

## RULES & SANCTIONS

### WNCC STUDENT GRIEVANCE PROCEDURE

Any student who believes he/she has suffered an academic injustice may implement the following grievance procedure:

1. Formal grievance procedures are initiated only after informal attempts have been found unsatisfactory in reaching a solution agreeable to both parties. A grievance must be filed in writing to the designated dean within 30 instructional days of the alleged infraction.
2. Members of a grievance committee will be selected by the designated dean. This committee will consist of the appropriate dean, two faculty members, one student and one representative from student government, and may also include a classified employee.
3. The student and involved parties will be given the opportunity to present their case in a formal hearing to the selected grievance committee.
4. The committee will then recommend a course of action to the vice president for Academic and Student Affairs.
5. The student will receive written notification from the vice president for Academic and Student Affairs of the final decision.

### RULES & SANCTIONS

The following rules and sanctions are from the Nevada System of Higher Education of Nevada Code. Since Western Nevada Community College is part of the Nevada System of Higher Education, all rules and sanctions apply. They, along with an explanation of the procedures for their administration, a description of the responsibilities of the administrative officers, and conditions for hearings, are located in a manual entitled "Rules and Disciplinary Procedures for Members of the University Community" which may be obtained at the Dean of Student Service office.

The administrative officer for these rules and procedures at Western Nevada Community College is the president.

#### THE NEVADA SYSTEM OF HIGHER EDUCATION PROHIBITS:

1. Any acts interfering with academic freedom.
2. The use of, or threat to use, force or violence against any member or guest of the NSHE community, except when lawfully permissible.
3. Interference by force, threat or duress with the lawful freedom of movement of persons or vehicles on NSHE premises.
4. The intentional disruption or unauthorized interruption of functions of the NSHE, including but not limited to classes, convocations, lectures, meetings, and recruiting interviews, on or off NSHE property.
5. Willful damage, destruction, defacement, theft or misappropriation of property belonging to the Nevada System of Higher Education or to a member of the NSHE community.
6. Knowing possession on any university system premises of any firearms, explosives, dangerous chemicals, or other instruments of destruction, or other dangerous weapons as defined by laws of the state of Nevada, without written authorization of the chief administrative officer of the campus or his/her authorized agent unless such possession relates to duly recognized functions by appropriate members of the faculty, staff or students.
7. Continued occupation of buildings, structures, or grounds belonging to the NSHE after having been ordered to leave by the president of the institution or the designated chief campus officer present.
8. Forgery, alteration or destruction of system documents or furnishing of false information in documents submitted to the Nevada System of Higher Education.
9. Making intentionally false accusations against any member of the NSHE community by the filing of a complaint or charges under these rules.

10. The repeated use of obscene or abusive language in a classroom or public meeting where such usage is beyond the bounds of generally accepted good taste and which, if in a class, is not significantly related to the teaching of the subject matter.

11. Willful incitement of persons to commit any of the acts herein is prohibited.

12. Disorderly, lewd or indecent conduct occurring on or off-campus at a NSHE recognized or NSHE-sponsored activity.

13. Any act prohibited by local, state or federal law which occurs on a NSHE campus or at a NSHE-sponsored function.

14. The use of threats of violence against a faculty member or his/her family to secure preferential treatment for grades, loans, employment or any other NSHE service or privilege.

15. Any act of unlawful discrimination based on race, creed, color, sex, age, handicap or national origin.

16. Any act of sexual harassment when submission to a request or demand of a sexual nature is either an explicit or implicit term or condition of employment or academic grading, or where verbal or physical conduct of a sexual nature has the effect of creating an intimidating, offensive or hostile work or classroom environment.

17. Acts of academic dishonesty, including but not limited to, cheating, plagiarism, falsifying research data or results, or assisting others to do the same.

18. Willfully destroying, damaging, tampering, altering, stealing, misappropriating or using without permission any system, program or file of the system.

19. Any other conduct which violates applicable state policies or rules of the divisions of the system.

#### NEVADA SYSTEM OF HIGHER EDUCATION SANCTIONS

1. Warning: Notice, oral or written, that continuation or repetition, within a stated reasonable period of time, of conduct found wrongful may be the cause for more severe disciplinary action.

