

Annual Security & Fire Safety Report



2020

The Annual Security Report is prepared by University Police Services. This report, which was published in October 2020, contains statistics for the three most recent calendar years of 2017, 2018, and 2019.



Adam Garcia

Vice President
Public Safety Services

Dear Nevada State College students & colleagues,

University Police Services has seen our campus through significant and unprecedented challenges over the last year, and certainly within the last few months. The department continues to support COVID-19 testing and as of early September, approximately 90,000 tests have been provided, continuous of provision for a safe and secure learning environment for our diverse campus.

Although reported crime at Nevada State College is low, it is important to remember that we are not immune from crime. We share many of the crime and safety issues that exist in any complex environment, and therefore the safety and security of our communities is the combined responsibility of all of us. I remind you that if you "See Something, Say Something" and report incidents of concern to police immediately.

As you read through this Annual Security & Fire Safety Report, you will find information about policies and practices regarding safety, security, and crimes occurring on or near campus. Our commitment to transparency by keeping our community informed is just one way we strive to keep our campus environment safe. And in this day of the pandemic, wear a face covering at all times when interacting with others, even for short periods of time; wash your hands often or use hand sanitizer when washing is impractical, and maintain social distancing of 6 feet. Lastly, do not come to campus if you are sick!

It is my honor to have the opportunity to serve you- please feel free to contact me directly at adam.garcia@nsc.edu, or by phone at (702) 895-5575 if you have any questions, concerns or suggestions for University Police Services.

Sincerely,

Adam Garcia
Vice president for Public Safety Services
Director University Police Services
Southern Command

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University of Nevada, Las Vegas
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Las Vegas, NV 89154-2007

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East Cheyenne Ave., Bldg. P
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COVID-19

The health, safety, and well-being of students, faculty, staff and visitors is the top priority for Nevada State College. In navigating the rapidly changing environment due to the COVID-19 pandemic, NSC will adjust operational plans with the guidance from policies and recommendations from the Centers for Disease Control and Prevention (CDC), the Southern Nevada Health District (SNHD), the State of Nevada, local government agencies, and the Nevada System of Higher Education (NSHE).

As a result of the COVID-19 pandemic, several temporary changes have been made to date:

- All individuals on NSC property are required to wear a face covering at all times, indoors and outdoors, except when alone in an office, residence hall room, or other private enclosed space.
- The face covering requirement includes classrooms, laboratories, the plaza area, common areas in residence halls, all student services areas, and any space where others are present.
- Properly wearing a face covering includes covering the nose and mouth.
- Face shields worn alone are not permitted.
- Failure to comply with the face covering may result in removal from campus for the semester or until the face covering mandate has been lifted.
- Faculty and staff who do not comply with the face covering requirement may be subject to appropriate disciplinary actions.
- Visitors who refuse to comply will be asked to leave campus.

Social distancing must be maintained.

- Face coverings are not a substitute for social distancing.
- Everyone must adhere to current social distancing requirements on campus, including in the classrooms, laboratories, the plaza area, common areas in residence halls, all student services areas, and any space where others are present.
- Individuals are prohibited from congregating around classroom and laboratory entrances before class sessions and must exit after the end of instruction to help ensure social distancing and allow for the people attending the next scheduled class session to enter.

COVID-19-related public health conditions continue to evolve and may cause the college to adjust its policies and procedures for its operations including, but not limited to, the mode of instruction for courses, with little prior notice. The college closely monitors the situation and is prepared to institute additional protective measures, such as shifting to all-remote instruction if directed by the State of Nevada or NSHE. Information on COVID-19 impacts are available at <https://nsc.edu/coronavirus>.

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Preparation and Disclosure of Crime Statistics

University Police Services on behalf of Nevada State College prepares this report to comply with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). This report is produced in cooperation with various departments across our campus. Each office provides updated information regarding their educational efforts, programs, policies, and crime statistics if applicable.

Statistics contained within this report regarding campus crime, arrests, and discipline referrals include those reported to University Police Services, designated campus officials known as Campus Security Authorities, student conduct, Title IX, and local law enforcement agencies. Statistics are included in this Annual Security Report for the Nevada State College campus, public property within or immediately adjacent to the campus, and non-campus property owned or controlled by NSC.

An e-mail notification is made to all enrolled students, faculty, and staff that provides direct website access to this report. The full text is available online for perspective students, employees, and members of the general public.

University Police Services Authority and Jurisdiction

University Police Services is a fully functional law enforcement agency. University Police Services officers have full police and arrest powers, certified by the Nevada Peace Officer Standards and Training (POST) in accordance with the laws of the State of Nevada. Officers perform the same functions as their peers from city, county and state agencies – enforcing all local, state, and federal laws and ordinances within its jurisdiction. University Police Services provides its services 24 hours a day, 365 days a year.

University Police Services officers have jurisdiction on the campuses of Nevada State College, the College of Southern Nevada and all of its associated properties, the University of Nevada, Las Vegas, all properties owned, operated, or governed by UNLV, Desert Research Institute, Las Vegas Campus and the Nevada System of Higher Education (NSHE) offices in southern Nevada.



Interlocal Agreement

University Police Services maintains excellent working relationships with surrounding law enforcement agencies, including but not limited to the Las Vegas Metropolitan Police Department, the Nevada Department of Public Safety, the Nevada Highway Patrol, the Henderson Police Department, the North Las Vegas Police Department, and the Clark County School District Police Department.

University Police Services maintains a memorandum of understanding (MOU) with each of these agencies giving University Police Services officers the ability to render aid and provide for mutual assistance between local law enforcement partners. In accordance with this agreement, University Police Services may request assistance from any of these agencies in any law enforcement matter within the jurisdiction of University Police Services.

Monitoring of Criminal Activity of Students at Non-Campus Locations

Nevada State College does not have any officially recognized student organizations with non-campus locations.

