



2021 - 2022
Annual Safety & Security Report

The NCC is committed to maintaining a safe and secure campus community. Our primary mission is to protect students, faculty, staff, guests, and property by providing services that will establish and maintain a reasonably safe campus environment. All aspects of Campus Safety and Security are the responsibility of the Campus Safety Committee which is comprised of the Director of Operations and the Director of Student Affairs.

The NCC has one campus comprised of one building and is located in Lakewood, Ohio. The premises are used for educational purposes. The college makes concerted efforts to keep the location as safe as possible for all students, faculty, and staff. The campus maintains specific emergency response and evacuation procedures. These procedures are housed within the office of the Director of Operations. Sexual misconduct resource information is available and can be found within the office of the Director of Student Affairs or on the college website via the following link:

<http://www.thencc.edu/sexual-assault-stalking-and-domestic-and-intimate-partner-violence-prevention-and-response-policy/>

This Clery Annual Safety and Security Report discusses the steps The NCC takes to provide a safe and secure environment, including the crime prevention services and programs that are in place. This report details the process by which persons can report and prevent crimes or suspicious activity. The report includes statistics from calendar years 2017-2019 regarding reported crimes on or near campus. It discusses the counseling programs the college provides to prevent the abuse of alcohol and drugs. The relationship the college has with local law enforcement is also explained in this report.

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, a copy of the colleges' Annual Safety & Security Report is made available on the college website.

Additionally, anyone may request a copy by contacting a member of the Campus Safety Committee at:

John Mendrea – Director of Student Affairs
john.mendrea@TheNCC.edu
216.221.8584 x102

Policy Statements

This section of the Annual Security Report discloses the procedures, practices, and programs The NCC has implemented to keep its students and employees safe and its facilities secure.

I. Reporting Crimes and Other Emergencies

Community members, students, faculty, staff, and guests are encouraged to immediately report all crimes and public safety incidents to the college and to the appropriate law enforcement agency. To report a crime, an emergency or non-emergency, security or public safety related matter, individuals are

encouraged to contact the Campus Safety Committee. Individuals may also contact the Lakewood Police Department at 216.521.6773. For any emergency situation, 911 should be dialed immediately.

For crimes or emergencies occurring off-campus, reports should be made to local law enforcement by dialing 911 or visiting the local Police Department where the crime has occurred.

Crimes should be reported to The NCC's Campus Safety Committee for inclusion in the daily crime log which is used to create the annual statistical disclosure of crimes as well as for assessment for Timely Warning notifications.

For reports about sexual violence, including domestic violence, dating violence, sexual assaults, and stalking, see Section X; Dating Violence, Domestic Violence, Sexual Assault and Stalking, regarding reporting information.

Use the following numbers for routine calls:

Lakewood Police Department, 12650 Detroit Road, Lakewood, OH 216.521.6773

The NCC College – Main Line, 11724 Detroit Avenue, Lakewood, Ohio 216.221.8584 x101

Response to Report

Depending on the nature of a particular report, the caller may be asked to visit the Department of Student Affairs or the office of the Director of Operations to file an incident report. As required by law or policy, an incident report may be forwarded to other college departments for potential action, which may include:

- College Title IX Coordinator
- Human Resources
- Academic Affairs
- Director of Student Affairs
- Judicial Review Committee

Voluntary, Confidential Reporting

If you are a victim of a crime and do not wish to pursue action within the college system or the criminal justice system, you may still want to consider making a confidential report. 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 yourself and others. With such information, the college can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus safety authorities. Campus "Pastoral Counselors" and Campus "Professional Counselors," when acting as such are not considered to be a campus security authority and are not required to report crimes for

inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged; if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for the inclusion into the annual crime statistics.

Campus Security Authorities

“Campus Security Authority” is defined as “An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.” An example would be the Director of Student Affairs, who has significant responsibility for students and campus activities. A single teaching faculty member is unlikely to have significant responsibility for student and campus activities, except when serving as an advisor. Clerical staffs, as well, are unlikely to have significant responsibility for student and campus activities.

