NATIONAL AMERICAN UNIVERSITY

2025 Annual Security Report

For the reporting period January 1, 2025, through December 31, 2025

NATIONAL AMERICAN UNIVERSITY
https://www.national.edu

TABLE OF CONTENTS

The Annual Security Report 2
Definitions 2
Campus Crime Timely Warning and Emergency Notification 6
Preparation of Annual Security Report 6
Crime Reporting Policies 6
Crime Reporting Procedures 7
Limited Voluntary Confidential Reporting 7
Security Considerations of Campus Facilities 7
Security and Access to Campus Facilities 8
NAU's Relationship with Local Law Enforcement 8
Accurate and Prompt Crime Reporting 8
Security Awareness 8
Crime Safety and Crime Prevention Information 9
Monitoring and Recording Activity at Off-Campus Locations 9
Alcoholic Beverages and Underage Drinking 9
Illegal Drugs and Conrolled Substances 10
Tobacco Use 10
Substance Abuse Education 10
Sanctions 11
Counseling Services 12
Disclosures to Alleged Victims of Crimes of Violence 12
Emergency Action Plan 13
Emergency Action Procedure 13
Non-discrimination Hazing Harassment and Non-retaliation 14
Sexual Harassment and Offenses 16
Sexual Misconduct Education Programs 16
Sex Offense Procedures 16
Confidentiality 17
Disciplinary Action 18
Sanctions 18
Non-Retaliation 19
Off-Campus Mental Health, Counseling Services, and Other Services Available to Students 19
Registered Sex Offender Notification 19
Annual Crime Statistics 20

The Annual Security Report

National American University (NAU) encourages all students, faculty, staff, and other members of the university community to be fully aware of the safety and security information provided by the university and to take action to prevent and to report any illegal and inappropriate activities at its facilities.

NAU firmly believes that personal safety practices are the foundation of a safe university community. The university prohibits dating violence, domestic violence, sexual assault, and stalking as well as retaliation against any person for reporting such incidents. Furthermore, the university maintains policies on alcohol and drugs, sexual misconduct, and student conduct that describe expectations in student behavior. The university provides training related to safety and security, emergency response procedures, and the university's expectations regarding conduct.

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, NAU (1) monitors criminal activity, (2) publishes this Annual Security Report, and (3) maintains a three-year statistical history of crime data for its facilities and surrounding public property. Pursuant to the Clery Act, NAU distributes the notification and location of the Annual Security Report to all students, faculty, and staff by October 1st of each year. The most recent Annual Security Reports (Campus Safety Reports) and the previous two years' reports may be viewed at https://www.national.edu/information-disclosures. Paper copies of the Annual Security Reports may be obtained by sending a request to TitleIX@national.edu.

NAU has no authority to require any local law enforcement agency to take any action in connection with a reported crime. National American University encourages prosecution of all criminal violations through the criminal courts and, when appropriate, enforces NAU's Student Code of Conduct.

Information presented in this report regarding crimes and sanctions is intended to provide a general description of select laws and does not constitute legal advice. Because laws change periodically, individuals are strongly encouraged to review federal and state statutes and other resources. Individuals who are concerned about specific circumstances may also wish to seek legal counsel.

NAU does not publish a Fire Safety Report & Statistics or a Missing Student Notification Policy, because the university does not provide on-campus student housing facilities.

NAU expressly reserves the right to modify its policies and procedures relating to safety and security and to adopt additional policies and procedures at any time without notice. Such changes may appear in successive issues of this Annual Security Report.

References: 20 USC § 1092; 34 CFR 668.46

Definitions

Campus: (i) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (ii) Any building or property that is within or reasonably contiguous to the area identified in paragraph (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor). 34 CFR 668.46(a)

Campus Security Authority: (i) A campus police department or a campus security department of an institution.(ii) Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph (i) of this definition, such as an individual who is responsible for monitoring entrance into institutional property.(iii) Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.(iv) 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. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor. 34 CFR 668.46(a)

Clery Geography: (i) For the purposes of collecting statistics on the crimes listed in paragraph (c) of this section for submission to the Department and inclusion in an institution's annual security report, Clery geography includes – (A) Buildings and property that are part of the institution's campus; (B) The institution's noncampus buildings and property; and (C) Public property within or immediately adjacent to and accessible from the campus. (ii) For the purposes of maintaining the crime log required in paragraph (f) of this section, Clery geography includes, in addition to the locations in paragraph (i) of this definition, areas within the patrol jurisdiction of the campus police or the campus security department. 34 CFR 668.46(a)

Consent:

Federal Definition: The Federal government does not appear to provide a definition of consent in Federal criminal statutes. Please note, however, that the US Code of Military Justice states, "The term 'consent' means a freely given agreement to the conduct at issue by a competent person. 10 USC § 920: Art 120.

State Definition: The following information is intended to provide a general description of select state laws and does not constitute legal advice. Because laws change periodically, individuals are strongly encouraged to review state statutes, many of which may be accessed at: https://www.law.cornell.edu/wex/table_criminal_code. Individuals who are concerned about specific circumstances may also wish to seek legal counsel.

> *South Dakota*: South Dakota does not appear to provide a definition of consent in its statutes; however, rape is committed if an act of sexual penetration is accomplished with any person under any of the following circumstances: (1) if the victim is less than thirteen years of age; or (2) through the use of force, coercion, or threats of immediate and great bodily harm against the victim or other persons within the victim's presence, accompanied by apparent power of execution; or (3) if the victim is incapable, because of physical or mental incapacity, of giving consent to such act and the perpetrator knows or reasonably should know of the victim's incapacity; or (4) if the victim is incapable of giving consent because of any intoxicating, narcotic, or anesthetic agent or hypnosis and the perpetrator knows or reasonably should know the victim is incapable of giving consent; or (5) if the victim is thirteen years of age, but less than sixteen years of age, and the perpetrator is at least three years older than the victim; or (6) without the victim's consent and the perpetrator knows or reasonably should know the victim is not consenting. See SDCL § 22-22-1 (https://sdlegislature.gov/Statutes/22).

University Definition: Consent cannot be given if the person is incapacitated or unconscious from drug or alcohol impairment. Consent cannot be granted if the person has a mental or physical impairment. Consent is voluntary and is revocable. Consent given once does not mean that consent is ongoing. This definition is used in sexual misconduct cases to determine if the accused had gained appropriate consent and to determine if sexual misconduct has occurred. All cases are based on the preponderance of evidence.

Dating violence:

Federal Definition: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. (i) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. (ii) For the purposes of this definition – (A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. (B) Dating violence does not include acts covered under the definition of domestic violence. (iii) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting. 34 CFR 668.46(a)

State Definition: The following information is intended to provide a general description of select state laws and does not constitute legal advice. Because laws change periodically, individuals are strongly encouraged to review state statutes, many of which may be accessed at: https://www.law.cornell.edu/wex/table_criminal_code. Individuals who are concerned about specific circumstances may also wish to seek legal counsel.

> *South Dakota*: South Dakota does not appear to have a specific definition of "dating violence;" however, a person who is in a significant romantic relationship or had been in one during the past twelve months with an abusing person is entitled to a temporary protection order under SDCL § 25-10-3-1 (https://sdlegislature.gov/Statutes/25).

University Definition: Abuse committed by someone who has been in an intimate relationship with the victim.