Security and Access

Building security and access is maintained through a combination of key card and a secondary hard key system. Classroom buildings with scheduled classes are accessible generally from 7:00 a.m. to 10:00 p.m. with alternate hours during summer and winter sessions. All technology enhanced classrooms are accessed through a key card system. Instructors swipe their card to access the room, it remains unlocked while the room is in use, and then instructors are expected to swipe their card upon exiting the room to re-secure and lock the room.

Access cards are issued to faculty and staff through the Office of Information Technology. Keys are controlled through Facilities Management.

Access to Nevada State Housing is through Key FOB access. All residents and housing staff have key FOBs. Residents are issued FOBs by housing staff upon move in which grants residents access to their unit and the community building.

Nevada State College engages in proactive property maintenance through a variety of channels. The College engages the services of UNLV Risk Management and Safety who conduct regular inspections related to Fire and Life Safety as well as Occupational Safety. These inspections identify any deficiencies on campus through comprehensive reports that are translated into repair orders. The premises are re-inspected to ensure that the identified issues have been resolved. The College also effectively uses its Campus Safety Committee as a means of recognizing and correcting campus safety concerns.

The following steps are taken proactively to maintain campus safety and security:

1. Monthly checks for all external lighting.
2. Daily equipment room rounds including all fire pump rooms, fire alarm rooms, and all building entrances.
3. Coordinate with Campus Police for all internal

and external events.

4. Quarterly and annual inspections of all fire sprinkler (standpipe) systems.
5. Quarterly and annual inspections of all fire alarm systems.
6. Annual inspections of all elevators.
7. Bi-annual inspections of all pressure vessels both boilers and chillers.
8. Two times per year (after leaves have fallen and after spring's burst growth from dormancy) landscape trimming of all walkways.
9. Fig palm pruning prior to fruit falling creating hazards.
10. Annual testing of emergency lighting (performed six months after UNLV's Risk Management's annual audit).

Furthermore, all College operated buildings are covered by an integrated automatic fire sprinkler and fire alarm system, which is monitored 24 hours a day. The buildings are equipped with either emergency generators or batteries that provide backup power for fire safety equipment and emergency lighting. All College operated facilities fire safety equipment and systems are inspected, tested, and maintained regularly by examiners approved by the State of Nevada and as required by local municipal codes. Facilities and Landscaping are maintained in a manner that minimizes hazardous conditions

Nevada State College the Accurate and Prompt reporting of Criminal Offenses

When the victim of a crime elects to make a report, or a third party if the victim is unable to make a report themselves, the appropriate agency should be contacted as soon as possible. Students, faculty, staff and guests are encouraged to report all crimes and public safety related incidents to University Police Services. If University Police Services is not the appropriate jurisdictional agency, a member of the department will assist victims in contacting their local agency with jurisdiction over where the crime occurred.

Crimes should be reported immediately to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the campus community when appropriate. Any suspicious activity should be reported to University Police Services.

To report crimes or request officer assistance, dial 911 (emergencies only), 311 for non-emergencies, or (702) 895-3668 to reach University Police Services Dispatch.

How to Report a Crime

When reporting an emergency, crime, or suspicious activity at the university, follow these steps:

For Emergencies:

- Dial 911
- Give your name and location to the dispatcher, state specifically that you are a university student, faculty, or staff member,
- Briefly describe the activity you are reporting,
- Request medical attention if needed,
- Remain calm and speak slowly,
- Stay on the phone until the dispatcher ends the call,
- If possible, give a description of the person(s) and/or vehicle involved, location or direction of travel and presence of weapons if known.

For Non-Emergencies:

From a campus phone, dial 311 or from a non-campus phone dial (702) 895-3669 to reach University Police

Services Dispatch.

- Give your name and location to the dispatcher,
- Briefly describe the activity you are reporting,
- Stay on the phone until the dispatcher ends the call,
- If possible, give a description of the person(s) and/or vehicle involved, location or direction of travel and presence of weapons if known.

Reports can be filed online at www.updsouth.nevada.edu. Once on the page, select the File a Police Report tab to complete the report. Once filed, an officer will make contact to obtain any additional information if necessary.

-Crime reports can be made in person at University Police Services Headquarters 24 hours a day 365 days per year located at:

- University Gateway Complex building
1280 E Dorothy Ave
Las Vegas, NV 89119

University Police Services maintain substations in the following locations:

University Police Services NSC Substation

Dawson Building, Modular 300 at 1300 Nevada State Drive, Henderson NV, 89002

University Police Services CSN Substations

- Charleston Campus, Building M, Room 102
- North Las Vegas Campus, Building P
- Henderson Campus, Building C, Room 131,

University Police Services Substation offices are not staffed with administrative personnel. Officers are patrolling campus and are not located in the substation outside of times when they are completing reports. To file a report in person at any of these locations call University Police Services dispatch at (702) 895-3668 and an officer will be dispatched to your location.

Voluntary Confidential Reporting

Victims or witnesses may wish to report crimes on a voluntary, confidential basis for inclusion in the crime statistics published in the Annual Security Report. Voluntary, confidential reports do not require the reporting party to disclose their name or contact information, or the name or contact information of the victim. Reports filed in this manner aid the College's ability to identify crime patterns and address safety concerns. Reports filed in this manner, while valuable, may limit the College's ability to respond to or address the specific incident reported.

To make a confidential report for statistical inclusion purposes, contact University Police Services Dispatch by dialing 3-1-1 from any on campus phone or (702) 895-3668. A dispatcher will collect any information the reporting party is willing to provide, and this information will be documented for Clery purposes.

Counselors and Confidential Reporting

Nevada State College has contracted All About You Counseling (AAU) licensed clinicians to offer free, short-term mental health counseling sessions to Nevada State students looking to boost their personal balance and fulfillment. These licensed clinicians focus on stabilization, symptom reduction, and skills building. Our clinicians are on campus and available to you two days per week by appointment.