Pastoral and Professional Counselors

Pastoral Counselor

An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

Professional Counselor

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

II. Timely Warnings (Crime Alerts) about Crimes

The purpose of a timely warning is to alert the campus community to the occurrence of a crime that poses an ongoing threat to the campus community and/or to heighten safety awareness of students and employees in a manner that will aid in the prevention of similar crimes. In certain situations, the Campus Safety Committee will make a decision, in consultation with university administration as needed, whether to disclose the incident through a public notice to the community through the SMS Text Messaging alert system and/or other electronic means. The circumstances of any particular situation coupled with the safety evaluation of the threat potential will dictate the need and manner for the issuance of a campus timely warning. In general, whenever there has been a report of a violent crime, a major property crime, or other significant criminal event on or adjacent to campus and the Campus Safety Committee is of the opinion that the safety of the campus community may be at risk, a timely warning will be issued.

The Timely Warning will include the following information, if available:

- Immediate safety / security actions the campus community should take or initiate
- Description of the incident (type of crime, time, date, and location)
- Physical description of the offender, if available
- Connection (if any) to previous reported incidents
- Description of injuries or use of force, if relevant
- Crime Prevention Tips
- Emergency contact information (phone numbers and web sites)

- Date the campus crime alert bulletin was issued

Members of the Campus Safety Committee will work closely to provide information regarding threats to the safety of persons on campus. Likewise, they will create and disseminate timely warnings for the college campus.

III. Emergency Notifications

The NCC attempts to provide a safe and secure environment for students, staff, and visitors. However, it is only possible to maintain safety and security when every student and staff member takes an active part in the effort. At The NCC, people move throughout the campus freely. A key part to The NCC's campus preparedness is the college's emergency warning notification system. Despite advances in communication, there is no way to reach everyone instantly with a single message; however, the multi-layered communication approaches we have in place will help inform students, faculty, staff, and guests of emergency incidents.

We use the following concepts to initiate our warning notification:

- Alarms: Audible alarms are issued inside buildings
- Weather Siren: The city of Lakewood operates weather sirens located within the city.
- E-mail: An e-mail will be sent to all people with an active THE NCC e-mail address.
- Text Messaging: The NCC College faculty, staff, and students may register their cell phones to receive an emergency text message in the event of an emergency on campus. Students are registered during Orientation. Faculty and staff are registered at the time of hire. Students may update phone numbers by contacting the Department of Student Affairs and employees by contacting Human Resources.
- Local Media: Local media is monitored and utilized for announcements and alerts.

The Campus Safety Committee regularly conducts an incident critique. The incident critique is documented in the Emergency Review Improvement Plan and used to refine procedures and train officials.

IV. Emergency Response and Evacuation Procedures

Emergency Preparedness

The Campus Safety Committee is responsible for the emergency preparedness and planning activities on the college campus. The Campus Safety Committee partners with the City of Lakewood Municipal Authorities and various other community agencies in developing the colleges' emergency procedures. This manual includes procedures and emergency action plans in a variety of areas, such as severe weather, active shooter and medical emergencies. Evacuation route maps are posted in hallways throughout all campus buildings.

Announced and/or unannounced drills are scheduled and executed to test evacuation and emergency procedures.

Evacuation Routes

Evacuation route maps are posted in all residence halls. In the event of a fire or emergency, the maps provide evacuation routes and a safe meeting location for all facilities.

V. Daily Crime Log

The Campus Safety Committee maintains a daily crime log, which is available for review upon request, during normal business hours through the office of the Director of Operations. The log includes all reported crimes that occurred in or on campus buildings or property, or on public property within the required reporting limits. Quarterly, the Campus Safety Committee will partner with the City of Lakewood Police Department to gain insight into crimes that may have been reported to the city but not the college directly. These crimes will be added to the campus crime stats. The crime log contains the following information:

- The nature of the crime
- The date the crime was reported
- The date and time the crime occurred
- The general location of the crime
- The disposition of the complaint, if known.

The names of crime victims will be removed for public inspection.

VI. Security of and Access to Campus Facilities

The NCC is not open to the public. During business hours, the building can be entered by students, faculty, staff, and guests by utilizing an assigned Proximity Access Card or by using the intercom system and gaining access by the receptionist. The campus has hours that vary at different times of the year and this information is provided to the campus community at the start of every academic quarter. A member of the Campus Safety Committee or a designated representative secures the building nightly as determined by the schedule. Students, faculty and staff are instructed to report any suspicious situations to the Campus Safety Committee immediately.

VII. Security Considerations for the Maintenance of Campus Facilities

Campus Operations consists of the Director of Operations and the Maintenance Manager. Campus Operations patrols the campus building and grounds regularly to ensure that any safety concern is addressed immediately. Emergency requests and repairs (building problems such as water leaks, sewer, power outage, etc.) should be reported to Campus Operations by phone, immediately.