Domestic violence:

Federal Definition: A felony or misdemeanor crime of violence committed – (A) By a current or former spouse or intimate partner of the victim; (B) By a person with whom the victim shares a child in common; (C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. (ii) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting. 34 CFR 668.46(a)

State Definition: The following information is intended to provide a general description of select state laws and does not constitute legal advice. Because laws change periodically, individuals are strongly encouraged to review state statutes, many of which may be accessed at: https://www.law.cornell.edu/wex/table_criminal_code. Individuals who are concerned about specific circumstances may also wish to seek legal counsel.

> *South Dakota*: Domestic abuse is defined as physical harm, bodily injury, or attempts to cause physical harm or bodily injury, or the infliction of fear of imminent physical harm or bodily injury when occurring between persons in a relationship described in § 25-10-3.1. Any violation of § 25-10-13 or chapter 22-19A or any crime of violence, as defined in subdivision 22-1-2(9), constitutes domestic abuse if the underlying criminal act is committed between persons in such a relationship. See SDCL § 22-10-1 (https://sdlegislature.gov/Statutes/22).

University Definition: Abuse committed against someone who is a cohabitant in an intimate relationship, a spouse, or someone who has a child with the accused. This also includes former relationships.

Federal Bureau of Investigation's (FBI) Uniform Crime Reporting (UCR) program: A nationwide, cooperative statistical effort in which city, university and college, county, State, Tribal, and federal law enforcement agencies voluntarily report data on crimes brought to their attention. The UCR program also serves as the basis for the definitions of crimes in Appendix A to this subpart and the requirements for classifying crimes in this subpart. 34 CFR 668.46(a)

Hate crime: A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability. 34 CFR 668.46(a)

Hierarchy Rule: A requirement in the FBI's UCR program that, for purposes of reporting crimes in that system, when more than one criminal offense was committed during a single incident, only the most serious offense be counted. 34 CFR 668.46(a)

Non-campus building or property: (i) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (ii) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. 34 CFR 668.46(a)

Pastoral counselor: A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor. 34 CFR 668.46(a)

Professional counselor: A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of the counselor's license or certification. 34 CFR 668.46(a)

Programs to prevent dating violence, domestic violence, sexual assault, and stalking: (i) Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that – (A) Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and (B) Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels. (ii) Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed

at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees, as defined in paragraph (j)(2) of this section. 34 CFR 668.46(a)

Public property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus. 34 CFR 668.46(a)

Referred for campus disciplinary action: The referral of any person to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction. *Sexual assault.* An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program and included in Appendix A of this subpart. 34 CFR 668.46(a)

Sexual assault:

Federal Definition: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program and included in Appendix A referenced in 34 CFR 668.46(a).

State Definition: The following information is intended to provide a general description of select state laws and does not constitute legal advice. Because laws change periodically, individuals are strongly encouraged to review state statutes, many of which may be accessed at: https://www.law.cornell.edu/wex/table_criminal_code. Individuals who are concerned about specific circumstances may also wish to seek legal counsel.

> *South Dakota*: Sexual assault is defined as an offense described in SDCL 22-22 in which the facts show a possibility of exchange of bodily fluids. SDCL § 23A-35B-1(9) (https://sdlegislature.gov/Statutes/23A-35B-1); See also SDCL § 22-22 (https://sdlegislature.gov/Statutes/22).

University Definition: Rape, sexual assault, sexual battery, sexual coercion.

Stalking:

Federal Definition: (i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to – (A) Fear for the person's safety or the safety of others; or (B) Suffer substantial emotional distress. (ii) For the purposes of this definition – (A) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. (B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim. (C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. (iii) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting. 34 CFR 668.46(a)

State Definition: The following information is intended to provide a general description of select state laws and does not constitute legal advice. Because laws change periodically, individuals are strongly encouraged to review state statutes, many of which may be accessed at: https://www.law.cornell.edu/wex/table_criminal_code. Individuals who are concerned about specific circumstances may also wish to seek legal counsel.

> *South Dakota*: No person may: (1) willfully, maliciously, and repeatedly follow or harass another person; (2) make a credible threat to another person with the intent to place that person in reasonable fear of death or great bodily injury; or (3) willfully, maliciously, and repeatedly harass another person by means of any verbal, electronic, digital media, mechanical, telegraphic, or written communication. A violation of this section constitutes the crime of stalking. Stalking is a Class 1 misdemeanor. However, any second or subsequent conviction occurring within ten years of a prior conviction under this section is a Class 6 felony. See SDCL §22-19A-1 (https://sdlegislature.gov/Statutes/22).

University Definition: Conduct that involves excessive attention directed at a specific person that intends to harass or intimidate, causing a reasonable person to fear for their safety or the safety of others.

Test: Regularly scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities. 34 CFR 668.46(a)

Campus Crime Timely Warning and Emergency Notification

The Campus Security Authority (CSA) will issue a timely warning to members of the campus community in cases of reported murder (non-negligent), sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, and any hate crimes (manifesting evidence of prejudice based on race, religion, sexual orientation or ethnicity) of murder, forcible rape, aggravated assault, and determines there is a continuing threat to the university community. The safety of the campus and the content of the notice is considered prior to releasing the notification. In such cases, timely warnings will be posted in visible, accessible areas at locations where such threats occur. The messages are first communicated to persons who may be affected verbally, by Zoom messaging, email, or telephone. A notification may be delayed if sending it out would compromise efforts to assist the victim, contain the emergency, or the ability to respond to the emergency. The practice is tested periodically to determine its effectiveness. In addition, the university may use posters, email, and on-site video monitors to inform the campus community. The CSA will communicate with the larger community as appropriate.

The Campus Security Authority is required to have an emergency evacuation plan and protocol at the campus location. These plans are disseminated to the campus community and reviewed during staff meetings. The procedures include the evacuation plan and meeting locations once outside the facility. The campus is required to test its emergency response and evacuation procedure at a minimum through the scheduling of an annual fire drill.

The Campus Security Authority may issue an emergency notification to the university community if there is an immediate threat. These threats include tornadoes, hurricanes, illness outbreaks, terrorist incidents, or fires. Fire drills and other emergency evacuations are conducted on an annual basis by each campus. Emergency evacuation procedures are posted in multiple locations. Emergency notifications are evacuation procedures are also discussed at least annually during staff meetings as a refresher, so staff know how to respond in an emergency. Notifications are disseminated verbally, by Zoom messaging, email, or telephone.

Preparation of Annual Security Report

NAU issues an Annual Security Report of criminal reports made to the Campus Security Authority and law enforcement agencies for property or facilities. The Annual Security Report includes reported crimes alleged to have occurred on the campus and facilities owned or rented by NAU and/or recognized student organizations. It includes the following reports of crime: (a) murder (negligent/non-negligent), (b) sex offenses (rape, fondling, incest, and statutory rape), (c) robbery, (d) aggravated assault, (e) burglary, (f) arson, (g) motor vehicle theft, (h) hate crimes, (k) liquor law violations, (l) drug abuse violations, and (m) weapons possession (n) dating violence (o) domestic violence, and (p) stalking. Reported Clery crimes are entered on the Department of Education's website as required by law. The Annual Security Report is compiled from this data. Each year, an email notification is sent to all students, faculty, and staff, informing them of the availability of the current security report and the location of the website where the report is posted. The notification includes a statement that a paper copy of the Annual Security Report is available upon request.