After students complete a short-term therapy program, they are referred to Nevada State College's case manager, whose goal is to further assist as needed. The case manager will provide students with campus and community resources to ease the transition out of counseling.

Nevada State College does not have any policies or procedures that encourage pastoral or professional counselors to inform persons they are counseling of the institution's voluntary confidential reporting options. BE AWARE that professional ethics codes and state laws consider the personal information discussed in counseling to be strictly confidential. All information gathered in counseling, including the fact that a student has accessed services with All About You Counseling is held in strict confidence. No information is released to Nevada State College officials, faculty members, parents, or outside agencies without written prior authorization from the student except when there is imminent danger or serious harm to self or others; in this case, the counselor is required to take action to prevent harm.

Campus Security Authorities

A campus security Authority is defined under the Clery Act as anyone who falls into the following four categories:

- University Police Services;
- Any individual who has responsibility for campus security but who does not constitute the campus police department;
- Any individual designated in the College's annual security report as a campus security authority; and
- Official with significant responsibility for student and campus activities.
- The following list are examples of CSA's with whom crimes may be reported. For a complete list of Nevada State Colleges CSA's please contact the Clery Compliance Coordinator at (702) 895-3833.
- - ◊ Dean of Students (702) 992-2511
 - ◊ Director of Student Life (702) 992-2193
 - ◊ CARE Team Case Manager (702) 992-2514
 - ◊ Vice President for College and Community Engagement (702) 992-2358

In most cases it is possible for a CSA to fulfill their responsibilities while maintaining victim confidentiality when requested. Campus security authorities are required to report crimes they become aware of. Disclosure to a CSA may not trigger an investigation into an incident against the reporting party's wishes, except in certain circumstances that pose an immediate or ongoing threat to campus safety.

Daily Crime Log

In accordance with the Clery Act, University Police Services records division maintains a daily log of reported crimes. The log includes the type of incident, reported date and time of occurrence, general location of the crime as well as the disposition of the incident, if this information is known.

The daily crime log is updated within two business days of receipt of a report of a crime. The crime log can be viewed online at <https://nsc.edu/campus-emergency/>. Once on the page, select the crime log tab. Additionally the daily crime log can be accessed through the State Safe app.

Timely Warnings

A Timely Warning is an alert that is issued by either University Police Services or the Nevada State College President's Office to the entire campus community whenever a Clery Act crime poses a serious or continuing threat to the students, faculty, staff, or visitors to any college property. The purpose of a Timely Warning is to not only inform the campus community that a crime has occurred, but to also heighten safety awareness and aid in the prevention of similar crimes.

When a crime covered under the Clery Act is reported, it is assessed for the potential need to distribute a Timely Warning. Upon receipt of enough pertinent information University Police Services personnel, including but not limited to the Assistant Directors, Lieutenants, and the Clery Compliance Coordinator, evaluate each case on an individual basis, taking into account the seriousness of the offense, its frequency, and/or the likelihood of additional occurrence. The Vice President Public of Safety Services & Director of University Police Services Southern Command or in his/her absence their designee, may make the final determination if a Timely Warning is issued.

If a Timely Warning is to be issued, it is the responsibility of the Vice President Public of Safety Services & Director of University Police Services Southern Command or in his/her absence their designee, to cause immediate notification to the College President's Office.

When a Timely Warning is issued, it will contain the phrase "Timely Warning Notification". The body of the alert will include a short description of the crime involved in the warning and depending on the nature of the crime, a description (if available) of the suspect. The warning will include instructions on how to contact University Police Services and will include personal safety information to aid members of the community in protecting themselves and in the prevention of similar crimes.

Dissemination of a Timely Warning may occur through various platforms including but not limited to, Nevada State's public announcement system and alerts such as text messages, digital signage, Nevada State's website banner activation, email notification to all students,

faculty and staff, University Police Services website and social media sites, and Nevada State's main social media sites.

Emergency Notifications

An emergency notification is an alert that is issued by either University Police Services or the Nevada State College President's Office in the event that an emergency or dangerous situation presents an immediate threat to campus community. An emergency notification may overlap with a Clery Act crime but is not limited to those covered under the Clery Act. An emergency notification will be issued without delay and taking into account the safety of the community upon confirmation of the emergency or dangerous situation. The intent of an Emergency Notification is to provide students, faculty, staff, and visitors with notification of an emergency or dangerous situation that may present an immediate threat to the health and safety of the campus community and is issued to provide initial information about the incident and required actions to maintain life and safety security.

The notification may be tailored exclusively to the segment of the campus community at risk. Factors used in determining if a notification will be segmented versus sent to the entire campus community include but are not limited to, the nature of the threat or dangerous situation to the campus, if the threat or dangerous situation is contained to a particular aspect of the campus (e.g. a particular dorm, a particular building, etc.), and can everyone who may be subjected or exposed to the threat or dangerous situation be determined. University Police Services will consult with the College President's Office, and other relevant campus departments if an alert is to be segmented to ensure all necessary recipients are notified of the alert. If everyone subjected or exposed to the threat or dangerous situation cannot be determined, a campus wide alert will be issued.

When an emergency notification is to be issued, if possible, it is the responsibility of an Assistant Director or in his/her absence their designee, to cause immediate notification to the Vice President of Public Safety Services & Director of University Police Services Southern Command, and the College President's Office.

If an active threat or impending dangerous situation arises which may necessitate the dissemination of an emergency notification, University Police Services Dispatch will be responsible for ensuring the dissemination of the initial message to the campus community. The decision to send a notification regarding an immediate or active threat will be made by University Police Services upon confirmation of the emergency.

If a dangerous situation arises such as an outbreak of serious illness, approaching extreme weather condition, or nearby chemical or hazardous waste spill occurs, dissemination of an emergency notification may come from either University Police Services or the College President's Office upon consultation with both.