Campus Operations: 216.221.8584 x101

A strong commitment to campus safety and security is maintained through regular inspections of the following:

- Interior/exterior lighting is checked daily
- Exterior doors and locking hardware are checked daily
- Campus security cameras are checked daily

VIII. Crime Prevention and Security Awareness

The following are ways that The NCC fosters safety and awareness:

- Publications – Campus Safety Department, Health Services, and Counseling Services distribute various publications that address problems such as date rape, alcohol abuse, and theft.
- Lighting – The campus is routinely surveyed to ensure that exterior areas are adequately lit at night. Trees and shrubs that impair lighting along walks are trimmed as needed.
- Safety Committee – The Safety Committee helps establish programs and services to improve safety across campus, and to reduce health, safety and environmental risks. The safety committee includes member from; Student Affairs, Human Resources, Campus Operations and Maintenance.
- Office of Student Affairs – Staff members in this office provide a variety of services to students, including victim assistance, confidential counseling, and information about THE NCC resources. Matters related to student conduct are the responsibility of the Judicial Review Committee.

IX. ALCOHOL AND DRUG POLICY AND PREVENTION

The NCC maintains a drug and alcohol free environment for employees and students. The health and safety of the individuals on our campus is paramount to the educational success we strive to achieve. As such, college policy prohibits the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance on college premises. Alcoholic beverages cannot be brought into or consumed on college property, except in connection with authorized college events.

COLLEGE PREMISES ARE DEFINED AS:

1. Main Building: 11724 Detroit Avenue, Lakewood, OH;
2. Any off-site location while in use for a college-related function.

Procedures for College and Student Events When attending college or student related events, students must keep in mind that the possession, use or distribution of illegal drugs and the use of alcohol in an unlawful manner will result in suspension and or expulsion from The NCC and may result in arrest. Any individual who exhibits signs of being under the influence of alcohol or drugs will not be permitted to enter an event and potentially banned from any events for the remainder of the quarter. Any Individual who is not a The NCC student and attempts to bring in alcohol or drugs to a college event will be permanently banned from all further college related events. Any person who is already banned and attempts to enter an event would be considered trespassing and subject to arrest. The names of said individuals will be documented and held on file in the office of the Director of Student Affairs.

PENALTIES

For the health, safety and overall well-being of the college, The NCC must uphold the law pertaining to drug and alcohol abuse and likewise provide assistance to students when needed. If it has been found that a student has violated the colleges' Drug and Alcohol Policy, a written complaint should be filed with the Director of Student Affairs who will follow the judicial procedures outlined within this publication. There are various factors that will be considered regarding disciplinary sanctions for students who violate the colleges' Alcohol and Drug Policy. These factors include if a student has violated The NCC standards in the past, the effect of the student's actions on the college, the severity of the violation, and the general intent of the student. Potential sanctions for violations can include the following but not limited to, written warning, appropriate college-community service, mandatory drug and alcohol education or other action

the college believes suitable. Offenses that are deemed dangerous, violent or of repeated nature, will carry the sanctions of suspension and or expulsion. Any individual found to be selling or distributing illegal drugs on the college premises may be reported to the proper legal authorities and be placed on suspension or dismissed indefinitely from The NCC. Tuition and all fees are non-refundable in the event of suspension or expulsion. Penalties for non-compliance with the colleges' Drug and Alcohol Policy are described for employees on the "Drug-Free Workplace Statement Notice to Employees," which is distributed at the time of hire and annually, thereafter. Additional information pertaining to substance abuse is provided to students and employees on an annual basis and is done so electronically.

This additional information, which is provided electronically, includes:

1. A description of applicable legal sanctions under state, local and federal law;
2. A description of health risks; and
3. A description of available counseling, treatment and rehabilitation programs.

Print copies of the above-referenced information are also available to employees and students and can be picked up in the office of the Director or Student Affairs.

