene. The background is a dark blue gradient. In the foreground, there's a large orange fire hydrant with a black ladder leaning against it. A silhouette of a firefighter is visible on the ladder. To the right, there's a dark grey rectangular area with the word 'PREVENTION' in a light blue font. Below it, there are several horizontal lines and two circular icons containing checkmarks. The overall style is modern and graphic.

SECTION IV

FIRE

- Annual Fire Safety Report
- Fire Drill Tips
- Procedures for Evacuation in Emergency or Dangerous Situations Drills and Exercises
- Drills and Exercises
- Promoting Emergency Procedures
- Fire Statistics

ANNUAL FIRE SAFETY REPORT

- 1 student ran back to their Hall rather than the safety zone
- A few students went to their vehicles and sat in them
- There were equipment and supplies in the entrance and outer lobby walkways of Oak Hall.
- 3 streetlights are out in Parking lot and 3 streetlights in Residence Hall area

To-Do List

- More training to Staff and students on roles and responsibilities
Fire Drill Monitors will work on being in sync.
- Training for new Fire Drill Monitors

Tuba City Center

The Location of “planned” announced fire drill took place at the Tuba City Learning Center and Education Building at 11:03 am. There was a total of 23 individuals evacuated from all of the Learning Center and Education Building.

Best Evacuation Performance: 2 minutes

Poor Evacuation Performance: 6 minutes

Overall Time to Safe Zone: 6 minutes

Procedures for Evacuation in Emergency or Dangerous Situations

In the event of an emergency or dangerous situation, Diné College Campus Security Department or Center Directors will direct students, faculty, staff, and guests to evacuate a building, several buildings, a portion of the campus, or the entire campus. The campus community will be asked to follow building and campus evacuation protocols and to obey directions from DC and on-scene emergency responders.

Certain events, like a hazardous materials release, may require the DC community and the general public to shelter-in-place to prevent exposure to harmful elements.

Drills and Exercises

The College will test emergency response and evacuation procedures at least annually. Additional building evacuation and sheltering drills are encouraged for DC campus buildings and external campus locations. If building occupants wish to have a drill, the Maintenance and Operations, Center Directors, and a security representative team will coordinate the drill and document it.

The Clery Act Committee may assist in departmental planning, implementation and evaluation of any drills that personnel wish to undertake in their building. Certain types of drills (e.g., lockdown, shelter-in-place, unannounced drills other than fire drills, etc.) require advanced planning and technical assistance, and should only be developed with assistance from, and consultation with local Emergency Management personnel at local community locations.

Promoting Emergency Procedures

Diné College promotes its emergency procedures through training sessions, and drills.

Students living on-campus receive training upon move-in and participate in drills held throughout the academic year. First Responders are selected for every building on campus and trained to follow the building and emergency action plan for their designated area. This includes Center Directors to promote proper emergency procedures to faculty and staff housed in each building.

FIRE STATISTICS FOR FACILITY

Facility	2023			2022		
	Fires	Injuries	Deaths	Fires	Injuries	Deaths
Archival Building	0	0	0	0	0	0
Cafeteria	0	0	0	0	0	0
Ceremonial Hogan	0	0	0	0	0	0
Child Care - Nooset'i'Be' Olta'	0	0	0	0	0	0
Crownpoint Campus	0	0	0	0	0	0
Faculty Center - Tuba City	0	0	0	0	0	0
Faculty Office Building	0	0	0	0	0	0
Gorman Classroom Building (GCB)	0	0	0	0	0	0
Gymnasium	0	0	0	0	0	0
John Pinto Library	0	0	0	0	0	0
Kinyaa'aanii Library	0	0	0	0	0	0
Navajo Nation Headstart	0	0	0	0	0	0
Ned Hatathli Center	0	0	0	0	0	0
Ned Hathali Center (NHC)	0	0	0	0	0	0
Network Operating Center (NOC)	0	0	0	0	0	0
Network Operation Center	0	0	0	0	0	0
North Ceremonial Hogan	0	0	0	0	0	0
Physical Plant (O&M)	0	0	0	0	0	0
Plants & Operations	0	0	0	0	0	0
Post Office	0	0	0	0	0	0
Shiprock North	0	0	0	0	0	0
Shiprock South	0	0	0	0	0	0
Silversmith Building	0	0	0	0	0	0
Student Success Building	0	0	0	0	0	0
Student Success Center	0	0	0	0	0	0
Student Union Building (SUB)	0	0	0	0	0	0
Tuba City Center	0	0	0	0	0	0
Tuba City Center (Hogan)	0	0	0	0	0	0
Window Rock Center	0	0	0	0	0	0
Total	0	0	0	0	0	0

Facility	2021		
	Fires	Injuries	Deaths
Archival Building	0	0	0
Cafeteria	0	0	0
Ceremonial Hogan	0	0	0
Child Care - Nooset'i'Be' Olta'	0	0	0
Crownpoint Campus	0	0	0
Faculty Center - Tuba City	0	0	0
Faculty Office Building	0	0	0
Gorman Classroom Building (GCB)	0	0	0
Gymnasium	0	0	0
John Pinto Library	0	0	0
Kinyaa'aanii Library	0	0	0
Navajo Nation Headstart	0	0	0
Ned Hatathli Center	0	0	0
Ned Hathali Center (NHC)	0	0	0
Network Operating Center (NOC)	0	0	0
Network Operation Center	0	0	0
North Ceremonial Hogan	0	0	0
Physical Plant (O&M)	0	0	0
Plants & Operations	0	0	0
Post Office	0	0	0
Shiprock North	0	0	0
Shiprock South	0	0	0
Silversmith Building	0	0	0
Student Success Building	0	0	0
Student Success Center	0	0	0
Student Union Building (SUB)	0	0	0
Tuba City Center	0	0	0
Tuba City Center (Hogan)	0	0	0
Window Rock Center	0	0	0
Total	0	0	0

FIRE STATISTICS FOR STUDENT FAMILY HOUSING & RESIDENCE HALL

Facility	2023			2022		
	Fires	Injuries	Deaths	Fires	Injuries	Deaths
Student Family Housing	0	0	0	0	0	0
Aspen Hall	0	0	0	0	0	0
Cedar Hall	0	0	0	0	0	0
Cottonwood Hall	0	0	0	0	0	0
Juniper Hall	0	0	0	0	0	0
Maple Hall	0	0	0	0	0	0
Oak Hall	0	0	0	0	0	0
Pine Hall	0	0	0	0	0	0
Pinon Hall	0	0	0	0	0	0
Spruce Hall	0	0	0	0	0	0
Willow Hall	0	0	0	0	0	0
Total	0	0	0	0	0	0

Facility	2021		
	Fires	Injuries	Deaths
Student Family Housing	0	0	0
Aspen Hall	0	0	0
Cedar Hall	0	0	0
Cottonwood Hall	0	0	0
Juniper Hall	0	0	0
Maple Hall	0	0	0
Oak Hall	0	0	0
Pine Hall	0	0	0
Pinon Hall	0	0	0
Spruce Hall	0	0	0
Willow Hall	0	0	0
Total	0	0	0