2. Reprimand: Formal censure or severe reproof administered in writing to someone engaging in prohibited conduct.

3. Restitution: The requirement to reimburse the legal owner for loss due to defacement, damage, or misappropriation of funds or property.

4. Probation for Students: A trial period not exceeding one year. Probation may include exclusion from participation in privileged or extracurricular NSHE activities. The person placed on probation shall be notified, in writing, that repetition of the act or other acts prohibited by these rules will lead to more severe sanctions. The official transcript of the student shall be marked "Disciplinary Probation" for the period of the probation and any exclusions noted.

5. Suspension for Students: Exclusion for a definite period of time from attending classes and participating in other NSHE activities as set forth in a notice to the student. The official transcript of the student shall be marked "Disciplinary Suspension Effective." A student who is not currently enrolled at the college and who graduated at the end of the previous semester may request that the notation of the disciplinary suspension be removed from his/her permanent record when two years have elapsed since the expiration of the student's suspension. Such request must be submitted in writing to the college president. If the request is not granted, the student may submit another request after one year.

6. Suspension for Employees: Exclusion from assigned duties with or without pay for a specified time period.

7. Expulsion for Students: Termination of student status for an indefinite period of time. Permission of the college president shall be required for readmission. The official transcript of the student shall be marked "Disciplinary Expulsion Effective."

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## USE OF SOCIAL SECURITY NUMBERS

The Family Educational Rights and Privacy Act of 1974 as Amended requires that when any federal, state, or local government agency requests an individual to disclose his/her Social Security number, that individual must also be advised whether that disclosure is mandatory or voluntary, by what statutory or other authority the number is solicited and what use will be made of it.

Students have the option of utilizing a Social Security number or student identification number assigned by the college. The number is used to verify the identity of the applicant and as an identifier on student records throughout the enrollment periods of the student to accurately record necessary data.

## RESIDENCY REGULATIONS

Regulations for determining Nevada residency for tuition charges are defined in the Board of Regents handbook, Title 4, Chapter 15. One of the following categories must apply in order for an individual to be deemed a Nevada resident:

- 1) A dependent person whose spouse, family or legal guardian is a bona fide resident of the state of Nevada at the date of matriculation.
- 2) A financially independent person who is a bona fide resident of the state of Nevada for at least six months immediately prior to the date of matriculation.

Date of matriculation means the first day of instruction in the semester or term in which enrollment of a student first occurs. This is applicable regardless of the actual start date of a course a student enrolls in. A student has matriculated if he/ she enrolls for a course and does not withdraw before the 100 percent refund period or has a record of previous enrollment at Western Nevada Community College.

There are exceptions to the above categories to be deemed a Nevada resident. The following exceptions can classify a person as a Nevada resident:

- 1) Current enrollee or graduate of a Nevada high school.
- 2) A professional or classified employee, postdoctoral fellow, resident physician, or resident dentist of the Nevada System of Higher Education currently employed at least half-time, or the spouse or dependent child of such an employee.
- 3) A graduate student enrolled in the Nevada System of Higher Education and employed by the system in support of its instructional or research programs, only during the time of such employment.
- 4) A member of the armed forces of the United States on active duty, stationed in Nevada as a result of a permanent change of duty station pursuant to military orders, or a person whose spouse, family or legal guardian is a member of the armed forces of the United States stationed in Nevada as a result of a permanent change of duty station pursuant to military orders.
- 5) A student enrolled in the University Studies Abroad Consortium or in the National Student Exchange Program, only during the period of time of such enrollment. Time spent in Nevada while a student is in the National Student Exchange Program shall not be counted towards satisfying the residence requirement, nor shall enrollment through the Consortium of the Exchange Program be included in the "date of matriculation" for evaluation of Nevada residency.
- 6) Members of federally recognized Native American tribes, who do not otherwise qualify as Nevada residents, and who currently reside on tribal lands located wholly or partially within the boundaries of the state of Nevada.
- 7) A student or his/ her spouse, parent or legal guardian who has relocated to Nevada for the primary purpose of permanent full-time employment.