DRUG & ALCOHOL RESOURCES:

- Substance Abuse Helpline
Lakewood, Ohio
216-939-5114
<http://lakewood.substanceabusehelpline.com/>
- Recovery Resources
3950 Chester Avenue
Cleveland, Ohio 44114
216-431-4131
<http://www.recrs.org/>

X. SEXUAL ASSAULT, STALKING, AND DOMESTIC AND INTIMATE PARTNER VIOLENCE PREVENTION AND RESPONSE POLICY

STATEMENT

The NCC strives to create a safe learning and working environment for all its students, faculty, staff and visitors. The NCC prohibits sexual violence from its students, faculty and staff. The NCC will take prompt measures to investigate allegations or charges of sexual violence against a member of the college community. Sexual violence covered in this policy includes sexual assault, stalking and domestic and intimate partner violence. The NCC offers training to prevent sexual violence from occurring in our community. The NCC prohibits sexual harassment and has policies to that effect. This policy has the information for members of the college community or someone they know has been a victim of sexual violence, and the steps to follow and the resources available. Included is the support services provided by the college as well as the appropriate disciplinary procedures.

REASON FOR THE POLICY

Sexual Violence is an impact on the victim and the college community as a whole. The NCC wants all victims to be aware of the support and services it provides in regard to sexual violence which includes

assault, stalking, and intimate and domestic partner violence. It's also important to know that those individuals found to have committed these acts will be disciplined up to expulsion for students and termination for employees. The training that The NCC makes available is intended to prevent sexual violence as well as educate on how to deal with its occurrence.

WHO SHOULD READ THIS POLICY

All members of the college community
The NCC students
The NCC employees

WHO IS RESPONSIBLE FOR THIS POLICY

Title IX Coordinator (Director of Student Affairs)
College Counselor
Director of Operations

POLICY TEXT

DEFINITIONS

Affirmative Consent: a clear, unambiguous, knowing, informed, and voluntary agreement between all participants to engage in sexual activity. Consent is active, not passive. Silence or lack of resistance cannot be interpreted as consent. Seeking and having consent accepted is the responsibility of the person initiating each specific sexual act regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent to any sexual act or prior consensual sexual activity between or with any party does not constitute consent to any other sexual act. The definition of consent does not vary based upon a participant's sex, sexual orientation or gender identity. Consent may be initially given but withdrawn at any time. When consent is withdrawn or cannot be given, sexual activity must stop. Consent cannot be given when a person is incapacitated. Incapacitation occurs when an individual lacks the ability to fully, knowingly choose to participate in sexual activity. Incapacitation occurs due to a disability that limits informed sexual decision-making, and includes impairment due to voluntary or involuntary use of drugs or alcohol, the lack of consciousness or being asleep, being involuntarily restrained, if any of the parties are under the age of 18, or if an individual otherwise cannot give consent. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.

Bystander: a person who observes a crime, impending crime, conflict or unacceptable behavior. **Dating Violence:** any act of violence committed by a person who is or has been in a relationship of a romantic or intimate nature with the victim. The existence of a relationship shall be determined based on the victim's statement and considering the length and frequency of interaction between the individuals involved in the relationship. A relationship can be considered intimate or romantic regardless of whether it is sexual in nature. This definition does not include acts covered under domestic violence.

Domestic and Intimate Partner Violence: Any violent crime whether felony or misdemeanor, committed by a current or former spouse or intimate partner of the victim. This also includes an individual who is sharing a child or cohabitating with the victim.

Preponderance of the Evidence: In cases of sexual violence, the standard of proof asks whether it is “more likely than not” that the incident occurred. When the evidence presented in a case meets this standard, the accused individual should be held responsible.

Retaliation: Unfavorable action toward another individual for reporting a violation or participating in the investigation process in any way. Various forms of retaliation can include harassment and intimidation as well as threats of bodily harm or destruction to property and bullying.

Sexual Assault: any non-consensual, intentional physical contact of a sexual nature, such as unwelcome physical contact with a person’s genitals, lips, buttocks or breasts. Sexual assault occurs when the act is committed by: a) physical force, violence, threat or intimidation; b) ignoring the objections of another person; c) causing another’s intoxication or impairment through the use of alcohol or other drugs; and/or d) taking advantage of another person’s incapacitation, helplessness, or other inability to consent. Sexual assault includes what is commonly known as “rape” (including what is commonly called “date rape” and “acquaintance rape”), fondling, statutory rape and incest. For statutory rape, the age of consent in the state of Ohio is 16 years old.

Stalking: a course of conduct directed at a specific person that would cause a reasonable person to feel fear. Stalking involves repeated and continued harassment made against the expressed wishes of another individual, which causes the targeted individual to feel emotional distress, including fear and apprehension. Stalking behaviors may include: pursuing or following; non-consensual (unwanted) communications or contact – including face-to-face, telephone calls, voice messages, electronic messages, text messages, unwanted gifts; trespassing; and surveillance or other types of observation. Cyber-stalking involves using the Internet or other electronic means as a way to harass someone.