Confirmation of an emergency or dangerous situation may come through any of the following but is not limited to the various methods listed below:

- Confirmation may be reached through multiple calls to University Police Services dispatch center regarding the same incident in close succession;
- Through an officer arriving on scene and confirming an emergency situation;
- From a local public health or medical official; or
- Through official communication from a local or national agency.

If information is received through any of these sources confirming an emergency or dangerous situation on or to the campus, the Vice President of Public Safety Services & Director of University Police Services Southern Command or in his/her absence their designee will confer with the College President's Office if time allows and discuss sending an emergency alert to the campus community. If an active threat situation arises and there is not time for consultation, University Police Services will immediately notify the campus community.

When an emergency notification is issued it may contain the phrase "Emergency Notification" or "Emergency Alert" in the subject line, depending on the situation and the mode of distribution used. The contents of the body of the alert will be determined based on the information available to University Police Services and/or the College President's Office regarding the emergency occurring. The message may include a short description of the emergency incident or crime involved; it will include instructions on how to contact University Police Services or the appropriate agency; any immediate steps the community needs to take regarding the situation in the alert message, and will include personal safety information to aid members of the community in protecting themselves.

Dissemination of an emergency notification may occur through various platforms including but not limited to, Nevada State's public announcement system and alerts such as text messages, digital signage, Nevada State's media sites, and Nevada State's main social media sites. Notification of the larger community surrounding campus will be through social media communications. When appropriate, additional or follow up communication may come from the University Police Services public information officer, or the University public information officer, depending on the nature of the emergency.

website banner activation, email notification to all students, faculty and staff, University Police Services website and social

Several members of University Police Services and other departments including leadership are authorized to activate and send emergency notifications. If the determination to send an emergency notification is made, any of the follow individuals or offices may send the initial alert:

- University Police Services Dispatch,
- Vice President Public Safety Services & Director of University Police Services Southern Command,
- Nevada State College Office of the President,
- University Police Services Assistant Director(s),
- University Police Services Lieutenant(s),
- Clery Compliance Coordinator,
- Special Assistant to the AVP& Director of University Police Services, and
- University Police Services Support Services Director.

If an emergency notification alert is disseminated, a follow up alert notifying the campus community that the threat has passed will be issued when appropriate. This alert may come from either University Police Service, the Office of Emergency Management, the College public information officer, or in some cases the Office of the College President. Follow up information may be distributed through any of the previously mentioned modes of communication or through website updates when appropriate.

Emergency Response and Evacuation Procedures & Testing

NSC's Emergency Operations Plan includes information about Incident Teams, College operating status parameters, incident priorities and performance expectations, shelter-in-place and evacuation guidelines, and local contingency and continuity planning requirements. College departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility. The College conducts emergency response exercises each year, such as tabletop exercises and tests of the emergency notification system on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.

University Police Services officers and supervisors have received training in the incident Command System and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually University Police Services, HPD, LVMPD, NLVPD, and the CCFD and Emergency Medical Services (EMS). They typically respond and work together to manage the incident; other Nevada State College departments and other local or federal agencies could also be involved in responding to the incident.

Circumstances surrounding the nature of the emergency will dictate what instructions members of the campus community are given and how they are advised to respond. Community members may be told to shelter in place and secure doors, or to evacuate immediately to a designated meeting location. Guidance on how to react during a particular emergency will be communicated via multiple messaging systems immediately upon confirmation of the emergency occurrence.

General information about the emergency response and evacuation procedures for Nevada State College are publicized each year as part of the institution's Clery Act compliance efforts. More detailed

information is available at www.nsc.edu/campus-emergency/

EMERGENCY/NON-EMERGENCY RESOURCES

**FOR ALL EMERGENCIES,
CALL 911 from a campus phone or
University Police Services at (702) 895-3669.**

**IF YOU SEE SOMETHING,
SAY SOMETHING...**

To report a crime or any emergency involving life, property or health you can call 911 from any campus phone. You DO NOT have to dial 9. In the event of a fire, activate the building's fire alarm system and call 911 from a safe location. Evacuate the building immediately!

When calling 911:

- Stay on the line with the dispatcher.
- Provide the address of the building involved and/or your exact location (building, floor, room number, etc.). This is especially critical if you are calling from a cell phone.
- Provide a thorough description of the incident to ensure that proper resources are dispatched.
- Do not hang up until the dispatcher tells you to do so.

Emergency Telephone System (ETS):

Emergency telephones are placed throughout campus to use in the event of an emergency, when in need for University Police Services officers, to report a fire or when in need of an ambulance. The ETS boxes are red and have a blue light on top and are marked "EMERGENCY"

For emergencies, use the EST in the following manner:

1. Push the red "Emergency" button
2. In a few seconds, the University Police Services Dispatch Center personnel will answer and send help.

Be State Safe!

Download the NSC Safety App.



The State Safe safety app includes the following features:

UPD Twitter Feed

- University Police Department Twitter with the most recent posts from the UPD twitter

COVID-19 Information

- Information: NSC COVID-19 Updates
- Daily COVID-19 Self-Assessment Tool
- NSC COVID-19 Self Report Form

Safety Toolbox

- Chat with University Police
- Report a Tip
- Security Escort
- Lost & Found
- Annual Security Report
- NSC Crime Log

Friend Walk

- Send your location real-time to a friend so they can watch you as you walk to your destination! They'll watch you and can trigger a call to emergency services if necessary.