8) A former member of the armed forces of the United States who was relocated from Nevada as a result of a permanent change of duty station pursuant to military orders under the following conditions:

- a) He/ She was a resident of Nevada prior to leaving the state as a member of the armed forces; and
- b) He/ She maintained his/ her Nevada residency while a member of the armed forces and
- c) He/ She returns to the state of Nevada within one year of leaving the armed forces.

9) Licensed education personnel employed full-time by a public school district in the state of Nevada, or the spouse of dependent child of such an employee.

10) A teacher who is currently employed full-time by a private elementary, secondary or postsecondary education institution whose curricula meet the requirements of NRS 394.130, or the spouse or dependent child of such an employee.

11) An alien who has become a Nevada resident by establishing bona fide resident in Nevada and who holds a permanent immigrant visa, or has been granted official asylum or refugee status, or has been issued a temporary resident alien card, or holds an approved immigration petition as a result of marriage to a U.S citizen. An alien holding another type of visa shall not be classified as a resident student, except as may be required by federal law or court decisions and upon due consideration of evidence of Nevada resident.

A student who has been classified as a non-resident who matriculates to WNCC shall continue to be classified as a nonresident student throughout the student's enrollment, unless and until the student demonstrates that his or her previous residence has been abandoned and that the student is a bona fide Nevada resident. A student must fill out a WNCC Residency Reclassification Application and provide documentation of:

- a) continuous physical presence as a Nevada resident for at least 12 months immediately prior to the date of the application for reclassification, and
- b) evidence of intent to remain a Nevada resident, and
- c) proof of independent/ dependent status. If the student is under 24 and a dependent, documentation of Nevada residency for the student's family, spouse or legal guardian must be provided. If the family, spouse or legal guardian of a dependent student is not a Nevada resident, the student will continue to be classified as a nonresident student.

Any person who is classified as an out-of-state student, but who, under these regulations, is eligible for reclassification as an in-state student, shall, upon application and approval, become eligible for such classification at the time of the next registration period. No reclassification under these regulations shall give rise to any claim for refund of tuition already paid to the NSHE.

Students who do not qualify for Nevada residency, regardless of time spent in the state of Nevada include dependent students whose family are not residents of Nevada or non-U.S. citizens who do not have a resident alien care of proof of U.S. citizenship. Students who have enrolled as a Good Neighbor, Children of Alumni or WICHE/ WUE will not be reclassified as a resident until the student disenrolls from the applicable program and pays full nonresident tuition for at least 12 months for reclassification to resident status.

All residency regulations are subject to change by the Board of Regents. Changes become effective for the next semester for all affected students who are not currently classified as in-state residents. .

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## DETERMINATION OF STATUS

Each institution of the Nevada System of Higher Education affected shall implement these regulations through the Admissions Office at each campus, under the direction of the president. The president of each institution shall establish an appellate procedure whereby the student may appeal decisions of the Admissions Office concerning his/ her status as a resident or nonresident student to a residency appeals appellate board, which will consider evidence and make a final determination. The student may appeal the decision to the residency appeals committee within 30 days from the final determination by the Admissions Office. In the event the appeal is not taken within that time, the decision of the Admissions Office shall be final.

## EXCEPTIONAL CASES

In exceptional cases where the applications of these regulations causes an injustice to an individual who technically does not qualify as a resident student, but whose status, either because of the residence of the student or his/ her family is such as to fall within the general intent of these regulations, then the residency appeals committee shall have the authority to determine that such a student be classified as a resident student. It is the intent of this provision that it applies only in the infrequent, exceptional cases where a strict application of these regulations results, in the sole judgment of the residency appeals committee, in an obvious injustice.

## FINANCIAL ASSISTANCE *continued from page 16:*

### ELIGIBILITY CRITERIA

Financial aid may be available in the form of grants, loans, scholarships, and student employment. These programs are regulated by federal (Title IV), state, and campus guidelines. In general, eligibility requirements include, but are not limited to the following:

- be a U.S. citizen or an eligible noncitizen with appropriate documentation.
- be a regular student enrolled in an eligible program.
- be registered with Selective Service (if required).
- have earned a high school diploma or its recognized equivalent (GED).
- be working toward an approved degree or certificate.
- file a statement of educational purpose.
- be making satisfactory academic progress.
- not owe a refund of, or, be in default on Title IV funds and sign a certification to that effect.
- have financial need (except for unsubsidized Stafford Loans).
- not have borrowed in excess of loan limits.
- provide a verified Social Security number.
- not have property subject to a judgment lien for a debt owed to the United States.