Use of Alcohol and Other Drugs: Alcohol and other drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and affirmatively given. The perspective of a reasonable person will be the basis for determining whether one should have known about the impact of alcohol or other drugs on another person’s ability to give consent. The use of alcohol and other drugs never makes someone at fault for being sexually assaulted (see Affirmative Consent).

SUPPORT SERVICES

The NCC’s primary concern is to make sure that victims of sexual violence seek medical attention for physical and mental health. The NCC will ensure that those who come forward are advised of all the support resources available on and off campus.

Students: Students have available to them the services of trained counseling professionals in the Department of Student Affairs. See contact information section below.

Employees: Faculty, administrators and staff may use the services of the Employee Assistance Program available within the office of the College Director of Operations. See contact information section below.

OPTIONS FOR CONFIDENTIALITY DISCLOSING SEXUAL VIOLENCE

The NCC recognizes that confidentiality is particularly important to victims of sexual violence. A victim who has made a report may make a request for confidentiality or privacy at any point. This may include a request to remain anonymous to the alleged perpetrator or witnesses. The NCC will make all reasonable efforts to honor such a request limiting information to those who need to know for an investigation to commence. The NCC understands that it may be difficult for a victim to come forward, and there are several options available for students who wish to maintain confidentiality while getting the support they need. However, requests for confidentiality may limit The NCC’s ability to investigate and respond to the allegations. The NCC cannot guarantee complete confidentiality because of its responsibility to safeguard all members of the community and its obligations under the law, including Title IX. Certain employees on campus have different abilities to maintain confidentiality.

- Some employees are required to maintain near complete confidentiality; talking to them is sometimes called a “privileged communication.” This includes campus counselors. Non-professional counselors and advocates may talk to a victim in confidence, and generally only

report to the College that an incident occurred without revealing any personally identifiable information. These individuals are required to report aggregate data to the Title IX Coordinator, including nature, date, time, and general location of the incident. These resources should consult with victim/survivors about what information to withhold to protect the individual's identity.

- Non-professional counselors and advocates may include front desk staff, students, and volunteers.
- All other employees are required to report the details of an incident (including the identities of both the victim and accused) to the Title IX Coordinator. A report to these employees, including professors and chairpersons, constitutes a report to the College. The College is obligated to investigate and take appropriate steps to address the situation.

ALCOHOL AND/OR DRUG USE AMNESTY IN SEXUAL VIOLENCE CASES

The health and safety of every student at The NCC 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 a sexual violence incident occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The NCC strongly encourages students to report incidents of sexual violence to campus officials. A bystander reporting in good faith or a victim/survivor reporting sexual violence to The NCC officials or law enforcement will not be subject to campus conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the sexual violence.

FALSE COMPLAINTS

Members of the college community who make false reports, with the exception of reports which even if flawed, are made in good faith, will be subject to disciplinary sanctions.

NON-RETALIATION

It is illegal to retaliate against any individual who in good faith files a report, participates in an investigation of a report, or is accused of violating this policy and after investigation has been found not to have violated this policy. Retaliation is a serious violation of this policy and will be subject to disciplinary sanctions. Individuals who experience or witness retaliation should contact the Director of Student Affairs immediately.

EDUCATIONAL AND TRAINING PROGRAMS

The NCC provides on-line training to all members of the College community on preventing sexual violence, how to report it, and what resources and remedies are available for victims/survivors. This online training is mandatory for all The NCC students and employees. The campaign is consistent with the requirements in the Violence Against Women Act. In addition, educational information to raise awareness of sexual violence is presented during Student Orientation.

CLIMATE ASSESSMENT SURVEY

The College will conduct a climate assessment survey every two years. The survey will be sent to all students and employees.

PROCEDURES

SEXUAL VIOLENCE RESPONSE

Victims/survivors have the right to pursue more than one of the options below at the same time or may choose not to participate in any of the options below:

- To report confidentially the incident to one of the following college officials, who by law may maintain confidentiality and can assist in obtaining services
 - Counseling Service
 - College Counselor (Request contact info via Office of Student Affairs)
- Reporting Obligations of Confidential, Semi-Confidential, and Private Resources On and Off-Campus are as follows;
 - **Confidential:** Cannot re-disclose any information provided by a reporting individual.
 - **Who are they:**
 - Medical providers
 - Licensed mental health counselors
 - Clergy
 - Off-campus counselors and advocates.