Crime Reporting Policies

The university does not maintain a campus police or campus safety department, but contracts with private security as needed. Criminal reports should be made to the Campus Security Authority shown below. Everyone on campus (including students, faculty, staff, and visitors) is also encouraged to report immediately any crime or potential criminal activity to the local police department (911) that serves the campus location where the crime occurred.

Janet Green
Campus Security Authority
PO Box 677
Rapid City, SD 57709-0677
Phone: 605-721-5217
Email: jgreen@national.edu

The above-referenced Campus Security Authority should be used to report criminal offenses and for the purpose of making timely warning reports and the annual statistical disclosure. The Campus Security Authority serves as the university’s liaison with all appropriate law enforcement and emergency agencies on each respective campus. Individuals reporting a crime to NAU who also wish to file a complaint with the local police department will be given appropriate assistance.

NAU normally requires a written complaint from someone to begin the investigation process. The university also normally needs the assistance of the complainant in the disciplinary process, if applicable, against the accused. The university will make exceptions when necessary, including cases presenting clear danger to the victim and/or the university community. The university provides an electronic link on NAU's public website for students, faculty, and staff who wish to make a sexual misconduct complaint. The university responds to reports of criminal activity by (a) investigating all allegations in conjunction with the local police department, (b) classifying all reports in conjunction with the appropriate police agency according to the FBI Uniform Crime Reporting Definitions, and (c) forward the case to the student conduct committee for investigation and appropriate action when alleged perpetrators are identified as students, which investigation may occur independently, before, during, or after any campus judicial process.

Crime Reporting Procedures

If students or staff are victims of a crime or witness a crime, they should call the Campus Security Authority and/or the local police department (dial 911) for any emergency involving needed medical assistance, fires, suspicious people or activities, crime reports, traffic accidents, or other illegal activities. The university will assist the appropriate local law enforcement with investigations.

Any faculty or staff members who becomes aware of an allegation of violation of university policy, student code of conduct, civil or criminal law should report the allegation to their supervisor or senior administrator. The following persons must report potential criminal activity of which they are aware: CSA, university president, chief operating officer, enrollment director, student services director, financial services director, human resources director, student account director, provost, registrar, deans, program chairs, and private security guards (if any). Title IX and Violence Against Women Act (VAWA) crimes, such as sexual assault or violence, dating violence, domestic violence, and stalking must be reported to the Campus Security Authority and the Title IX Coordinator or the Human Resources Lead. Licensed and pastoral counselors are exempt from these reporting procedures.

All persons in the NAU community are encouraged to assist anyone in reporting alleged criminal activity by contacting the Campus Security Authority where the criminal activity occurred and/or the local police department, as well as providing assistance in making the incident report. Failure to report criminal activity to the Campus Security Authority in a timely manner may result in disciplinary action by the university. Criminal activity may be reported voluntarily and confidentially to the Campus Security Authority. Counselors are required to provide statistical information relating to crimes on campus, but may continue to honor the confidentiality of victims when possible.

Limited Voluntary Confidential Reporting

NAU encourages anyone who is a victim or witness to any crime to promptly report the incident to the police. Because police reports are public records, NAU is not able to hold reports of crime in confidence. Confidential reports for the purpose of inclusion in the annual disclosure of crime statistics can generally be made to the Campus Security Authority as listed above. Students, faculty, and staff may report sexual misconduct using the Sexual Complaint Reporting link on NAU's public website. Faculty and staff may also contact NAU's Human Resources Department. The confidentiality of information contained in such reports will be maintained when possible and in accordance with university policies and procedures.

Security Considerations of Campus Facilities

NAU facilities are for the use of the students, faculty, staff, and their guests and those on official business with NAU. All others are subject to being charged with trespassing. Access to campus facilities is limited to normal business hours. Door locks are periodically tested to ensure they are functioning properly. Students, faculty, staff, and visitors are encouraged to report security-related items in need of repair to NAU staff. University staff and contractors should avoid propping open exterior doors while they are working. Janitorial access to university buildings is restricted to after hours. Student information is secured and is not accessible to janitorial workers. Additional security services are retained when the university deems it appropriate.

Security and Access to Campus Facilities

The following policies and procedures ensure safe occupation and evacuation of buildings:

- Keys are issued to authorized employees and contractors.
- Exterior building doors should not be propped open.
- Building evacuation is mandatory for all fire alarms which are tested on an annual basis.
- Problems related to people in buildings after hours should be reported to the Campus Security Authority. Additional security services are provided, when appropriate.

NAU's Relationship with Local Law Enforcement

NAU is committed to working closely with local police departments, sheriff's departments and state and federal law enforcement agencies to track and respond to campus criminal activity. In instances where NAU contracts with private security agencies, retained security personnel will coordinate with local law enforcement. Students and employees are strongly encouraged to report all crimes immediately. All criminal activity on an NAU campus should be reported to the Campus Security Authority and/or the appropriate local police department (911). NAU personnel will assist the complainant in completing any criminal reports.

Accurate and Prompt Crime Reporting

The appropriate Campus Security Authority will accept third-party reports in cases of sexual assault to protect the victim's identity whenever possible. However, the university prefers to receive reports from the victim as the detail is often more accurate when received directly from the victim. Victims and witnesses to crimes should attempt to maintain all physical evidence. Do not wash or destroy what may be critical evidence. Victims and witnesses should report as much detail as possible to ensure accurate reporting. If you are a victim of a crime, your immediate recall of the event is often the best. Write down as much information as you can remember after a crime. If you cannot identify the perpetrator by name, try to recall as many details as possible, including gender; approximate age; height; weight and build; description of face including eye color, hair color; hair styles (short, curly, etc.); clothing; facial hair; glasses; distinguishing marks including scars or tattoos; distinguishing gait; and voice. NAU does not have campus security personnel.

Security Awareness

NAU staff members are available to assist you in protecting yourself by providing safety and security information. However, only you can protect yourself by being aware of your surroundings and taking appropriate steps in preventing crime from happening.

Do not lend your keys to anyone, even a classmate, friend, or coworker. They may not be careful with your keys and may misplace them, giving the wrong person access. Do not leave your keys lying around in public places or in your jacket pocket when you are not wearing it. Do not put your name or address on key rings as they may be used to steal your property.

Do not prop open locked exterior building doors at any NAU campus facility. These doors are locked for your protection and the protection of others.

The following guidelines are suggested to protect your person and property:

Personal property (purses, backpacks, computers, cell phones, etc.) should never be left unattended. Take such items with you if you are leaving the office, classroom, or any other unsecured location.

- Always lock your car doors and never leave your keys in the vehicle.
- Do not leave valuables in plain view. Always take your valuables with you when you leave the campus premises.
- Try to park your car in a well-lit area.
- Avoid leaving property where it is visible.
- Avoid walking alone at night.
- Refrain from taking shortcuts and walk where there is plenty of light and traffic.
- Walk with a friend.

- Protect yourself walking and jogging.
- Avoid walking and jogging alone after dark.
- Walk along well-lit routes.
- If you see something happening and it is safe to do so, cause a distraction or report the crime.