## TYPES OF AID GRANTS

Grants are a type of aid from the federal government, state, or the college that does not require repayment. These awards are most often awarded to students who have financial need. Western Nevada Community College participates in several need-based federal and state-funded grant programs including the Federal Pell Grant, Supplemental Educational Opportunity Grant, Leap Grants, etc.

## LOANS

Educational loans are types of financial aid that must be repaid and will include accrued interest. Subsidized Stafford Loans are "need based." The federal government pays the interest to the lender while students are enrolled at least half-time during the "grace period" and authorized periods of deferment. Interest accrues when student graduates or does not enroll at approved higher education institution. Unsubsidized Stafford Loans are not based on need. The loan principal is deferred, but students pay the interest monthly or quarterly while enrolled, or may defer the interest and add it to the loan principal. This is known as "interest capitalization."

## MILLENNIUM SCHOLARSHIP

In 1999, Gov. Kenny Guinn's Millennium Scholarship initiative was enacted into law by the Nevada Legislature. Each Millennium Scholarship is worth up to \$10,000.

A student attending WNCC, and using his or her Millennium Scholarship, must enroll in a minimum of six credits, and will receive a maximum of \$40 per credit hour. Contact the Office of the State Treasurer for specific information and all eligibility criteria at: <http://nevadatreasurer.com/millennium/>.

## SCHOLARSHIPS

Scholarships are typically merit based awards that do not have to be repaid. Scholarships are funded from a variety of sources, such as Western Nevada Community College, private businesses, tribes, clubs, organizations, etc. A separate application is necessary to be eligible for these funds. Students are encouraged to actively search out scholarships, be aware of deadlines and apply early.

For more information on scholarships, visit the WNCC web site at [www.wncc.edu](http://www.wncc.edu), click on Financial Aid. Students are also encouraged to complete the FAFSA to establish financial need and explore eligibility for Title IV aid.

## STUDENT EMPLOYMENT

Employment opportunities may include the Federal Work-Study, Regents Awards Program, and the Nevada Student Employment Program. Employment can be on or off campus (Carson City, Fallon, and Douglas) and work hours can be arranged according to class schedules. These student employment positions provide students with valuable work experience. For those who qualify for need-based financial aid, these opportunities allow students to earn money while enrolled in school to help pay for education expenses. These awards will not disburse in a lump sum, but through bi-weekly paychecks for hours actually worked. Because work is required for this type of financial aid, employment is considered a form of self-help aid. To be considered for these student employment programs, students must complete the FAFSA.

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## HOW TO APPLY

To apply for financial aid, complete the WNCC Student Financial Assistance Data Form and the *Free Application for Federal Student Aid (FAFSA)*. The FAFSA application is used to determine eligibility for both state and federal assistance programs. When completing the FAFSA, you will need WNCC's Title IV code number, **013896**.

The FAFSA is usually available by January for the following academic year. Many types of funding in this section are limited and may run out, so applying early is important. The fastest way to complete a FAFSA is on the web at [www.fafsa.ed.gov/](http://www.fafsa.ed.gov/).

### *You'll need a PIN to apply online*

If you don't have a PIN from the Department of Education, you will want to get one. This is not the same as the WNCC college PIN that you use to register for classes. A Department of Education PIN allows you to electronically "sign" your FAFSA application, reducing processing time. For those students under the age of 24, you may also need your parents to sign your FAFSA form. In this case, your parents can also request a PIN, since they must sign for any information they enter electronically. Request a PIN at this site: [pin.ed.gov/](http://pin.ed.gov/).

To be considered for financial aid you must submit the proper forms and meet all deadlines. Students should keep in mind that applying for and receiving financial aid is a lengthy and, at times, a complicated process. Timing is important; the earlier you act, the earlier we can notify you about your eligibility for assistance. Students should allow at least 45 days before the semester begins to complete the application process.