(The above must be acting in the capacity of these roles when learning of a report in order to maintain confidentiality)

- **Semi-Confidential (Non-Professional Counselors and Advocates):** Do not disclose any personally identifiable information to police or campus officials, but provide aggregate data to the Title IX Coordinator as required by law.
 - **Who are they:**
 - Counselors without licenses.
- **Private:** Will limit disclosure as much as possible while complying with the law and College policy, which requires notifying the Title IX Coordinator or designee of all known details.
 - **Who are they:**
 - All College employees besides confidential resources and nonprofessional counselors and advocates
 - Including academic advisors and mentors.
- To disclose confidentially the incident and obtain services, victims/survivors can contact the following resources. Note that these hotlines are for crisis intervention, resources, and referrals, and are not reporting mechanisms, meaning that disclosure on a call to a hotline does not provide any information to the campus. Victims/survivors are encouraged to

additionally contact a campus confidential or private resource so that the campus can take appropriate action in these case:

- Cleveland Rape Crisis Center:
<https://www.clevelandrapecrisis.org/>
- Ohio Alliance to End Sexual Violence:
<http://www.oaesv.org/resources/cuyahoga-county/>
- Pandora's Project:
<http://www.pandys.org;>

- There are four hospital emergency rooms in Cuyahoga County that maintain specially trained Sexual Assault Nurse Examiners (SANE) which are available 24 hours a day, 7 days a week. These hospitals are as follows;
 - **Fairview Hospital**
18101 Lorain Road
Cleveland, Ohio 44111
216-476-7080
(also sees pediatric patients)
 - **Hillcrest Hospital**
6780 Mayfield Road, North Campus
Mayfield Heights, Ohio 44124
440-312-7890
(also sees pediatric patients)
 - **MetroHealth Hospital**
2500 MetroHealth Drive
Cleveland, Ohio 44109
216-778-7800
 - **University Hospitals**
11100 Euclid Avenue
Cleveland, Ohio 44106
216-844-3722

- To report the incident to one of the following college officials who can offer privacy and can assist in obtaining resources (note that an official who can offer privacy may still be required by law and college policy to inform one or more college officials about the incident, including but not limited to the Title IX Coordinator):
 - Title IX Coordinator (Director of Student Affairs)
 - College Counselor
 - Registrar
 - Director of Operations

- To file a criminal complaint with local law enforcement:
 - Lakewood Police Department
12650 Detroit Avenue
Lakewood, Ohio 44107
216-521-1234

- To file a report of sexual assault, domestic violence, dating violence, and/or stalking, talk to the Title IX Coordinator for information and assistance. Reports will be investigated in accordance with The NCC policy listed below. If a victim/survivor wishes to keep his/her identity private, he or she may contact the Title IX Coordinator anonymously to discuss the situation and available options:
 - Title IX Coordinator, (Director of Student Affairs)
Department of Student Affairs

216-221-8584 ext 102
titleix@TheNCC.edu

- You may withdraw your complaint or involvement from the colleges' process at any time.

THE NCC INVESTIGATION AND DISCIPLINARY PROCEDURES

When a report of sexual violence is made, the victim and the alleged perpetrator will be given the same rights throughout the investigation and disciplinary proceedings with respect to having the assistance or support of an advocate, access to evidence, presentation of witnesses, other evidence, arguments, appeal, and being informed of the outcome of the proceedings. The burden of proof in all cases is "the preponderance of the evidence" – whether it is "more likely than not" that the dating violence, domestic violence, sexual assault, or stalking occurred. If the evidence presented meets this standard, then the college will take action, which may include suspension or expulsion for students and termination for employees.

1. The complaint proceeding is commenced by the filing of the Complaint Intake and Information Sheet.
2. Upon receipt of a complaint, the Title IX Coordinator will provide the accuser with a copy of his/her completed Complaint Intake and Information Sheet.
3. Supporting documentation will be reviewed and interviews of witnesses will be conducted to determine the validity of the complaint.
4. The Title IX Coordinator will notify the accused that a complaint has been made against him/her, giving the accused the opportunity to respond to the allegations.
5. Within 30 calendar days from the filing of a formal complaint, the Title IX Coordinator shall submit a summary of the findings to the President of The NCC.
 - a. If the findings result in a determination that the complaint was substantiated:
 - For employees (including student employees): The President may take such administrative action as he/she deems appropriate under his/her authority as the chief administrative officer of the College, including but not limited to dismissal, demotion, reassignment, suspension, reprimand, removal of privileges, or training.
 - For students: The President may determine that sufficient information exists to take appropriate action under the appropriate student conduct code.