In all instances, be alert to your surroundings. Avoid using phones or other items while walking that may cause you to be distracted. If you suspect you are being followed, run in a different direction, go to the other side of the street and yell for help, or head quickly for a lighted area or a group of people. Have your keys ready when returning to your residence and keep your personal valuables concealed and close to your body. Watch for suspicious persons in and around university buildings and in parking lots. Do not pursue them. Call the Campus Security Authority immediately. If you see any suspicious activity or people on or near campus, call the Campus Security Authority or the local police department (911). Do not assume that what you observe is an innocent activity or that it has already been reported. Do not assume the person is a visitor or university staff member who you have not seen before.

Suspicious people may be loitering about at unusual hours and locations, running, especially if something of value is being carried; exhibiting unusual mental or physical symptoms, persons could be under the influence of drugs or otherwise needing medical or psychiatric assistance; carrying property that may be suspicious depending on the circumstances, going from room to room trying door handles. Door-to-door soliciting is not permitted at any university facility. Violations of this rule should be reported to the Campus Security Authority or the local police immediately.

Report all thefts and property loss immediately to the Campus Security Authority or the local police.

Crime Safety and Crime Prevention Information

NAU provides crime safety and crime prevention information to students through the annual security report and training. In addition, awareness, prevention, and bystander trainings specific to sexual harassment, violence, dating violence, and domestic violence under Title IX and the Violence Against Women Act (VAWA) are provided to students, staff, and faculty on at least an annual basis. New students receive Title IX and VAWA training when they complete their enrollment agreement. Additional information is also available from the Campus Security Authority and is available on the university's public website.

In cases where the alleged perpetrator is a student and taking the same classes as the complainant, either party may request through the Title IX Coordinator that NAU change their class schedules. Such requests will be granted if reasonably available and if a complaint has been filed with NAU and/or the appropriate local police department. If desired, NAU personnel will assist individuals in making a report to the local police department. As of June 2012, NAU no longer offered residential housing for students.

In its Annual Security Report, NAU notifies students, faculty, and staff on how to obtain information about registered sex offenders, including websites for each state where such information is available. A link to the registered sex offender websites are located on the Information & Disclosures page of the university's public website. Students and employees may access those telephone numbers or websites to check on any individual they feel is a possible registered sex offender. NAU also provides a list of counseling and other national and community resources to aid students in coping with a variety of issues, including sexual assault, personal safety, alcohol, and drug abuse. Information about national and local community resources is also available from the Campus Security Authority.

Monitoring and Recording Activity at Off-Campus Locations

Activities of any NAU-recognized organization that occurs off-campus may be monitored by the local police department, which may share information with the NAU Campus Security Authority. NAU includes any off-campus student organizations' crime statistics in its Annual Security Report as part of the crime statistics at NAU, if any.

Alcoholic Beverages and Underage Drinking

NAU forbids the use, consumption, possession, manufacture, sale, transportation, or furnishing of alcoholic beverages on campus.

NAU has a zero-tolerance policy regarding alcohol and operates all of its academic and co-curricular programs accordingly. The possession, distribution, or consumption of alcoholic beverages is prohibited on all university

property, whether owned or leased. The possession, distribution, or consumption of alcoholic beverages is prohibited at all student-attended, university-sponsored functions, regardless of location.

This prohibition of possession or consumption of alcoholic beverages on campus applies regardless of age. Possession or consumption of alcohol on campus is prohibited by NAU and may result in student or employee disciplinary proceedings and/or arrest.

It is the expectation that university personnel do not partake in the use of alcoholic beverages at any time during or shortly before an employee's scheduled work shift (this includes lunch hours and work breaks). Please refer to the policy on substance abuse for further information.

Illegal Drugs and Controlled Substances

The university prohibits the unlawful possession, distribution, or use of illegal drugs and/or controlled substances in accordance with state and federal laws. This applies to any property owned or leased by the university or in any program or activity sponsored by the university at any location.

NAU has a zero-tolerance policy regarding illicit drugs and operates all of its academic and co-curricular programs accordingly. The possession, distribution, or consumption of illicit drugs is prohibited on all university property, whether owned or leased. The possession, distribution, or use of illegal drugs is prohibited at all student-attended, university-sponsored functions, regardless of location.

Tobacco Use

No use of any tobacco products (cigars, cigarettes, e-cigarettes, chewing tobacco, etc.) is allowed within university facilities at any time.

Smoking or tobacco use shall be permitted only in designated areas located outside the building. All materials for tobacco use, including cigarette butts and matches, must be extinguished and disposed of in appropriate containers.

Substance Abuse Education

Substance abuse education materials and policies are provided in the Annual Security Report, university catalog, and employee handbook. Other communications and trainings are sent by email annually to all students and employees.

Alcohol is a widely abused drug on college campuses across the United States. Liquor, beer, and wine contain ethyl alcohol, which acts on the central nervous system as a depressant. Abuse can cause intoxication, impaired motor skills, unconsciousness, and death. Alcohol is chemically addictive and can cause brain cell damage, liver, pancreas, and kidney damage; heart problems, stomach ulcers, high blood pressure, and birth defects, such as fetal alcohol syndrome. Alcohol is one of the most socially problematic drugs in this country. Many lives can be destroyed through its abuse. Driving while intoxicated has been a serious problem and is especially relevant to college campuses over the last decade. Alcohol is frequently associated with instances of rape, violence, and many types of accidents.

Marijuana is the most widely used illegal drug in this country; however, many fail to recognize its many harmful effects. The use of marijuana is detrimental to one's physical, emotional, and mental well-being. Marijuana smoke is even more toxic and carcinogenic than cigarette smoke, causing similar and more serious respiratory problems. Habitual use weakens the immune system, increasing the chance of sickness. Evidence from studies shows that marijuana reduces one's ability to perform tasks requiring concentration, impairs short-term memory and motor skills and affects a noticeable decrease in motivation. Although claimed to be non-addictive, marijuana is a habit-forming substance that can be as hard to quit as any chemically addictive drug. In other words, marijuana is a social drug that has the potential to become the center of one's life. The potency of this drug has increased 275% in the past three decades, giving even more weight to its negative effects. Marijuana use impedes one's participation with the academic community, damaging the intellectual atmosphere of the university.

Hallucinogenic drugs distort the perception of reality. Common hallucinogens include LSD, magic mushrooms, mescaline, and peyote. An individual's reaction to these drugs is completely unpredictable, and "bad trips," which can cause permanent personality changes, are common. Under the influence of hallucinogens, the senses of

direction, distance, and time become disoriented. These drugs can produce unpredictable, erratic, and violent behavior in users that sometimes leads to serious injuries and death.

Cocaine is a strong central nervous system stimulant that is extremely addictive. Derived from coca leaves, it produces euphoria, hallucinations, and a temporary increase in physical strength. Common symptoms include irritability, runny nose, increased temperature and blood pressure, and chronic sinus/nasal problems. More serious side effects include severe depression, seizures, respiratory arrest, cardiac arrest, and strokes. Cocaine, which is used as a social drug, initially produces an intense physical stimulus, but this quickly disappears. The user typically becomes addicted after the first use. Prolonged use can cause nervous-system damage, delusions, physical deterioration, weight loss, and a stronger addiction.