Financial aid is based on the number of credits in which a student enrolls as indicated on the student's financial aid application form. If a student enrolls in a number of credits different than what is listed on the award letter, the student's file may need to be reprocessed and there may be a delay in the student's receipt of financial aid.

## REINSTATEMENT-APPEAL PROCEDURE

A student who is notified that he/she has been placed on suspension status may appeal for reinstatement of assistance. The student must complete a **Financial Assistance Appeal Form** obtainable from the Office of Financial Assistance or on the college web site. The appeal must be based on circumstances beyond the student's control such as death in the family, illness, an unforeseen emergency or extenuating circumstances. The appeal will be reviewed by the Financial Assistance Appeals Committee and all decisions are final.

## SATISFACTORY ACADEMIC PROGRESS

Students receiving federal or state financial assistance must maintain satisfactory academic progress to remain eligible for such assistance. At a minimum, a student must satisfactorily complete 67 percent of all classes attempted each semester and the cumulative completion rate must be 67 percent or higher. Students must also maintain a minimum cumulative grade point average of 2.0, a "C" average. The student must be enrolled as a "regular student" in an approved degree or certificate program, declare a specific degree or certificate objective and satisfy the above mentioned minimum credit completion and grade point requirements.

A student must complete a degree or certificate program within a reasonable length of time. A maximum of 90 attempted credits is allowed for financial assistance including credits from other schools whether aid is received or not. Completion of less than 67 percent of the semester or cumulative courses attempted will result in suspension of aid eligibility. A complete explanation of the Western Nevada Community College Financial Assistance Standards of Satisfactory Academic Progress is available on the web page. Questions about the Standards of Progress may be directed to the Financial Assistance office at any time.

## STUDENT RESPONSIBILITIES

Students receiving financial aid from WNCC are required to accept certain responsibilities to receive their aid package and/or maintain eligibility for continued aid awards.

- **Enrollment:** Students must be enrolled in an approved degree program. Any changes (higher or lower) in number of credits will result in the financial aid award not being disbursed.
- **Full-Time:** If a student's award is based on full-time enrollment, the student must maintain 12 or more credits.
- **3/4 Time:** If a student's award is based on three-quarter time enrollment, the student must maintain 9-11 credits.
- **1/2 Time:** If a student's award is based on half-time enrollment, the student must maintain 6-8 credits.
- **Less Than 1/2 Time:** If a student's award is based on less than half-time enrollment, the student must maintain 1-5 credits.

**Change of Status** - Students are required to notify the Financial Assistance office in writing of any event that may alter their financial status such as change in marital status, receipt of additional educational benefits or acceptance of a scholarship. If it is determined that a student received money that exceeded his/her eligibility, the student is liable for repayment of the over-awarded amount.

Students should notify the Admissions and Records office of any changes in name, address, phone number or educational goal/major. This will ensure that the student receives all correspondence from the college, and meets financial aid requirements.

**Proper Use of Funds** - Financial aid funds are to be used for educationally related expenses only. Direct educational costs are tuition, fees, books and supplies. Indirect educational costs include expenses for room and board, transportation and other applicable living expenses incurred while attending Western Nevada Community College.

## STUDENTS RIGHTS

- Students have an equal opportunity to receive financial assistance. After making proper application, students are entitled to expect an equitable determination for eligibility of available funds. Each student's application is individually reviewed using the same evaluation criteria.
- Students have a right to have access to information about all types of aid available at Western Nevada Community College, minimum requirements for eligibility and the academic programs available.
- Students have a right to information regarding repayment schedules and interest rates for loans. This information is available in financial aid publications, but it is still important for students to read their own promissory note carefully before signing, including e-signing.
- Students have the right to appeal decisions made by the Financial Assistance office to the Financial Assistance Appeals Committee.