Campus Resources

- Ride Services
- Campus Maps
- Building & Services Hours
- Be Engaged
- Disability Resource Center

Emergency Management

- Be Informed
- Develop an Emergency Plan
- Build an Emergency Supply Kit
- Get Involved with U.P.S (University Police Services)
- Emergency Operations Plan
- Campus Map

Crisis Services

- Mental Health Screening
- Suicide Prevention Lifeline
- Case Management
- Medical
- Rape Crisis Center
- LGBTQIA+ The Center
- Community Resources
- Domestic Violence
- Mental Health
- Immigration
- CARE Team
- All About You Counseling
- Homelessness
- Student Emergency Financial Support

Always remember campus safety is a shared community responsibility. If you see something, say something. If you are the victim of a crime or witness a crime, immediately contact University Police Services at (702) 895-3669

Security Awareness and Crime Prevention Programs

Throughout the year security awareness programs are offered and presented by University Police Services members. University Police Services provides security awareness presentations on various topics including sexual assault prevention, reporting suspicious or criminal activity on campus, possession and use of weapons, residence hall security, and tips for a safe campus.

Presentations outline ways to maintain personal safety. Students, faculty and staff are provided with information regarding crime on campus and in the surrounding neighborhoods and ways to be vigilant and aware of their surroundings. These presentations encourage members of the campus community to “see something, say something.”

Sexual Assault Prevention: This program focuses on security awareness and is provided upon request (usually a few times a year.) This program is open to faculty, staff, and students. The class is designed to educate attendees to recognize the dangers of sexual assault, provide information on how to protect oneself, provide tips for a safe campus, and assist with information on how to report a crime if one becomes a victim.

Reporting Suspicious or Criminal Activity on Campus: This is a collection of presentations that focus on security awareness and is provided upon request. The audience is the entire College community (meaning faculty, staff, and students). The information is primarily mentioned in all active shooter safety presentations and general safety presentations. Approximately 40 presentations are made per year. The presentations inform members of the College community and encourage them to "see something, say something" when they detect suspicious situations and/or individuals.

Possession and Use of Weapons: This is a collection of presentations focusing on security awareness, addressing what qualifies as a weapon and what is

and is not legally allowed on campus. The audience is the entire College community.

Tips for a Safe Campus: This program focuses on both security awareness and crime prevention. This program is offered throughout the year. The audience for this program is intended to be all members of the College community. The purpose of the program is to inform members of the campus of what to look for to avoid dangerous and illegal situations.

Robbery and Theft Prevention: This program focuses on crime prevention. The audience for the program is the College community. The goal is to inform members of the campus community of what to look for to avoid becoming a victim of crime.

In addition to personal safety presentations, University Police Services provides whistles for students and staff who wish to carry one with them.

The NSC State Safe Mobile application is available for download on smart phones. This app provides users with emergency contact numbers and various safety related services including the ability to report non-emergencies in addition to crimes on campus.

Missing Student Notification Policy

Reporting a Missing Student

If a person has reason to believe that an on-campus resident student is missing, he/she should immediately notify a Resident Assistant or the Director of Housing. The Director of Housing will then notify the NSC Dean of Students. The NSC Dean of Students will contact University Police Services at 702-895-3668. University Police Services is the local law enforcement agency and they will begin an investigation immediately.

Should University Police Services determine that the student has been missing for more than 24 hours they will follow up with the Dean of Students. The Dean of Students will request the Missing Person Contact data from American Campus Communities. University Police Services will work with the Dean of Students to notify any appropriate outside jurisdictional agency and the student's Missing Person Contact.

If the student is under 18 years of age and is not an emancipated individual, University Police Services will notify the student's parent or legal guardian and Missing Person Contact as designated in the form maintained by American Campus Communities, immediately after determining that the student has been missing for 24 hours.

Regardless of whether the student has identified a Missing Person Contact, if the student is above the age of 18, or is an emancipated minor, the Dean of Students will inform University Police Services within 24 hours that the student is missing.

The reporting party should provide the following information:

- Name of missing student
- Contact information for the student
- If there is a reason to believe the student might be in distress or if there is a threat of imminent harm
- Background and descriptive information
- Time and date last seen
- Location last seen
- Last known destination
- Names of acquaintances

- Any additional information that may be important in helping to locate the missing person

If contact is made with the student, University Police Services will notify the Dean of Students and the student will be encouraged to notify the Reporting Party.

Missing Person Contact

All on-campus resident students have the option to designate a Missing Person Contact strictly for the event that the student becomes a missing person. This contact information will be confidential and accessible only to authorized college officials and law enforcement personnel involved in an emergency response. The missing person contact information may not be disclosed except to law enforcement personnel in furtherance of a missing person investigation. The Missing Person Contact will be notified within 24 hours of University Police Services determining that the student is missing.

Policy Statement Regarding the Possession, Use, and Sale of Alcoholic Beverages and Enforcement of State Underage Drinking Laws

The unlawful possession, use, sale, or distribution of alcohol by students or employees on Nevada State premises or as part of any College activity is prohibited.

The legal age for drinking alcohol in Nevada is 21. Any student or employee who violates underage drinking laws on campus will be subject to citation, arrest, and/or referral for disciplinary action.

Policy Statement Regarding the Possession, Use, and Sale of Illegal Drugs and Enforcement of Federal and State Drug Laws

Nevada State College is a drug free campus and the unlawful possession, use, sale, manufacture, or distribution of illegal drugs or other controlled substances on the College premises or as part of any College activity is illegal and is strictly prohibited.

Any student or employee who violates federal or state law or College policy regarding the manufacture, use or possession of illegal drugs will be subject to citation, arrest, and/or referral for disciplinary action.

Drug-Free Schools and Communities Act

Nevada State College has joined other colleges and universities across the nation in encouraging the elimination of alcohol and other drug abuse on our campus and in our community. This policy supports the belief that the unlawful possession or use of drugs, including alcohol, and the abuse of alcohol and any drug by students constitutes a grave threat to their physical and mental well-being, and significantly impedes the processes of learning and personal development. While the majority of adults who drink alcohol do so in an acceptable and responsible manner, there is a substantial number who misuse and abuse alcohol, with resulting problems in health, academic, and vocational performance, social and personal relationships, and financial and legal

areas.

