

St. Norbert College Albuquerque

2023 ANNUAL SECURITY REPORT

Introduction

This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as amended. It provides students and employees of St. Norbert College (“College”) with information on: the College's security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the College will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

Policy for Preparing the Annual Report

This report is prepared by the Clery Compliance Officer, James Sundstrom, in cooperation with local law enforcement authorities and includes information provided by them as well as by the College's campus security authorities and various other elements of the College. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report's availability. Hard copies of the report may also be obtained at no cost by contacting Campus Safety 290 Reid St. Room 120 De Pere WI 54115. The College is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field, and are constantly tested and re-evaluated for their effectiveness.

General Safety and Security Policies

Campus Security Personnel & Relationship with Local Law Enforcement

The College does not have campus security or a police department. The College's main campus at St. Norbert College has a Campus Security Department.

The College does not have any written agreements with local law enforcement agencies.

Campus Security Authorities

The College has designated certain officials to serve as campus security authorities. Reports of criminal activity can be made to these officials. They in turn will ensure that the crimes are reported for collection as part of the College's annual report of crime statistics. The campus security authorities to whom the College would prefer that crimes be reported are listed below.

- Associate Director for the Masters of Theological Studies at Santa Maria de la Vid Norbertine Community, Albuquerque NM, 505-873-4399 ext. 229

Reporting a Crime or Emergency

The College encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the College, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged even when the victim of a crime elects not to make a report or is unable to do so.

- All crimes occurring on or near College property should be reported immediately to the Albuquerque Police Department. The number to contact is (505) 764-3288. A dispatcher is available 24/7.
- If a crime is in progress or there is some other situation posing imminent danger, local law enforcement can be reached by dialing 911.
- An anonymous report can be filed at;
https://cm.maxient.com/reportingform.php?StNorbertCollege&layout_id=3
- Students, staff, and visitors should also report situations to the campus security authority identified above. Once reported, the individual may also be encouraged to report the situation to the appropriate police agency. If requested, a College staff member will assist in making the report to police.

Confidential Reporting

The College will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity.

If you are the victim of a crime or breach of college policy, and you do not want to pursue action within the college system or the criminal justice system, you may still want to consider making a confidential report. St. Norbert College will maintain as confidential any accommodations or protective measures provided to you, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide accommodations or protective measures to the victim or the college community. With your permission, the Director of Campus Safety or their designee can file a report on the details of the incident without revealing your identity. The Campus Safety Director and his designee's are at our main campus in DePere Wisconsin. They can be contacted at 920-403-3260. Albuquerque police are informed of any crime that is reported to Campus Safety and your desire to remain confidential will be communicated.

The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of you and others. With such information, the college can keep an accurate record of the number of reported incidents involving students, determine whether there is a pattern of crime with regard to the particular location, method or assailant, and alert the campus community to potential danger. Reports

filed in this manner are counted and disclosed in the annual crime statistics for the institution. For the purposes of the Clery Act, we will report and disclose without the inclusion of identifying information.

Clergy members and professional counselors are not mandated reporters, and, thus, are able to keep anything reported to them as confidential. Members of the St. Norbert College community are encouraged to speak with either a clergy member or a professional counselor if they are unsure if they want to file an official report. The College encourages its pastoral and professional counselors, if and when they deem it appropriate, to inform you of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics or to pursue an investigation.

Security of and Access to Campus Facilities

During business hours, St. Norbert College administrative and academic buildings are open to students, parents, employees, contractors, guests and invitees. After hour access to facilities is gained by contacting the Associate Director for the Masters of Theological Studies at Santa Maria de la Vid Norbertine Community, Albuquerque NM, 505-873-4399 ext. 229.

Security Considerations in the Maintenance of Facilities

The Norbertine Abbey works to identify maintenance issues on campus that may be safety hazards. Safety checks are completed to identify street or safety lights that are not functioning properly, or to determine if shrubs or other landscaping might need trimming. Maintenance personnel regularly check to ensure there is adequate lighting on pathways and that egress lighting is working in hallways and stairwells.

Educational Programs Related to Security Awareness and Prevention of Criminal Activity

The College seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. These programs are discussed below.

Responsible alcohol use and alcohol-alternative programs are designed for students and intended to teach students how to use alcohol responsibly as well as to give students an option for alcohol-free entertainment. Special attention is often given in these programs to the roles that alcohol and drug use can play in safety-related situations. These programs are offered at least once a month during the academic year.

Campus Safety collaborates with other groups such Residential Education and Housing, Counseling and Psychological Services, and Health Services in coordinating these programs. Collaborative programming efforts are also made with a variety of student groups, including the Student Government Association and Wellness by Design, which is a group of professionals who collaborate to offer preventative programming for the students of SNC. Campus Safety also works closely with the De Pere police and fire departments as well as

other law enforcement agencies to provide crime-prevention programs outside the scope of the department.

Monitoring Off Campus Locations of Recognized Student Organizations

The College does not have any officially recognized student organizations with off campus locations and therefore does not monitor or record criminal conduct occurring at such locations.

Disclosure of the Outcome of a Crime of Violence or Non-Forcible Sex Offense

Upon written request, the College will disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the College against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of the paragraph.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.

Drug and Alcohol Policy

St. Norbert College is committed to maintaining a drug free work and campus environment in compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendment of 1989. The unlawful manufacture, distribution, dispensing, possession or use of illicit drugs and unauthorized use of alcohol by college employees and students on college property or as part of college activities is prohibited. This policy is communicated to students via the student handbook, the Citizen.

With very few exceptions, alcohol is not sold at college functions. Exceptions are licensed special events that have the prior approval of the administration.

Applicable laws are strictly enforced, with assistance from the Albuquerque Police Department when necessary. The College enforces state underage-drinking laws as well as federal and state drug laws.

St. Norbert College Alcohol Sanctions

[2023 DAAPP Report](#)

Violations of the St. Norbert College alcohol policy are of two types: status offenses and non status offenses. Status offenses apply to students under the age of 21 who have consumed or are in possession of alcohol but are not otherwise causing a disturbance and do not appear to be intoxicated. Non status offenses refer to the acts of individuals of any age who consume alcohol and behave in ways that are harmful to self or disruptive to their community.

Such behaviors can include, but are not limited to: vomiting, slurred speech, difficulty balancing, unconsciousness, aggressive behavior and damage to property. Differentiation between status and non status offenses is based upon the behavior of the individual and the judgment of the college administrator who hears the conduct case.

The College receives notification of students cited off campus for violations of Wisconsin state law via written reports from the Albuquerque Police Department. Students found responsible for violating the College's alcohol policy will be sanctioned according to the guidelines for status and non status offenses, as published in The Citizen.