Heroin, a highly addictive opiate, causes physical and psychological problems such as shallow breathing, nausea, panic, insomnia, and a need for increasingly higher doses of the drug to get the same effect. Attempts to stop using the drug lead to painful physical withdrawal symptoms. Heroin is primarily taken by injection, often with grave consequences. Uncertain dosage levels (due to differences in purity), unsterile equipment, contamination with cutting agents, or heroin use in combination with such other drugs as alcohol or cocaine can cause serious health problems such as serum hepatitis, skin abscesses, inflammation of the veins, and cardiac disease (subacute bacterial endocarditis). Of all illegal drugs, heroin is responsible for the most deaths. Needle sharing by IV drug users is a leading cause of new AIDS cases. Heroin used during pregnancy is associated with stillbirths and miscarriages. Symptoms of heroin overdose include shallow breathing, pinpoint pupils, clammy skin, convulsions, and coma.

Designer drugs, such as Ecstasy, among countless others, are chemically manufactured substances. Produced in underground labs, these are often pre-existing drugs that are modified in order to produce a more potent effect. Since these drugs are usually mixtures of several compounds, their toxicity is much higher, and the chance for negative side effects or overdose increases. Because designer drugs are often used in a social atmosphere, there exists a high chance for psychological dependence. Many of these synthesized drugs are also chemically addictive.

Methamphetamine is a highly addictive drug with potent central nervous system (CNS) stimulant properties. Those who smoke or inject it report a brief, intense sensation, or rush. Oral ingestion or snorting produces a long-lasting high instead of a rush, which reportedly can continue for as long as half a day. Both the rush and the high are believed to result from the release of very high levels of the neurotransmitter dopamine into areas of the brain that regulate feelings of pleasure. Long-term meth use results in many damaging effects, including addiction. Chronic meth abusers exhibit violent behavior, anxiety, confusion, insomnia, and psychotic features, including paranoia, aggression, visual and auditory hallucinations, mood disturbances, and delusions—such as the sensation of insects creeping on or under the skin. Such paranoia can result in homicidal or suicidal thoughts. Researchers have reported that as many as 50% of the dopamine-producing cells in the brain can be damaged after prolonged exposure to relatively low levels of meth. Researchers have also found that serotonin-containing nerve cells may be damaged even more extensively.

PCP, a hallucinogenic drug used as an anesthetic for animals, induces a profound departure from reality, which may leave the user capable of bizarre behavior and severe disorientation. PCP-induced effects may lead to serious injuries or death to the user while under the influence of the drug. PCP often produces feelings of mental depression, and among regular users, disturbs memory, perception functions, concentration, and judgment. Chronic use may lead to permanent changes in cognitive ability (thinking), memory, and fine motor function.

Drug and alcohol counseling, treatment, and rehabilitation/re-entry programs for employees and students are available from a variety of sources. Anyone who recognizes a personal drug or alcohol problem, is concerned about a student or co-worker, or may wish to know more about drug and alcohol abuse, may contact the human resources department. Campus and community resources may be found on Mav Central or by contacting a campus executive officer or the human resources department.

Sanctions

Anyone violating this policy regarding alcohol, illegal drugs, and/or controlled substances will be subject to disciplinary action. In particular:

Employees who violate the prohibition against illegal drugs and alcohol are subject to discipline up to and including dismissal. Discipline may include, but is not limited to, written warnings, suspension, referral for evaluation, and

educational classes. Referral for prosecution may occur where appropriate. An employee who is convicted of a criminal drug statute violation that occurred in the workplace is required to inform their supervisor.

Supervisors who are aware of any criminal drug statute convictions for violations that occurred in the workplace must report them to Human Resources within three calendar days of their notice of the conviction.

Students who violate the prohibition against illegal drugs and alcohol are subject to discipline. Sanctions will reflect the particular violation and its severity. Depending on the circumstances of the violation, disciplinary action may include, but is not limited to: warning, fine, referral to chemical health treatment, or support resources, suspension, or expulsion. Referral for criminal prosecution may occur where appropriate.

In addition to the federal and state sanctions linked below, secondary civil consequences may result from criminal drug violations. Property associated with criminal acts, including homes and vehicles, may be confiscated by the state or federal government. Those who are convicted of felony violations may be barred from governmental employment or from licensed professions such as law, medicine and teaching. In addition, individuals may face a variety of penalties imposed by municipal ordinances. Individuals who are concerned about specific circumstances should consult applicable laws and/or seek legal counsel.

State Statutes	• https://www.law.cornell.edu/wex/table_criminal_code • https://sdlegislature.gov/Statutes/22
Federal Statutes & Resources	• https://www.law.cornell.edu/uscode/text/18/part-I • https://www.campusdrugprevention.gov/sites/default/files/Drugs%20of%20Abuse%202020-Web%20Version-508%20compliant.pdf • https://www.dea.gov/factsheets • https://www.ussc.gov/topic/drug-trafficking

Information presented in this report regarding crimes and sanctions is intended to provide a general description of select laws and does not constitute legal advice. Because laws change periodically, individuals are strongly encouraged to review federal and state statutes and other resources regarding the unlawful possession, distribution and/or use of illegal drugs and alcohol, including definitions and sanctions for possessing and trafficking illegal drugs. Many state statutes may be accessed at: https://www.law.cornell.edu/wex/table_criminal_code. Many federal statutes may be accessed at: https://www.law.cornell.edu/uscode/text/18/part-I. Individuals who are concerned about specific circumstances may also wish to seek legal counsel.

South Dakota criminal statutes and penalties may be generally found under Title 22 of the South Dakota Codified Laws (https://sdlegislature.gov/Statutes/22). South Dakota criminal statutes regulating the production, dispensation, possession, and use of alcohol may be found in Title 35 of the South Dakota Codified Laws (https://sdlegislature.gov/Statutes/35). Criminal sanctions may also apply to those who operate motor vehicles while under the influence of alcohol and/or drugs.

Counseling Services

Drug and alcohol counseling, treatment, and rehabilitation/re-entry programs for students and employees are available from a variety of sources. Anyone who recognizes a personal drug or alcohol problem, is concerned about a student or co-worker, or may wish to know more about drug and alcohol abuse, may contact Human Resources.

- National Drug Helpline (Drug and Alcohol) 1-844-289-0879
- Substance Abuse and Mental Health Services Administration (SAMHSA) National Helpline 1-800-662-4357 SAMHSA's National Helpline is a free, confidential, 24/7, 365-day-a-year treatment referral and information service (in English and Spanish) for individuals and families facing mental and/or substance use disorders.

Disclosures to Alleged Victims of Crimes of Violence

NAU will disclose to the victim and the alleged victim of a crime of violence, including sexual assault, dating or domestic violence, sexual harassment, or stalking, the results of any disciplinary hearing conducted by the university against the student or staff member who is the alleged perpetrator of the crime or offense. If the alleged victim is

deceased as a result of the crime or offense, NAU will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Emergency Action Plan

NAU is committed to ensuring the safety of students, faculty, and staff in the event of an emergency. The university's Emergency Action Plan (EAP) provides procedures to confirm the existence of an emergency or dangerous situation, notify the campus community, identify responsible administrators, inform the larger community, and conduct an annual test of the EAP. Training is provided by the Campus Security Authority on at least an annual basis. Emergency response and evacuation procedures are discussed during these trainings. Evacuation maps are also located in building hallways.