Alcoholic Beverages

1. In compliance with state law, no student may possess or consume alcohol if under 21 years of age; neither may a student offer alcoholic beverages to a minor (under 21 years).
2. The President has the authority to designate the time and place for special events where alcoholic beverages may be served on the college campus (for student groups as well as the entire college community and guests). Students who are of legal age may consume alcohol at these events.
3. Except as provided above, the storage, possession, or use of alcoholic beverages shall not be permitted on college-owned or college-supervised property. In addition, any student who exhibits offensive behavior on college-owned or college-supervised property, or while attending a college-sponsored event while under the influence of alcoholic beverages, shall be subject to college disciplinary action.

Other Substances

The use or possession of illegal and/or unauthorized drugs and drug paraphernalia is strictly prohibited.

Campus Disciplinary Sanctions for Violations of Alcohol and Illegal Substance Policies

A student involved in violations of college standards of conduct will be required (unless expelled from the college) to participate in an education and assessment process as a condition of continued association with the institution. The following sanctions are presented as guidelines, indicating the range and progression of sanctions-from educational programs through expulsion. These sanctions are applied on a case by case basis, depending on the specific nature of the alcohol and drug violation. Each student's case is evaluated in terms of that student's level of risk posed (health or danger to self and others) by his or her substance abuse.

For violations involving alcohol, sanctions might include:

- three-hour education seminar.
- counseling and assessment
- campus disciplinary probation
- extended probation with counseling
- Suspension
- expulsion

For violations involving the possession or use of drugs, sanctions might include:

- disciplinary probation and referral to assessment/treatment
- Suspension
- expulsion

For violations involving the sale of drugs, sanctions might include:

- Suspension
- Expulsion

Legal Standards

In addition to college student conduct standards, a student will be subjected to all local, state, and federal laws related to substance abuse or the possession/use of alcohol. The following state laws are presented which apply to any student conduct on or in the vicinity of the campus. In these instances, the student is being regarded as a resident of the state of Nevada:

Legal Sanctions

Legal action provides for sanctions ranging from the imposition of fines to incarceration. These sanctions are imposed after due process is pursued. Legal

sanctions are governed by the Nevada Revised Statutes (NRS). Such sanctions result from the referral of an alcohol or other drug violation which comes to the attention of the college Police Department and is referred to the District Attorney's Office. Legal action may take place concurrently with campus disciplinary action.

NRS 202.055 - Sale or furnishing of alcoholic beverage to a minor; aiding a minor to purchase or procure alcoholic beverage. Every person who knowingly sells, gives, or otherwise furnishes an alcoholic beverage to any person under 21 years of age is guilty of a misdemeanor.

NRS 205.460 - Preparation, transfer, or use of false identification regarding persons under 21 years of age; (1) Every person who counterfeits, forges, alters, erases, or obliterates, or... (3) Every person under the age of 21 years who uses or attempts to use or proffers any counterfeited, forged, erased or obliterated card, writing paper, document, or any photocopy print, Photostat, or other replica thereof for the purpose and with the intention of purchasing alcoholic liquor or being served alcoholic liquor entering gambling establishments shall be guilty of a misdemeanor.

NRS 202.020 - Purchase, consumption or possession of alcoholic beverage by a minor. Any person under 21 years of age who, for any reason, possesses any alcoholic beverage in public is guilty of a misdemeanor. NRS 202.040 - False representation by a minor to obtain intoxicating liquor. Every minor who shall falsely represent himself to be 21 years of age in order to obtain any intoxicating liquor shall be guilty of a misdemeanor.

Resources:

SUBJECT	CONTACT	PHONE	WEBSITE / STATE SAFE / SOCIAL MEDIA
For students, NSC provides a variety of free services and assistance through on-campus appointments	All About You Counseling (AAU)	702-754-0807	https://nsc.edu/current-students/counseling-services/ State Safe Crisis Services
NSC's Case Manager	Laura Hinojosa	702-992-2514	https://nsc.edu/current-students/care-team/ IG: @CareCorner State Safe: Crisis Services
For NSC employees: Employee Assistance Program (EAP)	LifeWorks	Telephone: 877-234-5151 En Español, llame al 888-732-9020 TTY/TDD: 800-999-3004	www.lifeworks.com
Federal Substance Abuse and Mental Health Services Administration's Treatment Routing Services	Substance Abuse and Mental Health Services Administration (SAMHSA)	1-800-662-4357 (HELP)	https://www.samhsa.gov/find-help/national-helpline State Safe: Crisis Services
Al-Anon	Alanon Family Groups Al-Anon/Alateen	1-800-344-2666	https://al-anon.org/ https://www.nevadaal-anon.org/
Cocaine Hotline: 24/7 drug helpline	Our Lead Family	1-866-236-1651	https://www.ourleadfamily.com/help-is-available
Las Vegas Recovery Center	Las Vegas Recovery Center (LVRC)	702-515-1373	https://www.lasvegasrecovery.com/
Salvation Army Adult Rehabilitation Program	Salvation Army	702-399-2769	https://www.salvationarmyusa.org/usn/combat-addiction/
WestCare Detox	West Care	702-383-4044	https://westcare.com/
Alcoholics Anonymous Las Vegas Central Office	AA Las Vegas Central	702-595-1888	www.lvcentraloffice.org State Safe: Crisis Services