Expectations of Students Who Can Legally Use Alcohol

Students of legal age who decide to consume alcoholic beverages must:

- Do so in a responsible, mature fashion.
- Respect and abide by the State of New Mexico alcohol law as it relates to minors drinking.
- Respect those who decide not to use alcoholic beverages.
- Be proactive role models regarding the proper use of alcoholic beverages.

Should an individual or student organization be found responsible for violating the alcohol policy by providing alcohol to or sharing it with underage students, the individual student and/or the student organization will automatically be placed on disciplinary probation. This will occur whether the incident occurs on campus or off campus. Other sanctions to complement the behavioral sanction will be reviewed, to include dismissal of the student or dissolution of the student organization.

Federal Drug Laws (updated 08.01.2023)

Denial of Federal Benefits (21 U.S.C. § 862) A federal drug conviction may result in the loss of federal benefits, including loans, grants, scholarships, contracts, and licenses, although the Department of Education has said it will no longer disqualify students from Title IV aid for a federal or state conviction for possession or sale of a controlled substance.

Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853) Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties (21 U.S.C. § 841) Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe. Federally-defined schedules of controlled substances are published at 21 U.S.C. 812.

In the case of a controlled substance in schedule I or schedule II, GHB (or, “liquid ecstasy”), or flunitrazepam (or, “rohypnol”), a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university (**21 U.S.C. § 860**) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

Federal Drug Possession Penalties (21 U.S.C. § 844) Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

For the most recent and complete Federal Trafficking Penalties information, visit the website of the U.S. Drug Enforcement Administration at www.campusdrugprevention.gov/sites/default/files/2022-07/Federal_Trafficking_Penalties_Chart_6-23-22.pdf.

Drug and Alcohol State Laws

| Category | Summary (New Mexico Statutes) |
|-------------------------|--|
| Possession of Marijuana | It is generally lawful for persons twenty-one years of age or older to possess, use, display, purchase, obtain, transport, or be under the influence of cannabis. N.M.S.A. 1978, § 26-2C-25. Persons under twenty-one years of age who possess cannabis are guilty of civil violations and face mandatory participation in drug education or community service. N. M. S. A. 1978, § 26-2C-30. For persons of age, any cannabis in excess of two ounces must be stored in the person’s private residence and not visible from a public place. <i>Id.</i> Possessing in public excessive amounts of cannabis, cannabis extract, or edible cannabis is illegal and comes with increasingly severe penalties as the amount in possession increases. <i>Id.</i> |

| Category | Summary (New Mexico Statutes) |
|-----------------------|--|
| | <p>Public smoking of cannabis is illegal, except in a “cannabis consumption area,” and comes with a civil penalty of \$50. N. M. S. A. 1978, § 26-2C-26.</p> <p>Intentional distribution of or possession with intent to distribute synthetic cannabinoids is a felony, with increasing penalties for each subsequent offense. N.M.S.A. 1978, § 30-31-22. Possession of one ounce or less of synthetic cannabinoids is a petty misdemeanor, punishable by a fine of between \$50 and \$100 and imprisonment for not more than fifteen days for a first offense, while possession of eight ounces or more of synthetic cannabinoids is a fourth-degree felony. N.M.S.A. 1978, § 30-31-23. The basic sentence of imprisonment for this offense is 18 months, and the court may also impose a fine of up to \$5,000. N.M.S.A. 1978 § 31-18-15. A minor who is found guilty of distribution or possession with intent to distribute shall be required to perform no more than forty-eight hours of community service. <i>Id.</i></p> |
| Controlled Substances | <p>New Mexico statutes cover a wide range of offenses related to possession, distribution, and trafficking controlled substances and counterfeit substances, as well as possession, delivery, or manufacture of drug paraphernalia. <i>See</i> 30-31-1 et seq. It is unlawful for a person intentionally to possess a controlled substance unless the substance was obtained pursuant to a valid prescription or order of a practitioner while acting in the course of professional practice. N.M.S.A. 1978 § 30-31-23. Penalties for the possession and delivery of illegal drugs include imprisonment and monetary fines. <i>See</i> N.M.S.A. 1978 § 31-18-15. These vary widely by the type of drug, amount confiscated, the number of previous offenses by the individual, and whether the individual intended to manufacture, sell, or use the drug. <i>Id.</i> Intentional distribution of a controlled substance to a person under 18 years old is illegal and a second-degree felony for the first offense and a first-degree felony for subsequent offenses. N.M.S.A. 1978, § 30-31-21. Offenses committed within a drug-free school zone are also subject to heightened penalties. N.M.S.A. 1978 § 30-31-23.</p> <p>As an example, any person who distributes or possesses with the intent to distribute anabolic steroids is guilty of a fourth-degree felony. <i>Id.</i> The basic sentence of imprisonment for this offense is 18 months, and the court may also impose a fine of up to \$5,000. N.M.S.A. 1978 § 31-18-15.</p> <p>A person acting in good faith who seeks medical assistance for someone experiencing an alcohol or drug-related overdose shall not be arrested, charged, prosecuted, or otherwise penalized if the evidence for the alleged violation was obtained as a result of the need for seeking medical assistance. N.M.S.A. 1978, § 30-31-27.1.</p> <p>It is illegal for a person to use, possess with intent to use, deliver, possess with intent to deliver, or manufacture with the intent to deliver drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into</p> |

| Category | Summary (New Mexico Statutes) |
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| | <p>the human body a controlled substance in violation of the Controlled Substances Act. N.M.S.A. 1978 § 30-31-25.1. The possession of supplies and devices (like hypodermic syringes and needles) is permitted for the purpose of participation in or administration of the Harm Reduction Act. N.M.S.A. 1978, § 30-31-25.1.</p> |
| Alcohol and Minors | <p>It is a misdemeanor for a minor to buy, attempt to buy, receive, possess, or permit the minor's self to be served with alcoholic beverages. An initial violation will result in a fine of up to \$1,000 and thirty hours of community service related to the incidence of driving while under the influence of intoxicating liquor; a second violation carries a penalty of \$1,000, 40 hours of community service related to the incidence of driving while under the influence of intoxicating liquor, and a 90-day driver's license suspension; a third or subsequent violation carries a penalty of \$1,000, 60 hours of community service related to the incidence of driving while under the influence of intoxicating liquor, and a driver's license suspension of 2 years or until the offender reaches 21 years of age (whichever is greater). <i>See</i> N.M.S.A. 1978 § 60-7B-1.</p> <p>It is unlawful for a person to sell, serve, or give alcoholic beverages to a minor and to buy for or procure the sale or service of alcoholic beverages to a minor unless provided by a parent/ legal guardian or adult spouse of the minor on property under control of the parent/ legal guardian or spouse. <i>See</i> N.M.S.A. 1978 § 60-7B-1. Penalties are dependent upon whether the offender is a certified server and whether the offense is a first or subsequent violation. <i>Id.</i></p> <p>Any person who gives, loans, sells or delivers an identity card to a minor with the knowledge that the minor intends to use the identity card for the purpose of procuring or attempting to procure any alcoholic beverages is guilty of a petty misdemeanor punishable by imprisonment of up to 6 months and/or a fine of up to \$500. N.M.S.A. 1978, § 60-7B-8; N.M.S.A. 1978, § 31-19-1.</p> |
| Driving Under the Influence (DUI) | <p>It is unlawful for a person who is under the influence of intoxicating liquor or the influence of any drug to a degree that renders the person incapable of safely driving a vehicle to drive a vehicle. N.M.S.A. 1978, § 66-8-102.</p> <p>Driving under the influence of intoxicating liquor requires having a blood alcohol concentration of eight one hundredths or more in the person's blood or breath within three hours of driving the vehicle and the alcohol concentration results from alcohol consumed before or while driving the vehicle. N.M.S.A. 1978, § 66-8-102. A first offense carries a term of imprisonment for not more than 90 days and/or a fine of not more than \$500. <i>Id.</i> Additionally, the offender shall be sentenced to not less than twenty-four hours of community service, may be required to pay a fine of \$300, shall be ordered by the court to participate in and complete a screening program and must attend a driver rehabilitation program for alcohol or drugs. <i>Id.</i> Subsequent offenses carry harsher penalties. <i>Id.</i></p> |