Emergency Action Procedure

Campus Security Authority (CSA)

The Campus Security Authority (CSA) is responsible for training and execution of the EAP. In the event of a real or perceived emergency, the CSA coordinates the appropriate emergency response and notifications in accordance with the university's emergency response protocols:

- Confirm the existence of an emergency or dangerous situation
- Contact local first responders when appropriate
- Initiate the appropriate emergency response
- Account for students, faculty, and staff, as appropriate
- Exercise the appropriate level and type of notifications
- Compile and retain an incident report

Annual Inspection

At least once each year, the CSA will review the EAP and inspect the facilities to verify compliance with the EAP policy and procedures, including:

- Designated shelter area(s)
- Designated rally point(s) outside the facility
- Room evacuation maps
- Emergency response protocol posters

Communication with First Responders

The CSA will periodically communicate with local first responders to review the emergency response protocols.

Emergency Response Training

The CSA will ensure that students, faculty, and staff receive training in the emergency response protocols, as appropriate.

Annual Testing

The CSA will ensure that the EAP is tested annually. The test will include at least one of the designated emergency response protocols.

Emergency Notifications

In the event of an emergency, students, faculty, staff, and the community will receive notifications in accordance with university procedures. The CSA will ensure that designated campus administrators are trained to:

- Confirm the existence of an emergency or dangerous situation.
- Contact local first responders when appropriate.
- Determine the persons to notify.
- Initiate the appropriate notification.

The emergency notification procedure is tested annually.

EAP Documents

NAU's emergency action procedures are accessible to faculty and staff on the university's Employee Handbook.

Non-discrimination Hazing Harassment and Non-retaliation Policy

National American University (NAU) employees and students should be able to work and learn in an environment free from discrimination, hazing and harassment. The mission of NAU is best accomplished in an atmosphere of professionalism, which in turn is supported by mutual respect and trust. NAU expects all employees and students to work toward this goal.

Discrimination and harassment based on a person's race, color, creed, religion, national origin, sex, sexual orientation, disability, age, genetic information, gender identity, or any other protected class status is strictly prohibited by NAU.

This policy prohibits any form of harassment by an individual, including university managers and supervisors, employees, co-workers and third parties such as students, consultants, contractors or vendors who deal with university employees or students.

Definitions of Discrimination, Hazing and Sexual and Other Forms of Harassment

1. Discrimination consists of unequal treatment in the workplace or academic setting or in the terms and conditions of a person's employment or academic standing, when the treatment is based on a person's race, color, creed, religion, national origin, sex, sexual orientation, disability, age, genetic information, gender identity, or other protected class status.
2. Hazing consists of any act, even if consensual, that poses a risk to a student's mental or physical health during initiation, or to maintain membership, in a group or organization. Examples of virtual harassment include forcing online participants to perform demeaning acts on camera, creating embarrassing content to be shared publicly, or isolating individuals in digital chats.
3. Harassment consists of unwelcome conduct based on a person's race, color, creed, religion, national origin, sex, sexual orientation, disability, age, genetic information, gender identity, or other protected class status when submission to such conduct:
   a. Is a condition of employment, continued employment, admission to the university, continued enrollment, or academic achievement; or
   b. Is a basis for an employment decision affecting an employee's job or a student's ability to obtain an education; or
   c. Interferes with an employee's job or a student's academic performance; or
   d. Creates an intimidating, hostile, or offensive work or academic environment.
4. Some examples of conduct that could be considered harassment include the following types of action when they are taken based on protected class status:
   a. Abusive, intimidating, insulting or degrading remarks;
   b. Displaying in the workplace or academic setting, objects, cartoons, pictures, or stories which may be perceived as offensive or demeaning; or
   c. Threats, demands or suggestions that an employee's work status or a student's academic status, advancement or other terms and conditions of employment or academic achievement are contingent upon the employee's toleration of or acquiescence to unwelcome harassment.
5. One specific form of prohibited harassment is sexual harassment. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when submission to such conduct:
   a. Is a condition of employment, continued employment, admission to the university, continued enrollment, or academic achievement; or
   b. Is a basis for an employment decision affecting an employee's job or a student's ability to obtain an education; or
   c. Interferes with an employee's job or student's academic performance; or
   d. Creates an intimidating, hostile, or offensive work or academic environment.
6. NAU prohibits discrimination, hazing and harassment in any form, including verbal, physical and visual harassment. NAU prohibits sexual harassment in any form, including verbal, physical and virtual harassment. For more information, please refer to the university's Sexual Misconduct policy.

Reporting Harassment

1. If at any time a *student* feels he/she has experienced sexual or other forms of discrimination, hazing, harassment, or violence, the student should immediately contact: Title IX Coordinator, PO Box 677, Rapid City, SD 57709, 605-721-5213, TitleIX@national.edu.

   If at any time an *employee* feels that he/she has experienced sexual and other forms of harassment, discrimination, or violence, the employee should immediately contact: Human Resources, PO Box 677, Rapid City, SD 57709, 605-721-5313, hremployeerelations@national.edu.
2. NAU wants to resolve any such problems, but it can do so only if it is aware of those problems. NAU encourages any individual who believes he/she is being discriminated against, hazed or harassed, to report any and all incidents of perceived discrimination, hazing or harassment.
3. NAU will investigate discrimination, hazing and harassment complaints and take other appropriate action. Every effort will be made to ensure the confidentiality of complaints, and the results of investigation, to the extent possible. Any person who is found to have committed prohibited discrimination, hazing or harassment will be subject to appropriate corrective action, which may include discipline up to and including termination or, in the case of a student, permanent suspension.

Confidentiality

Every effort will be made to ensure the confidentiality of complaints, and the results of investigation, to the extent possible.

No Retaliation

1. Retaliation against any individual for making a complaint under this policy, for opposing harassment, hazing or discrimination, or for participating in an investigation of any claim regarding harassment, hazing or discrimination or inappropriate behavior is strictly prohibited.
2. Any person who engages in retaliatory conduct or reprisals in response to a claim of harassment, hazing or discrimination will be subject to appropriate corrective action, which may include discipline up to and including termination of employment or permanent suspension of a student. If an employee or student feels that he/she has experienced such retaliation, the individual should immediately report any such retaliation to the system director of human resources.
3. A person who files a false or malicious complaint of discrimination, hazing or harassment may be the subject of appropriate disciplinary action.

Employee and Student Responsibilities

1. Everyone is responsible for maintaining a working and learning environment free of harassment, hazing and discrimination.
2. All employees are required to complete the interactive educational training programs, Unlawful Harassment Prevention and Diversity in the Workplace upon hire and thereafter on a yearly basis. All students and employees will also be provided with Title IX, VAWA training.
3. It is the responsibility of ALL employees and students to:
   a. Read and abide by this policy. Employees with questions may contact the director for human resources. Students with questions may contact the Title IX coordinator.
   b. Refrain from engaging in acts of harassment, hazing or discrimination or acts that can be construed as harassment, hazing or discrimination.
   c. Immediately report any acts of discrimination or harassment, hazing or acts that can be construed as such.
   d. Cooperate with any investigation regarding discrimination, hazing, harassment, or inappropriate conduct.
   e. Maintain the confidentiality of any complaint or information received or provided in the course of an investigation, only disclosing information to those NAU personnel or representatives with a need to know about the complaint or information. Refrain from speculation and from drawing conclusions or gossiping about the subject matter or individuals involved in claims of harassment, hazing or discrimination, or involved in the investigation of such claims.

f. Refrain from taking any adverse or retaliatory action against any individual who has made a claim of harassment, opposed harassment, or participated in the investigation of any claim regarding harassment, hazing, discrimination or other inappropriate behavior.

