



A Resource Guide for NPC Students on

Violence Against Women Act (VAWA)



Northland Pioneer College
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INTRODUCTION

This guide explains the Northland Pioneer College (NPC) resources and options available to individuals impacted by sex-based harassment including sexual assault, domestic violence, dating violence, and stalking. Below, you will find valuable information and resources to familiarize yourself with options if you or another individual experiences sex-based misconduct.

In compliance with federal law (Title IX), NPC has appointed a Title IX Coordinator whose role is to ensure that members of the community receive Title IX protections as guaranteed by law and institutional policy. Contact information for the NPC Title IX Coordinator and other key resources is listed in the next section.

This can be an overwhelming time for someone who has experienced sex-based misconduct. The College regrets that you may have had such an experience. We want you to know that we are here for you and want to ensure you are empowered to make the choices that are best for your needs, without pressure and with respect for your autonomy and privacy.

Choose how to proceed. You have options. You can: (1) do nothing until you are ready, (2) pursue a College resolution, (3) initiate criminal proceedings, 4) initiate a civil process against the perpetrator, and/or 5) pursue healing options that do not require reporting to any official. You may pursue whichever combination of options is best for you. If you pursue a College resolution, your options can include an investigation [and hearing], informal resolution, and/or supportive measures. Those options are summarized below and explained in detail in NPC's Procedure 2110, found here:

<https://www.npc.edu/procedure-2110>

IF YOU HAVE EXPERIENCED SEX-BASED MISCONDUCT

If you are off campus and experiencing an emergency, you can call local police by dialing 911. You may also call the local police department's non-emergency line at

Holbrook Campus	Holbrook Police Department	928-524-3991
Hopi Center	Office of Law Enforcement Services	928-738-2233
Kayenta Center	Kayenta Police Department	928-697-5600
Show Low Campus	Show Low Police Department	928-537-5091
Silver Creek Campus	Snowflake/Taylor Police Department	928-536-7500
Springerville Center	Springerville Police Department	928-333-4020
St. Johns Center	St. Johns Police Department	928-337-2440
Whiteriver Center	White Mountain Apache Police Department	928-338-4942
Winslow Campus	Winslow Police Department	928-289-2431

1. Go to a safe location as soon as you are able.
2. Contact any of the following for immediate assistance on campus or in the community:
 - a. Title IX Coordinator Joshua Rogers at **928-536-6227**. Regular business hours, M-F.
 - b. National Sexual Assault Hotline and Website Access free, 24/7 local crisis support online or by calling **1-800-856-HOPE (4673)**. For more information, visit National Sexual Assault Hotline website.
 - c. Rape, Abuse, and Incest National Network (RAINN) 24 Hour Hotline: **1-800-656-HOPE**
 - d. Arizona Coalition To End Sexual & Domestic Violence **(800) 782-6400 (602) 279-7270 (TTY)**
3. **Medical Attention:** Seek immediate medical attention if you are injured or believe you may have been exposed to the risk of an STI/STD or pregnancy.
4. **Evidence Preservation:** Preserving evidence is critical to potential criminal prosecution and to obtaining restraining/protective orders, and it is particularly time sensitive. The following steps will help preserve evidence:

For instances of Sexual Assault:

- Seek forensic medical assistance at the nearest hospital, ideally within 120 hours of the incident (sooner is better).
- Avoid urinating, showering, bathing, washing hands or face, or douching, if possible, but evidence may still be collected even if you do.
- If oral sexual contact took place, refrain from smoking, eating, drinking, or brushing teeth.
- If clothes are changed, place soiled clothes in a paper bag (plastic destroys evidence) or a secure evidence container (if provided one by law enforcement).
 - If you are still wearing any clothes worn during the incident, wear them to the hospital, but bring a change of clothes, as the hospital will keep the clothes you are wearing as evidence.
- Seeking medical treatment, in general, can be essential, even if it is not for the purpose of collecting forensic evidence.
- Typically, police will be called to the hospital to take custody of the forensic kit, but it is up to you whether you wish to speak with them or file a criminal complaint.

For instances of Stalking/Dating Violence/Domestic Violence/Sex-Based Harassment:

- Evidence in the form of text and voice messages will be lost, in most cases, if the impacted individual changes their phone number.
 - Make a secondary recording of any voice messages and/or save the audio files to a cloud server.