Drug and Alcohol Abuse Prevention Program

St. Norbert College offers alcohol and other drug programming, counseling, assessments, referrals, an employee assistance program, the dissemination of informational materials, support groups and mandatory programming attendance for violators of alcohol and other drug violations.

In accordance with the Drug-Free Schools and Communities Act of 1989, the Drug and Alcohol Abuse Prevention Program (DAAPP) is distributed to all campus faculty, staff and students annually, and is found on the Consumer Information Disclosures page of the St. Norbert College website. A copy of the DAAPP can be found at: [2023 DAAPP Report](#) A biennial review was completed in 2022; a review is conducted every even-numbered year. Contact James Sundstrom at 920-403-3952 for more information.

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St. Norbert College is proud to offer Vector Solutions as part of our orientation program. Vector Solutions, a comprehensive online college health suite, is a research-based initiative that is supported by the National Institutes of Health (NIH). Vector Solutions features online courses about alcohol and drugs that are used in schools nationwide as a requirement for first year students. Providing online education through a flexible interactive design, the Vector Solutions courses teach students about alcohol, drugs and other addictive substances. The goal of the course is to increase students' knowledge, decrease harmful behaviors, and provide information to help students make good decisions.

St. Norbert College requires first year students to complete the Safe Vector Solutions online alcohol/prescription drug/ sexual misconduct courses

Policies, Procedures, and Programs Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking

Consistent with applicable laws, the College prohibits dating violence, domestic violence, sexual assault, and stalking. The College's policy used to address complaints of this nature, as well as the procedures for filing, investigating and resolving complaints, may be found at:

- Sex and Gender Harassment/Discrimination Policy:
<https://www.snc.edu/titleix/docs/sexual-misconduct-policy.pdf>
- Complaint Resolution Procedures for Students:
<https://www.snc.edu/titleix/docs/student-sexual-misconduct-procedure.pdf>
- Complaint Resolution Procedures for Employees:
<https://www.snc.edu/titleix/docs/employee-sexual-misconduct-procedure.pdf>

The following sections of this report discuss the College's educational programs to promote the awareness of dating violence, domestic violence, sexual assault and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses, and advises students

and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

Primary Prevention and Awareness Program:

The College conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. The PPAP advises campus community members that the College prohibits the offenses of dating violence, domestic violence, sexual assault and stalking. They are also informed of the topics discussed below, including relevant definitions, risk reduction, and bystander intervention.

Crime Definitions

| Crime Type (New Mexico Statutes) | Definitions |
|-------------------------------------|--|
| Dating Violence | The institution has determined, based on good-faith research, that New Mexico law does not define the term dating violence. |
| Domestic Violence | <p>The institution has determined, based on good-faith research, that New Mexico law does not define the term domestic violence.</p> <p>However, New Mexico's Family Violence Protection Act provides the following (N.M. Stat. § 40-13-2):</p> <ul style="list-style-type: none"> • “domestic abuse”: (1) means an incident of stalking or sexual assault whether committed by a household member or not; (2) means an incident by a household member against another household member consisting of or resulting in: (a) physical harm; (b) severe emotional distress; (c) bodily injury or assault; (d) a threat causing imminent fear of bodily injury by any household member; (e) criminal trespass; (f) criminal damage to property; (g) repeatedly driving by a residence or work place; (h) telephone harassment; (i) harassment; (j) strangulation; (k) suffocation; or (l) harm or threatened harm to children as set forth in this paragraph; and (3) does not mean the use of force in self-defense or the defense of another. • “household member” means a spouse, former spouse, parent, present or former stepparent, present or former parent in-law, grandparent, grandparent-in-law, child, stepchild, grandchild, co-parent of a child or a person with whom the petitioner has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member for purposes of this section. • “continuing personal relationship” means a dating or intimate relationship. <p>In addition, New Mexico's criminal statues define the following:</p> <ul style="list-style-type: none"> • Assault against a household member (N.M. Stat. § 30-3-12): Assault against a household member consists of: (1) an attempt to commit a battery against a household member; or (2) any unlawful |

| Crime Type (New Mexico Statutes) | Definitions |
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| | <p>act, threat or menacing conduct that causes a household member to reasonably believe that he is in danger of receiving an immediate battery.</p> <ul style="list-style-type: none"> • Aggravated assault against a household member (N.M. Stat. § 30-3-13): Aggravated assault against a household member consists of: (1) unlawfully assaulting or striking at a household member with a deadly weapon; or (2) willfully and intentionally assaulting a household member with intent to commit any felony. • Assault against a household member with intent to commit a violent felony (N.M. Stat. § 30-3-14): Assault against a household member with intent to commit a violent felony consists of any person assaulting a household member with intent to kill or commit any murder, mayhem, criminal sexual penetration in the first, second or third degree, robbery, kidnapping, false imprisonment or burglary. • Battery against a household member (N.M. Stat. § 30-3-15): Battery against a household member consists of the unlawful, intentional touching application of force to the person of a household member, when done in a rude, insolent or angry manner. • Aggravated battery against a household member (N.M. Stat. § 30-3-16): Aggravated battery against a household member consists of the unlawful touching or application of force to the person of a household member with intent to injure that person or another. • For purposes of the above crimes, the following definitions apply (N.M. Stat. § 30-3-11): <ul style="list-style-type: none"> ○ “household member” means a spouse, former spouse, parent, present or former stepparent, present or former parent in-law, grandparent, grandparent-in-law, a co-parent of a child or a person with whom a person has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member; and ○ “continuing personal relationship” means a dating or intimate relationship; ○ “strangulation” means the unlawful touching or application of force to another person's neck or throat with intent to injure that person and in a manner whereby great bodily harm or death can be inflicted, the result of which impedes the person's normal breathing or blood circulation; and ○ “suffocation” means the unlawful touching or application of force that blocks the nose or mouth of another person with intent to injure that person and in a manner whereby great bodily harm or death can be inflicted, the result of which impedes the person's normal breathing or blood circulation. |
| Stalking | <ul style="list-style-type: none"> • Stalking (N.M. Stat. § 30-3A-3): Stalking consists of knowingly pursuing a pattern of conduct, without lawful authority, directed at a specific individual when the person intends that the pattern of |