Region 51 Narcotics Anonymous	NA	888-495-3222	www.region51na.org
Valley View Family Counseling Service	Valley View	702-320-3180	https://www.valleyviewfamilycounseling.com/
Community Counseling Center	Community Counseling Center	702-369-8700	www.cccofsn.org
Mental Health Screening	Laura Hinojosa Care Team	702-992-2514	https://nsc.edu/statesafe/ State Safe: Crisis Services
National Suicide Prevention Lifeline	24/7 Lifeline	800-273-8255	https://suicidepreventionlifeline.org/ State Safe: Crisis Services
First Person Care Clinic	First Person Care Clinic	702-380-8118	http://www.firstpersoncc.org/ State Safe: Crisis Services
Rape Crisis Center	24/7 hotline	702-366-1640	https://rcclv.org/ State Safe: Crisis Services
LGBTQIA+ The Center	The Center	702-733-9800	https://thecenterlv.org/ State Safe: Crisis Services
Community Resources	PDF	PDF	State Safe: Crisis Services
Domestic Violence	24/7 hotline	800-799-7233	https://www.thehotline.org/ State Safe: Crisis Services
Anxiety & Depression Association of America	ADAA	240-485-1001	https://adaa.org/ State Safe: Crisis Services
Boys Town	24/7 hotline	800-448-3000	https://www.boystown.org/Pages/default.aspx State Safe: Crisis Services
Depression & Bipolar Support Alliance	DBSA	800-826-3632	https://www.dbsalliance.org/ State Safe: Crisis Services
National Alliance of Mental Health	NAMI	800-950-6264	https://www.nami.org/Home State Safe: Crisis Services
National Association of Anorexia Nervosa and Associated Disorders	ANAD	630-577-1330	https://anad.org/ State Safe: Crisis Services
National Eating Disorders Association	NEDA Helpline	800-931-2237	https://www.nationaleatingdisorders.org/ State Safe: Crisis Services
National Center of Excellence for Eating Disorders	NCEED	800-931-2237	https://www.nceedus.org/ State Safe: Crisis Services

National Council on Problem Gambling	NCPG	800-522-4700	https://www.ncpgambling.org/ State Safe: Crisis Services
National Drug Helpline	National Drug Helpline	844-289-0879	https://drughelpline.org/ State Safe: Crisis Services
University Legal Services	UNLV	702-895-2080	https://law.unlv.edu/clinics/immigration/university-legal-services State Safe: Crisis Services

Notice to Students and Employees Regarding Illicit Drugs and Alcohol

Nevada State College (NSC) believes that the unlawful possession or abuse of drugs and alcohol by students and employees presents multilevel risks to the individual, the learning and working environments, and the college community. Substance abuse impedes the process of learning, teaching, and personal development and the overall exercise of a person's true talents and abilities. There are also serious criminal and disciplinary sanctions that can be imposed on students and employees which will disrupt their studies or careers.

NSC provides this notice in compliance with federal law as part of NSC's program to prevent the possession, use, and distribution of illicit drugs and alcohol by students and employees. The information provided here includes campus rules and regulations pertaining to drugs and alcohol, possible health and social effects, legal sanctions, and contact information for services and programs that can provide further information and assistance. Additionally, this notice informs students of the implications for eligibility of financial aid when students are convicted of possession or sale of illegal drugs. For purposes of this notice, marijuana, although legal in the State of Nevada, is considered an illicit drug.

Illegal Drugs

NSC is a drug-free institution. Nevada state law and Nevada System of Higher Education (NSHE) regulations prohibit the manufacture, distribution, possession, or use of illegal or unauthorized drugs or drug paraphernalia on NSC property or at NSC-sponsored activities.

The possession or use of prescription drugs without a proper prescription is a crime in the State of Nevada. A student's or employee's possession of a "medical marijuana card" or similar documentation supporting the use of illegal drugs will not excuse or permit the manufacture, distribution, or use of illegal or unauthorized drugs or drug paraphernalia on NSC property or at NSC-sponsored activities.

Violations of the law or NSHE regulations will result in disciplinary action for students and employees up to and including expulsion of students and/or termination of employment pursuant to Nevada state law, the NSC Student Code of Conduct, and the NSHE Code, and referral for criminal prosecution. Nevada law requires NSC to immediately terminate employment of any employee who is convicted of violating a federal or state law prohibiting the sale of a controlled substance regardless of where the incident occurred. The term, controlled substance, means any drug defined as such under the regulations adopted pursuant to NRS 453.146. Many of these drugs have a high potential for abuse. Such drugs include, but are not limited to, heroin, marijuana, cocaine, PCP, and crack. They also include legal drugs, including marijuana, which are not prescribed by a licensed physician.

These violations are serious matters and can significantly impact education and employment.

Alcohol

NSC does not permit possession of alcohol on its property except for limited situations. The legal age for drinking alcohol in Nevada is 21 years. Alcohol abuse or excessive drinking by those of lawful age has become more prevalent, with tragic cases reported of death or serious injury. This includes forced consumption of alcohol in conjunction with initiations or affiliation with any organization; NSC prohibits any type of initiations requiring the consumption of alcohol.

NSHE regulations allow the use or consumption of alcohol on NSC property only in the following limited situations:

- Upon receipt of a timely advance application, the NSC President may grant permission in writing for the sale or distribution of alcoholic beverages at a NSC-sponsored event (including those sponsored by student organizations) and by guest organizations approved to use NSC facilities. Such consideration will be based upon, be based

upon, but not limited to, such factors as number and ages of people in attendance, purpose of the event, supervision, security provisions, location, and the date and time of the function. The President's decision to allow alcohol is discretionary and the decision is final. No other NSC officer, manager, or employee may approve the use of alcohol on campus or at a NSC-related event/function.

- Alcohol procured and used in association with approved NSC academic classes.

Impairment in the Workplace and Classroom

It is the policy of the State of Nevada to ensure that its employees do not report for work in an impaired condition resulting from the use of alcohol or illegal drugs, or consume alcohol or use illegal drugs while on duty (including driving a personal vehicle while on College business or driving a state vehicle).

Alcohol and drug abuse and the use of alcohol and drugs in the workplace are issues of concern to the State of Nevada. Any employee who appears to be in an impaired condition at work is subject to a screening test for alcohol or drugs, and disciplinary action up to and including termination of employment. Referral to an employee assistance program is also possible.