- Take screenshots and/or a video recording of any text messages or other electronic messages (e.g., Instagram, Snapchat, Facebook).
- Save copies of email and social media correspondence, including notifications related to account access alerts.
- Take time-stamped photographs of any physical evidence, including notes, gifts, etc., in place when possible.
- Save copies of any messages, including those showing any request for no further contact.
- Obtain copies of call logs showing the specific phone number being used rather than a saved contact name if possible.

5. **Contacting Law Enforcement:** NPC will provide assistance contacting law enforcement, if the impacted individual wishes to do so. Contacting law enforcement is not required to receive support or to engage other options for resolution through NPC. Local law enforcement can assist with evidence collection, evidence preservation, taking statements, pressing criminal charges, and obtaining protective or restraining orders. Refer to the local law enforcement agencies above.

NPC will also help facilitate contact with any other law enforcement agencies not listed above if those agencies would have jurisdiction over the alleged misconduct or could otherwise provide support for or information to the impacted individual.

If any impacted individual would prefer to have a support person accompany them to any meeting or interview with law enforcement, NPC will help find an appropriate resource at the institution or in the local community.

If any impacted individual is interested in support with contacting law enforcement, they should contact Josh Rogers, NPC's Title IX Coordinator, at 928-536-6227 or Joshua.rogers@npc.edu

6. **Resolution Options:** Impacted parties have a variety of procedural options for resolution of a complaint of sex-based misconduct at NPC:
- **Initiate a Complaint and Investigation with a Decision-maker:** An impacted party may initiate a Complaint with the Title IX Coordinator and request they open an investigation into the allegations. The assigned investigator(s) will interview parties and relevant witnesses, collect evidence, and write an investigation report **OR** provide a summary of evidence for the parties' review. After the investigation is complete, individual meetings with a Decision-maker will take place, and the Decision-maker will determine whether a violation of NPC procedure occurred. This is an NPC administrative process, not a criminal or civil process.
 - **Informal Resolution:** An impacted party may seek to resolve the allegations through an Informal Resolution, according to the parameters set out in Procedure 2110. All involved parties and the Title IX Coordinator must consent to Informal Resolution. Informal

Resolution is an NPC administrative process, not a criminal or civil process. NPC offers four approaches to Informal Resolution:

1. **Supportive Resolution.** When the Title IX Coordinator can resolve the matter informally by providing supportive measures (only) designed to remedy the situation.
2. **Educational Conversation.** When the Title IX Coordinator can resolve the matter informally by having a conversation with the Respondent to discuss the Complainant's concerns and institutional expectations or can accompany the Complainant in their desire to confront the conduct.
3. **Accepted Responsibility.** When the Respondent is willing to accept responsibility for violating Policy and is willing to agree to actions that will be enforced similarly to sanctions, and the Complainant(s) and NPC are agreeable to the resolution terms.
4. **Alternative Resolution.** When the Parties agree to resolve the matter through an alternative resolution mechanism (which could include, but is not limited to, mediation, shuttle negotiation, restorative practices, facilitated dialogue, etc.), as described below.

If the impacted party chooses to initiate an investigation, Informal Resolution is available at any time during an investigation (see above) prior to a final determination. No investigation is required, though, to have access to Informal Resolution options.

- **No Action Taken:** Unless an imminent and serious threat to the health or safety of the impacted individual, or the wider NPC community exists, if the impacted individual declines to pursue NPC action to resolve the allegations of sex-based harassment, NPC will provide support but not pursue resolution. The impacted individual may pursue any of the above resolutions at any time.

Impacted individuals may also seek criminal charges or civil remedies, outside the administrative resolution options NPC offers, as outlined above. For more information on criminal charges or civil remedies please reach out to the Title IX Coordinator at 928-536-6227 or Joshua.rogers@npc.edu

7. **Protection Orders.** The Title IX Coordinator, or local law enforcement can provide information for obtaining a protection order, if desired. A protection order, imposed by a court, would prohibit proximity and/or contact between individuals.

REPORTING

To make informed choices, all parties should be aware of confidentiality and privacy considerations, as well as institutional mandatory reporting requirements.

Confidential Reporting: If a Complainant wishes to keep the details of an incident confidential, they should speak with BetterMynd Teletherapy www.npc.edu/bettermynd and/or health service providers.

Local resources such as crisis centers are also confidential and have no duty to report disclosed information to Northland Pioneer College.