# RULES & SANCTIONS

## SEXUAL HARASSMENT POLICY

**A.** Sexual harassment is illegal under federal and state law. The Nevada System of Higher Education is committed to providing a place of work and learning free of sexual harassment. Where sexual harassment is found to have occurred, the NSHE will act to stop the harassment, to prevent its recurrence, and to discipline those responsible in accordance with the NSHE Code or, in the case of classified employees, the Nevada Administrative Code. Sexual harassment is a form of discrimination; it is illegal.

No employee or student, either in the work place or in the academic environment, should be subject to unwelcome verbal or physical conduct that is sexual in nature. Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior of a sexual nature that is not welcome, that is personally offensive, and that interferes with performance.

It is expected that students, faculty and staff will treat one another with respect.

**B.** Policy applicability and sanctions: All students, faculty, staff, and other members of the campus community are subject to this policy. Individuals who violate this policy are subject to discipline up to and including termination and/or expulsion, in accordance with the NSHE Code or, in the case of classified employees, the Nevada Administrative Code. Other, lesser sanctions may be imposed, depending on the circumstances.

This policy is not intended to and does not infringe upon academic freedom in teaching or research as established in the NSHE Code, Ch. 2.

**C.** Training: All employees shall be given a copy of this policy and each institution's Human Resources Office shall maintain documentation that each employee received the policy. New employees shall be given a copy of this policy at the time of hire and each institution's Human Resources Office shall maintain documentation that each new employee received the policy.

Each institution shall include this policy and complaint procedure in its general catalog.

Each institution shall have an ongoing sexual harassment training program for employees.

**D.** Sexual harassment defined: Under this policy, unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic status;
2. submission to or rejection of the conduct is used as a basis for academic or employment decisions or evaluations, or permission to participate in an activity; or
3. the conduct has the purpose or effect of substantially interfering with an individual's academic or work performance, or of creating an intimidating, hostile or offensive environment in which to work or learn.

Sexual harassment may take many forms—subtle and indirect, or blatant and overt. For example,

- It may occur between individuals of the opposite sex or of the same sex.
- It may occur between students, between peers and/or co-workers, or between individuals in an unequal power relationship.

- It may be aimed at coercing an individual to participate in an unwanted sexual relationship or it may have the effect of causing an individual to change behavior or work performance.
- It may consist of repeated actions or may even arise from a single incident if sufficiently severe.
- It may also rise to the level of a criminal offense, such as battery or sexual assault.

Determining what constitutes sexual harassment under this policy will be accomplished on a case by case basis and depends upon the specific facts and the context in which the conduct occurs. Some conduct may be inappropriate, unprofessional, and/or subject to disciplinary action, but would not fall under the definition of sexual harassment. The specific action taken, if any, in a particular instance depends on the nature and gravity of the conduct reported, and may include disciplinary processes as stated above.

Examples of unwelcome conduct of a sexual nature that may constitute sexual harassment may, but do not necessarily, include, and are not limited to:

- physical assault;
- sexually explicit statements, comments, questions, jokes, innuendoes, anecdotes, or gestures;
- unnecessary touching, patting, hugging, or brushing against a person's body or other inappropriate touching of an individual's body;
- remarks of a sexual nature about a person's clothing or body;
- use of electronic mail or computer dissemination of sexually oriented, sex-based communications;
- sexual advances, whether or not they involve physical touching;
- requests for sexual favors in exchange for actual or promised job or educational benefits, such as favorable reviews, salary increases, promotions, increased benefits, continued employment, grades, favorable assignments, letters of recommendation;
- displaying sexually suggestive objects, pictures, magazines, cartoons, or screen savers;
- inquiries, remarks, or discussions about an individual's sexual experiences or activities and other written or oral references to sexual conduct.

Even one incident, if it is sufficiently serious, may constitute sexual harassment. One incident, however, does not usually constitute sexual harassment.

**E.** Procedure: The chancellor and each president shall designate no fewer than two administrators to receive complaints of alleged sexual harassment. The administrators designated to receive the complaints may include the following: (1) the Human Resources officer at the institution; (2) the Affirmative Action Program officer; or (3) any other officer designated by the president.

If the Human Resources officer or the Affirmative Action Program officer or another officer designated by the president, is not the individual who initially receives the complaint of alleged sexual harassment, then the individual receiving the complaint must immediately forward the complaint to either the Human Resources officer or the Affirmative Action Program officer.