Within 5 calendar days of submission of the findings, the Title IX Coordinator shall issue a written notification to the accuser and accused which will state that the complaint was;

- substantiated and that it has been referred for further action.
 - The action of the President shall be final.
- b. If the findings result in a determination that the complaint was not substantiated, the Title IX Coordinator shall close the case, sending a written notice to that effect to the accuser and the accused.

6. If the accuser is dissatisfied with the decision, the accuser may elect to file a complaint with one or more local, state and federal agencies. The disciplinary actions taken by The NCC does not shield from any civil or criminal charges that may be taken against the accused.

MEDICAL ASSISTANCE

It is extremely important that victims of physical assault receive comprehensive medical attention promptly. In the case of sexual assault, victims should go immediately to a hospital emergency room. Treatment and preservation of evidence are crucial to a criminal investigation. A person who believes he/she is a victim of date rape as a consequence of alcohol and/or drugs, should have a toxicology examination at the hospital as quickly as possible as drugs may remain in a person's system for only a short time. Most hospitals have rape victim protocols that are supportive of victims.

- To obtain effective intervention services:
 - Sexual contact can transmit Sexually Transmitted Infections (STI) and may result in pregnancy. Testing for STIs and emergency contraception is available here: <https://www.clevelandrapecrisis.org/services>
 - Within 96 hours of an assault, you can get a Sexual Assault Forensic Examination (commonly referred to as a rape kit) at a hospital. While there should be no charge for a rape kit, there may be a charge for medical or counseling services off campus and, in some cases, insurance may be billed for services. You are encouraged to let hospital personnel know if you do not want your insurance policyholder to be notified about your access to these services. Further info on rape kits is available here: <https://www.clevelandrapecrisis.org/resources/hospital-medical-resources/what-to-expect-in-a-rape-kit-examination>

PROTECTION AND ACCOMODATIONS

The following protection and accommodations are provided by the College:

- When the accused is a student, to have the college issue a "No Contact Order," meaning that continuing to contact the protected individual is a violation of College Policy subject to additional conduct charges; if the accused and a protected person observe each other in a public place, it is the responsibility of the accused to leave the area immediately and without directly contacting the protected person.
- To have assistance from College officials in obtaining an Order of Protection against the accused.
- To receive a copy of the Order of Protection or equivalent and have an opportunity to meet or speak with a College official who can explain the order and answer questions about it, including information from the Order about the accused individual's responsibility to stay away from the protected individual; that burden does not rest on the protected individual.
- To an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension.
- To have assistance from College officials in effecting an arrest when an individual violates an Order of Protection by calling on and assisting local law enforcement.
- When the accused is a student and presents a continuing threat to the health and safety of the community, to have the accused subject to interim suspension pending the outcome of a conduct process.

- To obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment. While victims/survivors may request accommodations through any of the offices within the College, the following office can serve as a point office to assist with these measures: Director of Student Affairs, Department of Student Affairs 216-221-8584 ext 102

ORDERS OF PROTECTION

- The NCC shall comply and assist with enforcement of all known Orders of Protection, particularly orders in which abusers have been ordered to stay away from the college campus. If requested by the victim of domestic violence or law enforcement, the College shall provide information in its possession concerning an alleged violation of an Order of Protection.
- Students are encouraged to bring their Orders of Protection to the attention of the Director of Student Affairs.
- Employees are encouraged to bring their Orders of Protection to the attention of the College Director of Operations.
- Once the Order of Protection has been brought forward, it will be kept in a locked file cabinet in the office of the College Director of Operations.
- In the case of a campus emergency requiring the presentation of the Order of Protection to law enforcement, if the College Director of Operations is unavailable to obtain the document, the Director of Student Affairs will have access to the Order.
- A trained The NCC professional will discuss with the student or employee a plan on how to best proceed to ensure the safest possible College environment for the student, employee and all other affected The NCC related individuals. With the student or employee's permission, this plan may include options such as providing a copy of the Order of Protection and/or photo of the perpetrator to front desk personnel and creating a personal campus or workplace safety plan.
- A student is responsible to notify the Director of Student Affairs if there are any changes to the Order of Protection.
- An employee is responsible to notify the College Director of Operations if there are any changes to the Order of Protection.