| Crime Type (New Mexico Statutes) | Definitions |
|--|--|
| | <p>conduct would place the individual in reasonable apprehension of death, bodily harm, sexual assault, confinement or restraint of the individual or another individual.</p> <ul style="list-style-type: none"> ○ “Lawful authority” means within the scope of lawful employment or constitutionally protected activity. ○ “Pattern of conduct” means two or more acts, on more than one occasion, in which the alleged stalker by any action, method, device or means, directly, indirectly or through third parties, follows, monitors, surveils, threatens or communicates to or about a person. <ul style="list-style-type: none"> ● Aggravated stalking (N.M. Stat. § 30-3A-3.1): Aggravated stalking consists of stalking perpetrated by a person: (1) who knowingly violates a permanent or temporary order of protection issued by a court, except that mutual violations of such orders may constitute a defense to aggravated stalking; (2) in violation of a court order setting conditions of release and bond; (3) when the person is in possession of a deadly weapon; or (4) when the victim is less than sixteen years of age. ● Harassment (N.M. Stat. § 30-3A-2): Harassment consists of knowingly pursuing a pattern of conduct that is intended to annoy, seriously alarm or terrorize another person and that serves no lawful purpose. The conduct must be such that it would cause a reasonable person to suffer substantial emotional distress. |
| Sexual Assault | <p>The institution has determined, based on good-faith research, that New Mexico law does not define the term sexual assault. Such offences are generally prosecuted as criminal sexual contact under N.M. Stat. § 30-9-12 <i>et. seq.</i></p> |
| Rape, Fondling, Incest, Statutory Rape | <p>For purposes of the Clery Act, the term “sexual assault” includes the offenses of rape, fondling, incest, and statutory rape. These definitions under New Mexico law are as follows:</p> <ul style="list-style-type: none"> ● Rape: The institution has determined, based on good-faith research, that New Mexico law does not define the term rape. Such offences are generally prosecuted as criminal sexual penetration under N.M. Stat. § 30-9-11 <i>et. seq.</i> ● Fondling: The institution has determined, based on good-faith research, that New Mexico law does not define the term fondling. ● Incest (N.M. Stat. § 30-10-3): Incest consists of knowingly intermarrying or having sexual intercourse with persons within the following degrees of consanguinity: parents and children including grandparents and grandchildren of every degree, brothers and sisters of the half as well as of the whole blood, uncles and nieces, aunts and nephews. ● Statutory Rape: The institution has determined, based on good-faith research, that New Mexico law does not define the term statutory rape. |

| Crime Type (New Mexico Statutes) | Definitions |
|--|---|
| Other "sexual assault" crimes | <p>Other crimes under New Mexico law that may be classified as a “sexual assault” include the following:</p> <ul style="list-style-type: none"> • Criminal sexual penetration (N.M. Stat. § 30-9-11): <ul style="list-style-type: none"> A. Criminal sexual penetration is the unlawful and intentional causing of a person to engage in sexual intercourse, cunnilingus, fellatio or anal intercourse or the causing of penetration, to any extent and with any object, of the genital or anal openings of another, whether or not there is any emission. B. Criminal sexual penetration does not include medically indicated procedures. C. Aggravated criminal sexual penetration consists of all criminal sexual penetration perpetrated on a child under thirteen years of age with an intent to kill or with a depraved mind regardless of human life. D. Criminal sexual penetration in the first degree consists of all criminal sexual penetration perpetrated: (1) on a child under thirteen years of age; or (2) by the use of force or coercion that results in great bodily harm or great mental anguish to the victim. E. Criminal sexual penetration in the second degree consists of all criminal sexual penetration perpetrated: (1) by the use of force or coercion on a child thirteen to eighteen years of age; (2) on an inmate confined in a correctional facility or jail when the perpetrator is in a position of authority over the inmate; (3) by the use of force or coercion that results in personal injury to the victim; (4) by the use of force or coercion when the perpetrator is aided or abetted by one or more persons; (5) in the commission of any other felony; or (6) when the perpetrator is armed with a deadly weapon. F. Criminal sexual penetration in the third degree consists of all criminal sexual penetration perpetrated through the use of force or coercion not otherwise specified in this section. G. Criminal sexual penetration in the fourth degree consists of all criminal sexual penetration not defined in Subsections D through F of this section perpetrated on a child thirteen to sixteen years of age when the perpetrator is at least eighteen years of age and is at least four years older than the child and not the spouse of that child. • Criminal sexual contact (N.M. Stat. § 30-9-12): <ul style="list-style-type: none"> ○ Criminal sexual contact is the unlawful and intentional touching of or application of force, without consent, to the unclothed intimate parts of another who has reached his eighteenth birthday, or intentionally causing another who |

| Crime Type (New Mexico Statutes) | Definitions |
|---|--|
| | <p>has reached his eighteenth birthday to touch one's intimate parts.</p> <ul style="list-style-type: none"> ○ Criminal sexual contact in the fourth degree consists of all criminal sexual contact perpetrated: (1) by the use of force or coercion that results in personal injury to the victim; (2) by the use of force or coercion when the perpetrator is aided or abetted by one or more persons; or (3) when the perpetrator is armed with a deadly weapon. ● Criminal sexual contact of a minor (N.M. Stat. § 30-9-13): <ul style="list-style-type: none"> ○ Criminal sexual contact of a minor is the unlawful and intentional touching of or applying force to the intimate parts of a minor or the unlawful and intentional causing of a minor to touch one's intimate parts. For the purposes of this section, “intimate parts” means the primary genital area, groin, buttocks, anus or breast. ○ Criminal sexual contact of a minor in the second degree consists of all criminal sexual contact of the unclothed intimate parts of a minor perpetrated: (1) on a child under thirteen years of age; or (2) on a child thirteen to eighteen years of age when: (a) the perpetrator is in a position of authority over the child and uses that authority to coerce the child to submit; (b) the perpetrator uses force or coercion that results in personal injury to the child; (c) the perpetrator uses force or coercion and is aided or abetted by one or more persons; or (d) the perpetrator is armed with a deadly weapon. ○ Criminal sexual contact of a minor in the third degree consists of all criminal sexual contact of a minor perpetrated: (1) on a child under thirteen years of age; or (2) on a child thirteen to eighteen years of age when: (a) the perpetrator is in a position of authority over the child and uses this authority to coerce the child to submit; (b) the perpetrator uses force or coercion which results in personal injury to the child; (c) the perpetrator uses force or coercion and is aided or abetted by one or more persons; or (d) the perpetrator is armed with a deadly weapon. ○ Criminal sexual contact of a minor in the fourth degree consists of all criminal sexual contact not defined in Subsection C of this section, of a child thirteen to eighteen years of age perpetrated with force or coercion. |
| Consent (as it relates to sexual activity) | The institution has determined, based on good-faith research, that New Mexico law does not define the term consent (as it relates to sexual activity). |

College Definition of Consent

The College uses the following definition of consent in its Sex and Gender Harassment/Discrimination policy when determining whether acts of sexual violence, including sexual assault, has occurred:

Consent is a key element in determining whether or not sexual contact or intercourse is a violation of this policy. In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing, and voluntary consent prior to and during sexual activity. Consent is sexual permission.