Sexual Harassment and Offenses

NAU prohibits dating violence, domestic violence, sexual assault, and stalking. It is committed to maintaining an educational and working environment that is free from discrimination, harassment, and sexual violence. If a member of the university community feels that they have experienced sex discrimination, harassment, sexual harassment, or violence, the concerns should be brought to the attention of the Title IX Coordinator and/or the Human Resources Lead as soon as reasonably possible. NAU's policy requires prompt response to the complaint and provides for fair and equitable treatment for all parties involved. Title IX of the Education Amendments of 1972 (20 USC § 1681 *et seq*.) and the Violence Against Women Reauthorization Act of 2013 (VAWA) (42 USC § 13701 et seq.) together prohibit sex discrimination, sexual harassment, sexual violence, domestic violence, dating violence, and stalking that take place on a campus, via other media, or at a university sponsored event. These acts are prohibited by university policy, whether by a student, faculty member, staff member, or a third party.

Sexual misconduct as defined by NAU includes gender discrimination, gender identity, sexual harassment, sexual violence, hostile environment, dating violence, domestic violence, and stalking. Sexual misconduct of all types applies to all genders, including incidents that occur between parties of the same sex. Sexual violence and other types of sexual misconduct are prohibited by the university and have no place in a learning or work environment. Further, NAU shall work to eliminate violence in all forms.

The university's policy covers verbal and physical conduct that constitutes discrimination/harassment under applicable state and federal law and is not directed at the content of speech. In cases in which verbal statements and other forms of expression are involved, NAU will give due consideration to an individual's constitutionally protected right to free speech and academic freedom. In support of the university policy, NAU reaffirms its policy that sexual harassment, including violence, abuse, and harassment, will not be tolerated. Every effort will be made to ensure that all members of the university community are provided an atmosphere free from sexual misconduct. To prevent sexual offenses and harassment, educational efforts are undertaken to inform employees and students of their responsibilities regarding such behavior, how to identify and eliminate sexual harassment, and what steps can be taken if instances of sexual harassment or misconduct are experienced.

No-contact orders and protection orders can be obtained through the local law enforcement agency. The university will assist the student in contacting the appropriate agencies to get these set up if desired. The university will also honor these orders once in place.

Sexual Misconduct Education Programs

Awareness, prevention, and bystander training are provided by email to all students, faculty, and staff on an annual basis. New students receive the training at the time of enrollment while completing the enrollment agreement. The enrollment agreement cannot be completed until the sexual misconduct training is completed. New employees receive sexual misconduct training with their new employee paperwork. The university also provides annual training to inform students, faculty, and staff of the university's policies on sexual misconduct. This training promotes a general awareness of rape, as well as other forcible and non-forcible sexual misconduct, and what procedures are followed if an incident does occur.

Sex Offense Procedures

Sexual Misconduct Reporting

If a student or employee has been sexually assaulted, they should immediately call 911 or local law enforcement. The survivor or anyone who becomes aware of a sexual assault should promptly report the incident to the Campus Security Authority and the Title IX Coordinator.

Any student who experiences or becomes aware of sexual misconduct should promptly report the incident to the Title IX Coordinator.

Cheryl Bullinger
Executive Director of Compliance/Title IX Coordinator
PO Box 677

Rapid City, SD 57709-0677
Phone: 605-721-5213
Email: TitleIX@national.edu

Any university faculty or staff member who experiences or becomes aware of sexual misconduct should promptly report the incident to Human Resources.

Janet Green
Human Resources Lead
PO Box 677
Rapid City, SD 57709-0677
Phone: 605-394-4947
Email: hremployeerelations@national.edu

The rights and options for survivors are addressed in the sexual misconduct policy and process, and a Sexual Misconduct Bill of Rights is also provided at the first meeting with the student and/or employee. The Bill of Rights details the rights and expectations that both the victim and the accused have. Survivors of sexual assault are encouraged to preserve evidence, and information is included in trainings on the importance of doing so. Things to avoid include changing clothes, taking a shower, brushing your teeth and hair, and leaving the scene of the incident just as it is. Note everything about the location. If you have been sexually assaulted, you should seek medical attention immediately, regardless of whether you want to report the matter to the police or NAU. The Campus Security Authority will assist the victim in making this report if the victim so wishes. Also, getting an examination is encouraged even if the victim does not wish to file a police report at the time. The evidence can be preserved in case they decide to file a report later.

NAU provides employees with resources available through an employee assistance program, including unlimited, 24-hour, 7-day-a-week telephone and web access. NAU maintains a list of additional resources to include, rape crisis centers and advocates for victims of sexual assault, which can be obtained through the university website, the university's intranet, the CSA, and the Title IX Coordinator. These resources are available to both students and employees.

Both parties will be provided with interim measures for their safety and well-being. Interim measures can include switching classes or sections.

Confidentiality

Every attempt is made to maintain the anonymity of the sexual assault survivor. The CSA will provide information regarding counseling to support sexual assault survivors. Each report of a sexual assault will be investigated to provide better protection to the survivor and all members of the campus community. Sexual assault survivors should be aware that the university may need to release information regarding the fact that an assault has occurred for the protection and safety of others. Information concerning the identity, address, and other personal information of the sexual assault survivor will not be released. Information specific to the victim or the accused will only be released to the team that the Title IX Coordinator deems has a "need to know".

Student, faculty, and staff members are encouraged to contact the CSA, the Title IX Coordinator and/or the Human Resources Lead to report any information regarding a sexual assault. Sexual assault victims have the right to have reports made to the appropriate local police department. In these situations, the name of the complainant will not be forwarded unless approved by the victim. NAU staff will provide options to the survivor regarding reporting and next steps. University staff will also assist the survivor in reporting the incident if desired. Students are cautioned that third-party and anonymous reports may limit NAU's and law enforcement's ability to investigate and take action.

If the Campus Security Authority (or designee) determines that a threat continues to exist for the campus community where the criminal activity occurred, information about the reported sexual assault will be reported to the campus community, whether reported by a sexual survivor or through a third-party report. As much detail as possible regarding the location, date, and time of the assault, and any information that might help identify the assailant will be reported.

Each report will be taken as presented by the complainant. Appropriate criminal classifications will be determined after a review of all facts. NAU will take appropriate action to safeguard the alleged survivor and, at the same time,

protect the rights of the alleged perpetrator. If the survivor of a sexual assault requests from the Title IX Coordinator and/or the Human Resources Lead, the university will attempt to provide, if reasonably available, interim measures such as a change in classes, rides, escort to the parking lot or other appropriate measures that will help to protect the survivor. All possible interim measures are not defined or listed because each situation will have different requirements and will be considered on a case-by-case basis. All requested interim measures will be considered and if reasonable, may be implemented for the protection of either party.

Disciplinary Action

NAU's Sexual Misconduct Policy

NAU's Sexual Misconduct Policy requires a prompt response to the complaint and provides for a prompt, fair and impartial treatment for all parties involved. Professional counseling and other resources are available for both parties. Both parties also have the same opportunity to have others present during any hearing proceedings. Both parties will be simultaneously notified of the outcome of any investigation.