STUDENT CONDUCT PROCESS

- **Throughout conduct proceedings, the accused and the victim/survivor will have:**
 - The same opportunity to have access to an advisor of their choice. Participation of the advisor in any proceeding is governed by federal law and the Student Code of Conduct;
 - The right to a prompt response to any complaint and to have their complaint investigated and adjudicated in an impartial and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, and other issues related to sexual assault, domestic violence, dating violence, and stalking.
 - The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process and is not conducted by individuals with a conflict of interest.
 - The right to receive written or electronic notice of any meeting or hearing they are required to or are eligible to attend.

- The right to have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay.
- The right to review available evidence in the case file.
- The right to a range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition.
- The right to exclude prior sexual history or past mental health history from admittance in college disciplinary stage that determines responsibility. Past sexual violence findings may be admissible in the disciplinary stage that determines sanction.
- The right to ask questions of the decision maker and via the decision maker indirectly request responses from other parties and any other witnesses present.
- The right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.
- The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the sanction(s).
- The right to know the sanction(s) that may be imposed on the accused based upon the outcome of the conduct proceeding and the reason for the actual sanction imposed. For students found responsible for sexual assault, the available sanctions are suspension with additional requirements and expulsion/dismissal.
- The right to choose whether to disclose or discuss the outcome of a conduct hearing.

RELATED DOCUMENTS

- Student Handbook
- Student Code of Conduct
- Support Services Resource List
<https://www.rainn.org/get-information/links>
- Violence Against Women Act (VAWA)
<http://www.nacua.org/documents/VAWA2013.pdf>

CONTACT

Student Affairs

Director of Student Affairs
Office of Student Affairs
216-221-8584 ext 102
studentaffairs@TheNCC.edu

Counseling College

Counselor
Office of Student Affairs
216-221-8584 ext 102

Employee Assistance Program

College Director of Operations
Office of the College Director

216-221-8584 ext 101

Title IX Coordinator (Affirmative Action Officer and Director of Compliance)

Office of Student Affairs

216-221-8584 ext 102

titleix@TheNCC.edu

Title IX of the Educational Amendments of 1972, 20 U.S.C. section 1681 is a federal civil rights law prohibiting discrimination on the basis of sex in education programs and activities. No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any education program or activity receiving federal financial assistance.

Because THE NCC receives federal financial assistance, all students and employees are covered by Title IX.

College Policy

Consistent with federal and state guidelines, The NCC does not discriminate on the basis of age, disability, gender, gender identity, marital status, national origin, race, religion, and sexual orientation or veteran status in its educational programs or employment.

Title IX also prohibits other forms of sex discrimination such as harassment or sexual violence.

Role of the Title IX Coordinator

The Title IX Coordinator is responsible for the oversight of:

- employee and student notification and education about their rights under Title IX
- grievance procedures of alleged discriminatory behaviors that are in violation of Title IX
- monitoring college compliance related to all aspects of Title IX.

What does the Title IX coordinator do?

Notification and Education

- dissemination of educational materials
- coordination of training for students and employees about their rights under Title IX.

Grievance Procedures

- receipt and processing of inquires and complaints of alleged discriminatory behaviors that are in violation of Title IX.

Monitoring Compliance

- review of Title IX cases received in other offices
- partnerships with the following offices to safeguard students' rights and responsibilities:
 - college-wide student services
 - human resources
 - safety and security
- examination and review of THE NCC internal practices related to all aspects of Title IX
- remaining current with state and federal laws as they relate to Title IX.

Disclosure of Annual Crime Statistics

Link below:

[Crime%20Stats%202021-2022.pdf](#)

Conclusion

The colleges' Campus Safety Committee practices a proactive approach toward crime prevention. We encourage individuals to take initial responsibility for their own property and security, as well as looking out for one another. Through a cooperative relationship with local law enforcement agencies and community leaders, the college continues to develop new plans and ideas to maintain a safe and secure environment.

The Campus Safety Committee hopes this report helps demonstrate that The NCC is a place where students, their families and our staff can be confident of their safety. We invite questions or comments about this report or any programs or services we offer.