The following are important aspects of the definition of “consent” for the purposes of this policy:

1. Consent is active, not passive.
2. Silence, in and of itself, cannot be interpreted as consent.
3. Consent can be given by words or actions, as long as those words or actions create mutually understandable, clear permission regarding willingness to engage in, and the conditions of, sexual activity. Non-verbal consent is not as clear as talking about what you want sexually and what you do not.
4. Consent cannot be given by someone who is under the legal age to consent (at least 18 years old).
5. If coercion, intimidation, threats, and/or physical force are used, there is no consent.
6. If a person is mentally or physically incapacitated or impacted by alcohol or drugs such that the person cannot understand the fact, nature, or extent of the sexual situation, there is no consent.
7. If a person is asleep or unconscious, there is no consent.
8. Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
9. Consent to past sexual activity does not imply consent to other forms of sexual activity.
10. Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another; and
11. Consent can be withdrawn by verbal or physical conduct that a reasonable person would understand to indicate a desire to stop or not engage in the sexual conduct at issue. A person is deemed not to have consented to any sexual activity that occurs after he or she withdraws consent.

Additionally, the following definitions must be considered when evaluating consent:

1. Coercion - Coercion is direct or implied threat of force, violence, danger, hardship, or retribution sufficient to persuade a reasonable person of ordinary susceptibility to perform an act which otherwise would not have been performed or acquiesce in an act to which one would otherwise not have submitted. Coercion can include unreasonable and sustained pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. A person’s words or conduct cannot amount to coercion unless they wrongfully impair the other’s freedom of will and ability to choose whether or not to engage in sexual activity. When a person makes it clear that the person does not want to engage in sexual activity, that the person wants to stop, or that the person does not want to go

past a certain point of sexual interaction, continued pressure beyond that point may be coercive.

2. Force - The use of physical violence and/or physical intimidation to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce acquiescence. For example, the following statements represent the use of force: "Have sex with me or I'll hit you." "Okay, don't hit me; I'll do what you want." There is no requirement that a person resists a sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.
3. Incapacitation - Incapacitation is a state where an individual cannot make an informed and rational decision to consent to engage in sexual activity because the individual lacks conscious knowledge of the nature of the act (e.g., to understand the "who, what, where, when, why or how" of the sexual interaction) and/or is physically or mentally helpless. An individual is also considered incapacitated, and therefore unable to give consent, when asleep, unconscious, or otherwise unaware that sexual activity is occurring. Incapacitation can only be found when the respondent knew or should have known that the complainant was incapacitated when viewed from the position of a sober, reasonable person. One's own intoxication is not an excuse for failure to recognize another person's incapacitation.

Risk Reduction

If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:

- Make your limits known.
- You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor "NO" clearly and loudly.
- Try to remove yourself from the physical presence of a sexual aggressor. Be as direct as possible about wanting to leave the environment.
- Grab someone nearby and ask them for help.
- Be cognizant of alcohol and/or drug use. Alcohol and drugs can lower sexual inhibitions and may make people vulnerable to someone who views an intoxicated/high person as a sexual opportunity.
- Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.
- Be aware of someone trying to slip you an incapacitating "rape drug" like Rohypnol or GHB.

If you find yourself in the position of being the initiator of sexual behavior, these suggestions may help you to reduce your risk of being accused of sexual assault or another sexual crime:

- Remember that you owe sexual respect to the other person. Utilize strategies for gaining consent for all sexual activities.
- Don't make assumptions about the other person's consent or about how far they are willing to go.
- Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.

- If your partner expresses a withdrawal of consent, stop immediately.
- Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you their intentions.
- Consider “mixed messages” a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
- Don’t take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don’t be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.
- Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.

It is also important to be aware of the warning signs of someone who is abusive. Some examples include: past abuse; threats of violence or abuse; breaking objects; using force during an argument; jealousy; controlling behavior; quick involvement; unrealistic expectations; isolation; blames others for problems; hypersensitivity; cruelty to animals or children; “playful” use of force during sex.

Bystander Intervention

In addition to reporting incidents to appropriate authorities, below are some ways in which individuals can take safe and positive steps to prevent harm and intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against another person.

- Look out for those around you.
- Realize that it is important to intervene to help others.
- Treat everyone respectfully. Do not be hostile or an antagonist.
- Be confident when intervening.
- Recruit help from others if necessary.
- Be honest and direct.
- Keep yourself safe.
- If things get out of hand, don’t hesitate to contact the police.

Other Information Covered by the PPAP

The PPAP also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of dating violence, domestic violence, sexual assault, or stalking has occurred, an explanation of the disciplinary procedures that will be followed when one of these offenses is alleged, the rights of the parties in such a proceeding, available resources, and other pertinent information. Much of this information is set forth in the upcoming sections of this security report.

Ongoing Prevention and Awareness Campaign:

The College also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP, but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault and stalking.

PPAP and OPAC Programming Methods:

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the College. Methods include, but are not limited to: presentations, online training modules, distribution of written materials, periodic email blasts, and guest speakers. A summary of this programming is provided below.

- All students received online education on the prevention of dating violence, domestic violence, sexual assault, and stalking through a virtual presentation.
- New students receive bystander intervention training through a presentation by CAPS and Health Services during orientation.
- All students are required to complete an annual online training module regarding prevention and attention to topics of sexual assault, dating violence, domestic violence, and stalking.
- All employees are required to complete an annual online training module; new employees complete this module upon hire, and temporary employees are provided a brief in-person training on the topic as well.
- As part of its ongoing campaign, the College uses a variety of strategies, such as in-person presentations by the Title IX and Compliance office, sexual assault prevention/support organizations, emails blasts with pertinent information, Vector Solutions online training content, and more. While programming occurs throughout the year, the College also offers educational sessions and literature in coordination with nationally recognized observances such as Sexual Assault Awareness Month, Domestic Violence Awareness Month, Dating Violence Awareness Month, and Stalking Awareness Month

Procedures to Follow if You are a Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking:

If you are a victim of dating violence, domestic violence, sexual assault, or stalking, go to a safe place and call 911 or the Albuquerque Police Department at (505) 764-3288.