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An individual filing a complaint of alleged sexual harassment shall have the opportunity to select an independent advisor for assistance, support, and advice and shall be notified of this opportunity by the Human Resources officer or the Affirmative Action Program officer, or by their designee. It shall be the choice of the individual filing the complaint to utilize or not utilize the independent advisor. The independent advisor may be brought into the process at any time at the request of the alleged victim. The means and manner by which an independent advisor shall be made available shall be determined by each institution or unit.

Supervisors' responsibilities: Every supervisor has responsibility to take reasonable steps intended to prevent acts of sexual harassment, which include, but are not limited to:

- Monitoring the work and school environment for signs that harassment may be occurring;
- Refraining from participation in or encouragement of actions that could be perceived as harassment (verbal or otherwise);
- Stopping any observed acts that may be considered harassment, and taking appropriate steps to intervene, whether or not the involved individuals are within his/her line of supervision; and
- Taking immediate action to minimize or eliminate the work and/or school contact between the two individuals where there has been a complaint of harassment, pending investigation.

If a supervisor receives a complaint of alleged sexual harassment, or observes or becomes aware of conduct that may constitute sexual harassment, the supervisor must immediately contact one of the individuals identified above to forward the complaint, to discuss it and/or to report the action taken.

Failure to take the above action to prevent the occurrence of or stop known harassment may be grounds for disciplinary action.

Complaints of sexual harassment must be filed within 180 calendar days after the discovery of the alleged act of sexual harassment with the supervisor, department chair, dean, or one of the administrators listed above and/or designated by the president to receive complaints of alleged sexual harassment. Complaints of prohibited conduct, including sexual harassment, filed with an institution's administrative officer pursuant to NSHE Code Chapter 6, Section 6.8.1, are not subject to this 180-day filing requirement.

## 1. Employees:

a. An employee who believes that he or she has been subjected to sexual harassment by anyone is encouraged—but it is neither necessary nor required—to promptly tell the person that the conduct is unwelcome and ask the person to stop the conduct. A person who receives such a request must immediately comply with it and must not retaliate against the employee for rejecting the conduct.

b. The employee may also choose to file a complaint with his or her immediate supervisor, who will in turn immediately contact one of the officials listed above.

c. If the employee feels uncomfortable about discussing the incident with the immediate supervisor, the employee should feel free to bypass the supervisor and file a complaint with one of the other listed officials or with any other supervisor.

d. After receiving any employee's complaint of an incident of alleged sexual harassment, whether or not the complaint is in writing, the supervisor will immediately contact any of the individuals listed above to forward the complaint, to discuss it and/or to report the action taken. The supervisor has a responsibility to act even if the individuals involved are not supervised by that supervisor.

## 2. Students:

a. A student who believes that he or she has been subjected to sexual harassment by anyone is encouraged—but it is neither necessary nor required—to promptly tell the person that the conduct is unwelcome and ask the person to stop the conduct. A person who receives such a request must immediately comply with it and must not retaliate against the student for rejecting the conduct.

b. The student may also choose to file a complaint with his or her major department chair, who will in turn immediately contact one of the officials listed above.

c. If the student feels uncomfortable about discussing the incident with the department chair, the student should feel free to bypass the chair and file a complaint with one of the above officials or to any chair or dean, who will in turn immediately contact one of the officials listed above to forward the complaint, whether or not the complaint is in writing, to discuss it and/or to report the action taken. The chair or dean has a responsibility to act even if the individuals are not supervised by that chair or dean.

3. Non-Employees and Non-Students: Individuals who are neither NSHE employees nor NSHE students and who believe they have been subjected to sexual harassment by a NSHE employee during the employee's work hours or by a NSHE student on campus or at a NSHE-sponsored event may utilize any of the complaint processes set forth above in this section.