Informal Resolution

The Title IX Coordinator and/or the Human Resources Lead may determine that informal resolution is appropriate, including mediation, separation of the parties, counseling, and other appropriate measures. (Some cases may not be appropriate for informal resolution such as sexual violence.)

Formal Proceeding

The Title IX Coordinator and/or Human Resources Lead may determine that a formal proceeding is appropriate, including incidents involving claims of violence, injury, or use of weapons; prior or multiple complaints against the accused; or other serious circumstances.

When a formal proceeding is appropriate, the Title IX Coordinator and/or Human Resources Lead will coordinate a formal hearing, generally within 10 days after completion of the investigation.

1. The hearing will be conducted before a committee comprised of three university staff members who are trained in Title IX processes and procedures.
2. Written notice of the date, time, and location of the hearing will be provided to the parties at least 5 days prior to the hearing. The Title IX Coordinator or Human Resources Lead may grant an extension for good cause.
3. Prior to the hearing, the committee will be provided with a copy of the original complaint, any response from the accused, any evidence, and any witness statements.
4. The hearing will be conducted in a fair and impartial manner. The parties will have the opportunity to attend the hearing, present their cases, present witnesses, and present evidence, but may not question each other. Each party may be accompanied by an advisor; however, the advisor may not speak during the proceedings. A member of the committee shall take general notes of the proceeding, which will be retained in the student's file.
5. The decision of the committee will be based upon a preponderance of the evidence standard (the incident is more likely than not to have occurred), except decisions regarding sexual assault and rape claims that will be based upon a clear and convincing evidence standard (the incident is highly and substantially more probable than not to have occurred).
6. The committee will strive to render a final decision, with appropriate sanction, within 3 business days after the hearing and will promptly provide a copy of the decision to the Title IX Coordinator and/or Human Resources Lead. The Title IX Coordinator and/or Human Resources Lead will provide a copy of the final decision to each party within 3 business days after the decision.

Sanctions

Sanctions for an offense will depend on the nature of the incident. A person who has been determined to have committed sexual assault or rape will receive a sanction of suspension or permanent suspension. A person who has been determined to have committed sexual misconduct, other than sexual assault or rape, will be subject to one or more of the following sanctions:

Student Sanctions	Employee Sanctions**
• Warning • Probation	• Informal Discussion with the Employee • Suspension Pending Investigation (with or without pay)

Student Sanctions	Employee Sanctions**
• Suspension • Permanent Suspension* • Other measures as determined appropriate	• Termination of Employment • Other measures as determined appropriate

* The student sanction of permanent suspension may only be imposed by the provost upon recommendation from the Title IX hearing committee.

** Employee sanctions must be approved by the Human Resources Lead.

Either party has the right to appeal the decision of a sexual misconduct case. The appeal is made to the provost for a final decision.

Non-Retaliation

NAU has strict Harassment and Non-discriminatory Policy. Retaliation against any individual for making a complaint under this policy, for opposing sexual misconduct, or for participating in an investigation of any claim related to sexual misconduct is strictly prohibited. Any person who engages in retaliatory conduct will be subject to appropriate corrective action, including discipline up to and including termination of an employee or permanent suspension of a student. If a student or employee has experienced retaliation, the retaliation should be immediately reported to the Title IX Coordinator or the Campus Security Authority.

Off-Campus Mental Health, Counseling Services, and Other Services Available to Students

Counseling and medical services are available off-campus. If you are the victim of a sexual assault, NAU encourages you to contact one or more of the following: the appropriate local police department, the Campus Security Authority, the Title IX Coordinator, local crisis counseling centers, local health services clinics, women's resource centers or the local hospital. A complete and detailed list of local community resources is available from the Campus Security Authority and/or the Title IX Coordinator. Victims of sexual assault can also receive free, confidential, 24-hour counseling through a national sexual assault hotline at RAINN (**R**ape **A**buse **I**ncest **N**ational **N**etwork): (800) 656-HOPE (4673), extension #1 (https://www.rainn.org/get-help/national-sexual-assault-hotline). Military students may also receive assistance from the Department of Defense Safe Helpline at (877) 995-5247 (https://www.safehelpline.org). An additional list of national resources is found on the Title IX/VAWA: Sexual Misconduct page of the university website.

The following is a partial list of national and community resources available to students, faculty, and staff:

Location	Resource	Telephone Number
National Hotlines	National Center for PTSD	(800) 273-8255
	National Dating Abuse Helpline	(866) 331-9474
	National Domestic Violence Hotline	(800) 799-7233
	National Drug Helpline (Drug and Alcohol)	(844) 289-0879
	National Human Trafficking Hotline	(800) 565-HOPE (4673)
	National Sexual Assault Hotline	(800) 273-TALK
	National Suicide Prevention Lifeline	(888) 373-7888
	Veteran's Crisis Line (Suicide Prevention)	(800) 273-8255
	Victim Connect Helpline (Stalking)	(855) 4-VICTIM
Rapid City, South Dakota	Crisis Intervention Shelter Service-Meade County	(605) 347-0050
	SD Domestic Violence and Sexual Assault	(800) 430-7233
	Rapid City Police Department	(605) 341-4131
	Sexual Assault (24-hour line)	(605) 341-2046
	Wellspring-Family Counseling	(605) 342-0345
	Working Against Violence, Inc. (24-hour line)	(888) 716-9284
	Youth and Family Services (24-hour crisis hotline)	(605) 342-4789

Registered Sex Offender Notification

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires higher education institutions to provide a list of law enforcement agency information provided by the state concerning registered sex offenders. It also requires sex offenders already required to register in a state to provide notice, as required under state law, of each higher education institution in that state at which the person is employed, carries on a vocation,

or is a student. The national and state registered sex offender registry links are available in the Annual Security Report and on the NAU website.

- National Sex Offender Website: https://www.nsopw.gov/
- South Dakota Registered Sex Offender Website: https://sor.sd.gov/

Annual Crime Statistics

The following is the statistical report of alleged criminal activity reported to NAU and the appropriate local police agencies in the state in which the NAU campus is located for crimes occurring on the campus, on public property within or immediately adjacent to the campus, and in or on non-campus buildings or property that NAU owns or controls for the calendar years indicated. This table includes reported criminal activity in the categories mandated by the Clery Act in 1999. Each reporting period begins January 1 and ends December 31 for the indicated calendar year.

4020 Jackson Blvd, Suite 1 Rapid City, South Dakota 57702	2023			2024			2025		
Offense Type	On-Campus	Non-Campus	Public Property	On-Campus	Non-Campus	Public Property	On-Campus	Non-Campus	Public Property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	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
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	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
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Arrests: weapons: carrying, possessing, etc.	0	0	0	0	0	0	0	0	0
Arrests: drug abuse violations	0	0	0	0	0	0	0	0	0
Arrests: liquor law violations	0	0	0	0	0	0	0	0	0
Disciplinary actions: weapons: carrying, possessing, etc.	0	0	0	0	0	0	0	0	0
Disciplinary actions: drug abuse violations	0	0	0	0	0	0	0	0	0
Disciplinary actions: liquor law violations	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
Hazing							0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Hate Crimes: No hate crimes were reported for the years 2023, 2024, or 2025.									