<https://www.cabq.gov/police> You may also contact the College's Title IX Coordinator at 920-403-3018.

Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported (contact the Title IX Coordinator or refer to the other resources listed in this report).
2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order.
3. The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.
4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

Preservation of Evidence & Forensic Examinations

Victims of physical assault are advised to not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence. Don't bathe or wash, or otherwise clean the environment in which the assault occurred. You can obtain a forensic examination at

UNM Hospital Emergency Room, 2211 Lomas Blvd NE, Albuquerque, NM 87106, (505) 272-2411

Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.

Victims are also advised to retain evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.). Such evidence is valuable in all situations, and it may be the only type of evidence available in instances of stalking.

Security/Law Enforcement & How to Make a Police Report

- Albuquerque Police Department, 1501 Broadway Blvd SE, Albuquerque, NM 87102, (505) 764-3288 <https://www.cabq.gov/police>
- Campus Safety at main campus. 920-403-3260
- To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim's ability.

Information about Legal Protection Orders

An application may be downloaded from the Second Judicial District Court website. Paperwork must be filed with the court; filing fees may apply. Per Supreme Court Order No. 20-8500-002, the Domestic Violence Division will accept filings by email or by fax from self-represented litigants to minimize the need for self-represented litigants to enter the courthouse to file a document in person. Filing by email or fax may also be permitted by attorneys in case-types that are not eligible for electronic filing through the File and Serve system. The email address is albd-dvfilings-grp@nmcourts.gov and the fax filing telephone number is 505-841-5460.

Second Judicial District Court
400 Lomas Blvd NW Albuquerque, NM 87102
Phone: (505) 841-8400
Phone 2: (505) 841-6737 Domestic Violence Division
URL: <https://seconddistrictcourt.nmcourts.gov/domestic-violence.aspx>

Victims may contact local domestic violence and sexual assault advocates for assistance in obtaining a protection order. <https://www.cabq.gov/albuquerque-family-advocacy-center>. When a protection order is granted, it is enforceable statewide. If you have obtained a protection order and need it to be enforced in your area, you should contact the local police department.

The College will also enforce any temporary restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court. Any student or employee who has a protection order or no contact order should notify the Title IX Coordinator and Campus Safety and provide a copy of the restraining order so that it may be kept on file with the institution and can be enforced on campus, if necessary. Upon learning of any orders, the College will take all reasonable and legal action to implement the order.

The College does not issue legal orders of protection or restraining orders. However, as a matter of institutional policy, the College may impose a no-contact order between individuals in appropriate circumstances. If information available leads to a reasonable conclusion that an individual is likely to cause substantial harm to any member of the campus community the College may also remove that individual from campus, whether or not that individual is a part of the campus community or not. A person found to be in violation of a no-contact order may be referred to the local law enforcement agency and recommended for arrest or criminal charges.

Available Victim Services:

Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to them, both within the College and in the surrounding community. Those services include:

College Resources

- SNC Health Services, (920) 403-3266
- SNC Counseling & Psychological Services, (920) 403-3045
- Ordained Clergy, (920) 403-3011
- SNC Center for Global Engagement, (920) 403-3494
- SNC Student Financial Aid – Sometimes a victim of a crime may feel the need to take a leave of absence from school. If a student is considering a leave of absence based on the circumstances of a complaint, he/she should understand there may be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired. The College's financial aid website can be found at: <https://www.snc.edu/financialaid/>

State/Local Resources

- UNM Hospital Emergency Room, 2211 Lomas Blvd NE, Albuquerque, NM 87106, (505) 272-2411
- Albuquerque Family Advocacy Center <https://www.cabq.gov/albuquerque-family-advocacy-center>
- New Mexico Legal Aid <https://www.legalaction.org/>
- City of Albuquerque Mental and Behavioral Health Services <https://www.cabq.gov/help/mental-and-behavioral-health>

National Resources

- National Domestic Violence Hotline: 1-800-799-7233
- National Sexual Assault Hotline: 1-800-656-4673
- Rape, Abuse and Incest National Network (RAINN): <https://www.rainn.org/>
- US Dept. of Justice Office on Violence Against Women: <https://www.justice.gov/ovw>
- National Coalition Against Domestic Violence: <http://www.ncadv.org/>
- National Sexual Violence Resource Center: <http://www.nsvrc.org/>
- U.S. Citizenship and Immigration Services: <https://www.uscis.gov/>
- Immigration Advocates Network: <https://www.immigrationadvocates.org/>

Accommodations and Protective Measures:

The College will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the College is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

Requests for accommodations or supportive measures should be made to the Title IX Coordinator at (920) 403-3018, and the Title IX Coordinator is responsible for deciding what, if any, accommodations or protective measures will be implemented.

When determining the reasonableness of such a request, the College may consider, among other factors, the following:

- The specific need expressed by the complainant.
- The age of the students involved.
- The severity or pervasiveness of the allegations
- Any continuing effects on the complainant
- Whether the complainant and alleged perpetrator share the same class or job location.
- Whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

The College will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the College's ability to provide them. However, there may be times when certain information must be disclosed to a third party in order to implement the accommodation or protective

measure. Such decisions will be made by the College in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation or protective measure is provided. In the event it is necessary to disclose information about a victim in order to provide an accommodation or protective order, the College will inform the victim of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

Procedures for Disciplinary Action:

Allegations of domestic violence, dating violence, sexual assault, or stalking will be processed through the Complaint Resolution Procedures for the appropriate party, under the College's Sex and Gender Harassment/Discrimination policy.

The complainant resolution procedures are invoked once a formal, written, and signed report is made to one of the following individuals:

Title IX Coordinator

Sarah Olejniczak Ph.D

Assistant Vice President of Student Affairs and Title IX and Compliance Coordinator

920-403-3018

Main Hall, Suite 23

sarah.olejniczak@snc.edu

Deputy Title IX Coordinator

Heather Butterfield

Assistant Vice President of Human Resources

920-403-3210

Main Hall Suite 11

heather.butterfield@snc.edu

Deputy Title IX Coordinator

Joe Totman Ed.D

Assistant Vice President for Student Affairs & Residential Education and Housing

920-403-1322

Todd Wehr Hall room 315

joe.totman@snc.edu

Campus Safety

920-403-3260

Pennings Activity Center Room 120

An electronic form available at <https://www.snc.edu/titleix/report-incident.html> can also be used to file a report.

Once a complaint is made, the Title IX Coordinator will commence the investigatory process as soon as practicable. The Title IX Coordinator and/or designee will analyze the complaint and notify the respondent that a complaint has been filed using the Notice of Allegations and Investigations form.