In addition, impacted individuals may speak with professionals unaffiliated with NPC without concern that Policy will require them to disclose information to the institution without permission:

- Licensed professional counselors and other medical providers
- Local rape crisis counselors
- Domestic violence resources
- Local or state assistance agencies
- Clergy/Chaplains
- Attorneys

Mandated Reporting: All employees not designated as confidential above are mandated reporters. This means they are required to disclosures about sex-based misconduct with the Title IX Coordinator. The Title IX Coordinator will reach out to offer support and the opportunity to initiate a complaint to the impacted party, but the impacted party can choose whether to respond or participate in any meeting or process.

SUPPORTIVE MEASURES AND RIGHTS IN THE RESOLUTION PROCESS

SUPPORTIVE MEASURES

NPC will offer and implement appropriate and reasonable supportive measures to the Parties upon Notice of alleged discrimination, harassment, and/or retaliation. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate and reasonably available. They are offered, without fee or charge to the Parties, to restore or preserve access to NPC's education program or activity, including measures designed to protect the safety of all Parties and/or NPC's educational environment and/or to deter discrimination, harassment, and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available to the Parties upon receiving Notice/Knowledge or a Complaint. At the time that supportive measures are offered, if a Complaint has not been filed, NPC will inform the Complainant, in writing, that they may file a Complaint with NPC either at that time or in the future. The Title IX Coordinator will work with a party to ensure that their wishes are considered with respect to any planned and implemented supportive measures.

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NPC will maintain the confidentiality of the supportive measures, provided that confidentiality does not impair NPC's ability to provide those supportive measures. NPC will act to ensure as minimal an academic/occupational impact on the Parties as possible. NPC will implement measures in a way that does not unreasonably burden any party.

These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to the Employee Assistance Program
- Referral to community-based service providers
- Visa and immigration assistance
- Student financial aid counseling
- Education to the institutional community or community subgroup(s)
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation assistance
- Implementing contact restrictions (no contact orders) between the parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Trespass, Persona Non Grata (PNG), or Be-On-the-Lookout (BOLO) orders
- Timely warnings
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Administrator

RIGHTS OF PARTIES IN THE NPC TITLE IX RESOLUTION PROCESS

Under the procedure, the parties have the right to:

- An equitable investigation and resolution of all credible allegations of prohibited discrimination, harassment, retaliation, and Other Prohibited Conduct, when reported in good faith to Recipient officials.
- A fundamentally fair resolution as defined in NPC procedures.
- Timely written notice of all alleged violations, including the identity of the parties involved (if known), the specific misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated Policies and procedures, and possible sanctions.
- Be able to select an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the Resolution Process.
- Have NPC policy and procedures followed without material deviation.
- Be treated with respect by NPC officials.
- Have NPC law enforcement, security, and/or other NPC officials respond promptly to alleged policy violations.
- Have NPC maintain supportive measures for as long as necessary, ensuring they remain confidential, provided confidentiality does not impair the institution's ability to provide the supportive measures or comply with the law.

- Preservation of confidentiality/privacy, to the extent possible and permitted by law.

These rights are some of the most important, but not the only rights provided by NPC policy. For a full list of rights, please see Procedure 2110.

FREQUENTLY ASKED QUESTIONS (FAQ)

Can an attorney be my Advisor?

Yes. You have the right to an Advisor of your choice, which can include an attorney.

Will my parents/guardians find out about this incident?

It depends. If you are a minor, members of the Title IX team may have certain mandatory reporting obligations, which may include notifying your parents/guardians of the incident.

If you are not a minor, any incident disclosed to a Mandatory Reporter is a part of your NPC education record, which is protected under the Family Educational Rights and Privacy Act (FERPA). This means that your education record cannot be shared with anyone with whom you have not given NPC permission to share, except in emergency situations.

Do I have to resolve this through a Resolution Process with NPC?

No. You have options, as outlined above. The Title IX Coordinator can explain those options and answer your questions.

Is there a time limit for reporting?

There are no time limits on initiating a complaint; however, the passage of time may impact your options.

Will I get in trouble if I was drinking underage during the incident?

No. To encourage reporting and participation in the Resolution Process, Recipient offers parties and witnesses amnesty from minor policy violations, such as underage alcohol consumption or the use of illicit drugs, related to the incident.]

What happens if the Respondent fails to comply with the sanctions after a Resolution Process?

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or for any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination.

What happens if the Respondent transfers, leaves, or resigns prior to the conclusion of the Resolution Process?

It depends on the circumstances. The Title IX Coordinator can provide more information.

What if law enforcement is involved?

NPC's action(s) or processes do not change, generally, because there are civil or criminal charges involving the underlying incident(s). NPC may undertake a short delay in its investigation if circumstances require.