## 4. Investigation and Resolution:

a. After receiving a complaint of the incident or behavior, an investigation by one of the above listed officials will be initiated to gather information about the incident. Each institution may set guidelines for the manner in which an investigation shall be conducted.

b. At the completion of the investigation, a recommendation will be made to the appropriate management regarding the resolution of the matter. The recommendation is advisory only.

c. After the recommendation has been made, a determination will be made by appropriate management regarding the resolution of the matter. If warranted, disciplinary action up to and including involuntary termination or expulsion will be taken. Any such disciplinary action shall be taken in accordance with NSHE Code Chapter 6, or, in the case of classified employees, NAC Chapter 284. Other appropriate actions will be taken to correct problems, if any, caused by or contributing to the conduct.

If proceedings are initiated under Chapter 6, the investigation conducted pursuant to this policy may be used as the Chapter 6 investigation. The administrative officer, in his or her discretion, may also supplement the sexual harassment investigation with additional investigation.

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d. After the appropriate management has made a determination regarding the resolution of the matter, and depending on the circumstances, both parties may be informed of the resolution. Certain actions made confidential under NSHE Code Chapters 5 and 6 or NAC Chapter 284 shall remain confidential.

**F. Prompt Attention:** Complaints of sexual harassment are taken seriously and will be dealt with promptly. Where sexual harassment is found to have occurred, the NSHE institution or unit where it occurred will act to stop the harassment, to prevent its recurrence, and to discipline those responsible.

**G. Confidentiality:** The NSHE recognizes that confidentiality is important. However, confidentiality cannot be guaranteed. The administrators, faculty or staff responsible for implementing this policy will respect the privacy of individuals reporting or accused of sexual harassment to the extent reasonably possible and will maintain confidentiality to the extent possible. Examples of situations where confidentiality cannot be maintained include, but are not limited to, necessary disclosures during an investigation, circumstances where the NSHE is required by law to disclose information (such as in response to legal process), or when an individual is in harm's way.

**H. Retaliation:** Retaliation against an individual who in good faith complains of alleged sexual harassment or provides information in an investigation about behavior that may violate this policy is against the law, will not be tolerated, and may be grounds for discipline. Retaliation in violation of this policy may result in discipline up to and including termination and/or expulsion. Any employee or student bringing a sexual harassment complaint or assisting in the investigation of such a complaint will not be adversely affected in terms and conditions of employment and/or academic standing, nor discriminated against, terminated, or expelled because of the complaint. Intentionally providing false information is also grounds for discipline.

"Retaliation" may include, but is not limited to, such conduct as:

- the denial of adequate personnel to perform duties;
- frequent replacement of members of the staff;
- frequent and undesirable changes in the location of an office;
- the refusal to assign meaningful work;
- unwarranted disciplinary action;
- unfair work performance evaluations;
- a reduction in pay;
- the denial of a promotion;
- a dismissal;
- a transfer;
- frequent changes in working hours or workdays;
- an unfair grade;
- an unfavorable reference letter.

**I. Relationship to Freedom of Expression:** The NSHE is committed to the principles of free inquiry and free expression. Vigorous discussion and debate are fundamental rights and this policy is not intended to stifle teaching methods or freedom of expression. Sexual harassment, however, is neither legally protected expression nor the proper exercise of academic freedom; it compromises the integrity of institutions, the tradition of intellectual freedom and the trust placed in the institutions by their members.

### STUDENT RIGHT TO KNOW ACT

The Student Right to Know and Campus Security Act requires that WNCC comply with the provisions and updates in disclosing the persistence graduation rate of certificate or degree-seeking students. This information shall be available each year to current and prospective students prior to enrolling or entering into any financial obligation.

As of January 2005, the four-year average Student-Right-to-Know graduation rate was 16 percent.

WNCC graduation completion rates are available from the Counseling Services and the Admissions and Records offices on the Carson City campus.

Annual Crime Statistics information can be accessed from WNCC's web site: [www.wncc.edu/ps/clery.php](http://www.wncc.edu/ps/clery.php). The information was prepared under the guidelines established by United States Code, Section 1092(f), known as the "Jeanne Clery, Disclosure of Campus Security Policy and Campus Crime Statistics Act," and the Code of Federal Regulations. The information represents a general description of Western Nevada Community College College's security/ safety policies and programs, and the crime statistics for the most recent calendar year and the two preceding calendar years; however, the information is not intended to serve as a contractual agreement between the college and the recipient.