For student respondents, the following procedure will be followed in instances of *Title IX Sexual Harassment* and *Other Prohibited Conduct* violation allegations. For employee respondents, the following procedure will be followed in instances of Title IX Sexual Harassment. A separate but related procedure will take place for instances of *Other Prohibited Conduct*.

During the investigation, the complainant and respondent will each have an equal opportunity to describe the situation and present witnesses and other supporting evidence. The investigator(s) will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint. The investigator(s) will then prepare an investigation report outlining the details of the case. Both parties will have ten (10) days to review the investigation report before it is finalized, with an ability to provide feedback to the investigator(s).

A prehearing conference will take place at least ten (10) days prior to the live hearing, with the appropriate College administrator, meeting separately with the parties to discuss their rights at the hearing, share what will take place, and answer questions. A live hearing will take place to determine, by a preponderance of evidence, whether or not the alleged violations occurred. The complainant and respondent will each have an opportunity to share their statements about the incident being investigated, and will be cross examined by the advisor of the opposite party.

After reviewing all evidence, including statements from the hearing, the hearing officer will make a determination about the allegations. Both parties will receive notification of the outcome within five (5) business days. Both parties have an equal opportunity to appeal the determination by filing a written appeal within five (5) business days of being notified of the outcome of the investigation. An appeals officer will make a determination within 5 (five) business days or sooner.

For employee-related instances of *Other Prohibited Conduct*, a separate but similar process exists for investigating and adjudicating all other sex and gender discrimination/harassment allegations, although there is not a requirement for a live hearing (including cross examination) as part of the grievance process. Respondents may request a live hearing even if one is not required. The only difference in procedure for allegations of employee-related *Other Prohibited Conduct* is that a determination of responsibility will be made based on the investigation report, and not through a live hearing (unless one is requested by the respondent). The relevant anticipated timelines are the same.

The College strives to complete the full grievance process in a timely, thorough manner. For full procedural breakdown for students, visit

<https://www.snc.edu/titleix/docs/student-sexual-misconduct-procedure.pdf>. For full

procedural breakdown for employees, visit

<https://www.snc.edu/titleix/docs/employee-sexual-misconduct-procedure.pdf>.

Rights of the Parties in an Institutional Proceeding:

During the course of the process described in the previous section, both the accuser and the individual accused of the offense are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result.
 - A prompt, fair and impartial process is one that is:
 - Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
 - Conducted in a manner that:
 - Is consistent with the institution's policies and transparent to the accuser and the accused.
 - Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
 - Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.
 - Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
 - Such training addresses topics such as relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest. Some of the training attended included (but is not limited to) A list of trainings can be found at https://www.snc.edu/titleix/grievance_team_training.html

3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor, but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.

4. Have the outcome determined using the preponderance of the evidence standard.
5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, “result” means “any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters” and must include the rationale for reaching the result and any sanctions imposed.

Possible Sanctions or Protective Measures that the College May Impose for Dating Violence, Domestic Violence, Sexual Assault or Stalking Offenses:

Following a final determination in the institution’s disciplinary proceeding that dating violence, domestic violence, sexual assault, or stalking has been committed, the institution may impose a sanction depending on the mitigating and aggravating circumstances involved. The possible sanctions include warning; reprimand; probation; restitution; fine; loss of privileges; housing probation; suspension or expulsion/termination; restriction on eligibility to represent the College at any official function or in any intercollegiate competition. If a suspension is imposed on a student, it may be for part of a semester, a full semester, or an entire academic year. An employee may be suspended for any length of time determined appropriate by the Director of Human Resources. Following a suspension, the individual may be required to meet with the Vice President of Student Affairs or Assistant Vice President of Human Resources (employee) to discuss re-entry and expectations going forward.

The College will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations (supportive measures) or protective measures. If victims request these accommodations or protective measures and they are reasonably available the College is committed to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

Requests for accommodations or supportive measures should be made to the Title IX Coordinator at (920) 403-3018, and the Title IX Coordinator is responsible for deciding what, if any, accommodations or protective measures will be implemented.

A list of possible sanctions are as follows;

STUDENTS - Possible sanctions include:

- a. Disciplinary Probation
- b. Suspension
- c. Expulsion
- d. Postponement of Graduation
- e. Withholding Proof of Degree

- f. Degree Recission
- g. Transcript Notation
- h. Prohibited Admission or Readmission
- i. Organizational Sanctions
- j. Counseling Referral
- k. Parental Notification
- l. Educational Outcomes, including training, discussion, and reflective opportunities
- m. Other Actions Designed to Avoid and Prevent Future Violations, including:
 - i. Limitations on residential assignments, such as removal or limited access to specific residence halls
 - ii. Limitations on co-curricular engagement, such as removal from a leadership position, athletics team, or on-campus employment
 - iii. Ongoing no contact order

Employees -

Categories of Sanctions (General) - The following is a list of possible sanctions that can be assessed on a respondent when a violation has been found. An individual's sanctions may include more than one item listed below:

- Oral or written warning or reprimand;
- Suspension (paid or unpaid);
- Termination or discharge;
- Transfer or reassignment;
- Demotion;
- Reduction of wages;
- Corrective counseling;
- Referral to Employee Assistance Program;

- Training or education;
- No eligibility for merit increases, raises, awards, promotions, or voluntary transfers for at least one year;
- Requirement for apology letter to person or persons affected by conduct;
- Restrictions on leading off-site activities, travel abroad, and other activities that may pose a risk for the college;
- Other sanctions designed to prevent conduct from reoccurring

Publicly Available Recordkeeping:

The College will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of dating violence, domestic violence, sexual assault, and stalking who make reports of such to the College to the extent permitted by law.

Victims to Receive Written Notification of Rights:

When a student or employee reports to the College that he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the College will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

Sex Offender Registration Program:

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the College of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting the Title IX Coordinator, Sarah Olejniczak at 920-403-3018. . State registry of sex offender information may be accessed at the following link: <https://www.nsopw.gov/en/Conditions/JurisdictionConditions/NM>

Timely Warnings and Emergency Response

Timely Warnings

In the event of criminal activity occurring either on campus or off campus that in the judgment of the Vice President for Student Affairs Director and the Director of Campus Safety constitutes a serious or continuing threat to members of the campus community, a campus-wide “timely warning” will be issued. Examples of such situations

may include a sexual assault or a series of motor vehicle thefts in the area that merit a warning because they present a continuing threat to the campus community. Warnings will be communicated to students and employees via one or more of the methods discussed later in this section. Updates to the warnings will be provided as appropriate. Anyone with information warranting a timely warning should immediately report the circumstances to: constitutes a serious or continuing threat to members of the campus community, a campus-wide “timely warning” will be issued. Examples of such situations may include a sexual assault or a series of motor vehicle thefts in the area that merit a warning because they present a continuing threat to the campus community. Warnings will be communicated to students and employees via one or more of the methods discussed later in this section. Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to Campus Safety, 920-403-3260

- When Campus Safety is notified that a serious campus crime has occurred that presents a serious or continuing threat to the campus community, a Timely Warning will be issued. Notices and instructions will be communicated to students and employees in an attempt to prevent similar crimes. Timely Warnings are usually distributed for the following Uniformed Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) classifications: major incidents of arson, murder/nonnegligent manslaughter and robbery. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by Campus Safety. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other Santa Maria de la Vid Abbey community members and a Timely Warning would not be distributed. , In cases involving sexual assault, they are often reported to St Norbert long after the incident occurred, thus there is no ability to distribute a “timely” warning notice to the community. Sex offenses will be considered on a case by case basis depending on when and where the incident occurred, when it was reported, and the amount of information known by Campus Safety. Cases involving property crimes will be assessed on a case by case basis and alerts will typically be sent if there is a discernible pattern of crime. The Director of Campus Safety, or designee, reviews all reports to determine if there is an ongoing threat to the community and if the distribution of a Timely Warning is warranted. Timely Warnings may also be posted for other crime classifications and locations, as deemed necessary.
- The Director of Campus Safety, Eric Dunning 920-403-1346

The College has communicated with local law enforcement asking them to notify the College if it receives reports or information warranting a timely warning.

Emergency Response

The Santa Maria de la Vid Abbey campus is under the jurisdiction of St Norbert Campus Safety at our main campus in DePere Wisconsin and the Albuquerque NM Police Department.

Santa Maria de la Vid Abbey is responsible for the emergency procedures in place for the campus and how it responds to and recovers from any type of emergency situation that may present itself. Santa Maria de la Vid Abbey students, faculty, staff and visitors are included in the aforementioned emergency procedures.

| Department | Situation | Phone Number | Location |
|--|--|--------------|--------------------------------------|
| Police, Fire, Emergency Medical Services | Emergency Requiring Immediate Response | 911 | |
| Albuquerque Police Department | Non-Emergency | 505-764-3288 | 400 Roma NW Albuquerque, NM 87102 |

Students, staff and visitors are encouraged to notify the Albuquerque Police Department at (505) 764-3288 <https://www.cabq.gov/police> of any emergency or potentially dangerous situation.

The institution will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.”(34 CFR § 668.46 (g)(3))

The -Vice President for Student Affairs or his designee will direct the issuance of emergency notifications, which will be accomplished using one or more of methods discussed later in this section, depending on the nature of the threat and the segment of the campus community being threatened. Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

If deemed necessary, the college’s Director for Campus Safety at our main campus in DePere Wisconsin will notify local law enforcement of the emergency, if they are not already aware of it, and local media outlets so the larger community outside the campus will be aware of the emergency.

The Director of Campus Safety, or designee, reviews all reports to determine if there is an on-going threat to the community and if the distribution of a Timely Warning Notice is warranted. Timely Warning Notices are typically written by the Director of Campus Safety, or designee, and distributed by Campus Safety. Timely Warning Notices may also be posted for other crime classifications, as deemed necessary. Timely Warning Notices will be provided to students and employees in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences.

Warnings may be distributed through several different mechanisms including:

- Mass notification system messaging
- Postings on the St Norbert College and Public Safety website
- Via St. Norbert College email system
- Dedicated emergency voicemail box

All timely warning information distributed on the St Norbert College campus would also be available for review by those on the Santa Maria de la Vid Abbey – Albuquerque NM campus via postings on the St. Norbert College and Campus Safety website. Depending on the specific circumstances of an incident, the Santa Maria de la Vid Abbey campus may or may not be notified directly as the situation may not be relevant to the campus.

If an incident originates on the St Norbert College campus but impacts or has the potential to impact the Santa Maria de la Vid Abbey campus. Campus Safety will utilize the same communication strategies as it does for the St Norbert College campus.

If an incident occurs on the Santa Maria de la Vid Abbey campus in general, Campus Safety would work with Santa de la Vid Abbey leadership to distribute appropriate information that is timely and will aid in the prevention of similar crimes.

| Timely Warning Distribution System | Primary Message Creator | Backup Message Creator | Authority for approving & sending messages | Message Sender |
|------------------------------------|---------------------------|--------------------------|--|---------------------------|
| Mass Notification | Director of Campus Safety | Director of Publications | Director of Campus Safety | Director of Campus Safety |
| Email | Director of Campus Safety | Director of Publications | Director of Campus Safety | Director of Campus Safety |
| Website | Director of Campus Safety | Director of Publications | Director of Campus Safety | Director of Campus Safety |

The method(s) listed below may be utilized when the College issues a timely warning or emergency notification to the campus community.

| | |
|--|---|
| Verbal in person | n/a |
| Verbal using loudspeakers | n/a |
| Building speakers, where applicable | n/a |
| Fire alarms | n/a |
| CENS message - (Campus Emergency Notification System) – Telephone – Email – Cell phone – Text via cell phone | Students: Please review the phone numbers the system has listed for you. To review your campus emergency phone numbers, visit www.snc.edu/knightline . 1. Click “KnightLine Login” 2. Click “Personal Information – My Profile” 3. Click on “Personal Information” 4. Under “Phone Number,” check your “Campus Emergency CellPhone 1 & Campus Emergency TextLine 1” numbers 5.To add or edit a phone number, please submit a written request to the registrar office. * * * * * Employees: To review and/or change your campus emergency phone numbers, visit https://www.snc.edu/workday/login/hcmjobaids.html and follow the "Update Campus Emergency Notification System (CENS) Phone Number" job aid. |
| CENS message (Campus Emergency Notification System) – Computer interrupt system – Television monitors | n/a |

Testing & Documentation

Tabletop exercises and emergency response drills are performed annually with targeted groups in order to assess emergency plans and capabilities. Before each test of the emergency notification system or an emergency drill, an email announcement is sent to inform the SNC community. These include emergency response information as well as evacuation procedures.

The Director of Campus Safety maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the College will distribute to its students and employees information to remind them of the College’s emergency response and evacuation procedures.

Crime Statistics

The statistical summary of crimes for this College over the past three calendar years follows:

| Crime | On Campus | | | Non Campus | | | Public Property | | |
|--|-----------|------|------|------------|------|------|-----------------|------|------|
| | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 |
| Murder/Non-Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Incest | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Burglary | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Liquor Law Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Drug Abuse Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Weapon Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Liquor Law Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Drug Abuse Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Weapon Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Domestic Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

* The College does not have on-campus student housing facilities.

Hate crimes:

2022: No hate crimes reported.

2021: No hate crimes reported.

2020: No hate crimes reported.

Crimes unfounded by the College:

2022: 0 unfounded crimes.

2021: 0 unfounded crimes.

2020: 0 unfounded crimes.

Statistics for unfounded crimes provided by law enforcement agencies:

2022: 0 unfounded crimes.

2021: 0 unfounded crimes.

2020: 0 unfounded crimes.