Any State employee convicted of driving under the influence in violation of NRS 484C.110 or any other offense for which driving under the influence is an element of the offense, and the offense occurred while driving a State vehicle or a private vehicle while on NSC business, is subject to discipline up to and including termination.

Any NSC student who comes to campus in an impaired condition resulting from the use or consumption of alcohol, non-prescribed drugs, or illegal drugs may be referred for discipline under the NSC Student Code of Conduct, especially if their impaired condition causes the student to act out in a disruptive manner.

Sanctions

Violation of the law or NSHE regulations will result in disciplinary action for students and employees up to and including expulsion of students and/or termination of employment, pursuant to the NSC Student Code of Conduct, Nevada Administrative Code, and the NSHE Code, and referral for criminal prosecution. Sanctions for student organizations may include, but are not limited to, warning, probation, denial of use of NSC facilities, and withdrawal of the organization's recognition and charter. A disciplinary sanction may include the completion of an appropriate educational or rehabilitation program. Guests of the college will be subject to denial of permission to come to any NSC campus and for future use of its facilities. These violations are serious matters and can significantly impact education and employment.

Health Risks Associated with Drug Abuse and Alcohol Use

1. Depressants (e.g. alcohol, tranquilizers, benzodiazepines such as Xanax or Valium)
 - a. poor concentration, coordination, and judgment
 - b. inability to reason and make decisions
 - c. mood swings
 - d. fatigue
 - e. liver diseases
 - f. ulcers
 - g. birth defects
 - h. depression
 - i. malnutrition
 - j. heart disease and stroke
 - k. certain cancers
 - l. brain damage
 - m. drowsiness
 - n. poor attention span, memory, and coordination
 - o. confusion
 - p. birth defects
 - q. possible liver disease

2. Stimulants (e.g. cocaine, crack, amphetamines such as Ritalin, meth)

- a. nervousness, short attention span, poor judgment, mood swings, paranoia, hallucinations
- b. depression caused by withdrawal
- c. death from heart or respiratory failure
- d. stroke or seizures
- e. lung and voice damage
- f. hepatitis or AIDS

3. Opioids & Morphine Derivatives (e.g. heroin, OxyContin)

- a. drowsiness, confusion, and disorientation
- b. slowed breathing, sometimes to point of death
- c. coma
- d. hepatitis or AIDS

4. Cannabinoids (e.g. marijuana, hashish)

- a. poor short-term memory
- b. slowed reflexes
- c. problems judging time, depths, and distance
- d. lung damage
- e. may harm immune system or fertility

5. Hallucinogens (e.g. LSD, psilocybin mushrooms, PCP/Angel Dust)

- a. disorganization
- b. hostile feelings toward others
- c. short attention span
- d. poor motor skills
- e. self-inflicted injury
- f. brain hemorrhage
- g. high blood pressure
- h. increased heart rate
- i. heart failure
- j. convulsions, coma, and death

6. Inhalants (e.g. glue, nitrous oxide, aerosol sprays)

- a. confusion
- b. difficulty walking
- c. rapid heart rate
- d. sudden brain damage
- e. damaged sense of smell
- f. liver damage
- g. lung damage

h. kidney problems

7. Anabolic Steroids

- a. aggressive behavior
- b. mood swings
- c. depression due to withdrawal
- d. liver disease
- e. heart attack
- f. stroke
- g. high cholesterol levels
- h. in men, breast development, small testicles, and sterility
- i. in women, deep voice, acne, hair growth, and decrease in breast size

Services and Programs for the NSC Community that Address Substance Abuse

A. For students, NSC provides a variety of free services and assistance through on-campus appointments. Students may contact All About You Counseling (AAU) at 702-754-0807 to schedule an appointment. Students may also contact NSC's Case Manager at 702-992-2514 for information about other campus and community resources that may assist them.

B. For NSC employees, an Employee Assistance Program (EAP) is also available. NSC currently contracts EAP services through LifeWorks. LifeWorks consultants are available 24 hours a day, 7 days a week, 365 days a year. Employees may contact LifeWorks via:

- Telephone: 877-234-5151
- En Español, llame al 888-732-9020
- TTY/TDD: 800-999-3004
- www.lifeworks.com

C. Other Resources available through toll-free telephone contacts:

- 1. Federal Substance Abuse and Mental Health Services Administration's Treatment Routing Services: 1-800-662-4357 (HELP)
 - Refers callers to local drug treatment

centers and support
groups

2. Al-Anon: 1-800-344-
2666

- Will refer families of substance abusers to group meetings in their local area

3. Cocaine Hotline: 1-866-236-
1651

- 24/7 drug helpline

D. Local Groups/Groups for Families

1. Las Vegas Recovery Center:
702-515-1373

2. Salvation Army Adult Rehabilitation
Program: 702-399-2769

3. WestCare Detox: 702-383-4044

4. Alcoholics Anonymous Las Vegas Central
Office: 702-595-1888; www.lvcentraloffice.org

5. Region 51 Narcotics Anonymous: 888-495-
3222; www.region51na.org

6. Valley View Family Counseling Service: 702-
320-3180

7. Community Counseling Center: 702-369-8700;
www.cccofsn.org

Sexual Assault, Domestic Violence, Dating Violence, and Stalking Defined & Procedures for Reporting Domestic Violence, Dating Violence, Sexual Assault, and Stalking

Nevada State College is a diverse community committed to creating and maintaining a safe campus where all persons who participate in college programs and activities can work and learn together in an atmosphere free of all forms of harassment, discrimination, or intimidation. The college encourages all members the NSC community who believe that they have experienced sexual misconduct or gender based violence to seek immediate medical attention and take steps to preserve pertinent information and tangible materials, regardless of whether or not an individual wishes to make a report to the college or law enforcement.

Sexual harassment, sexual assault/sexual misconduct, domestic violence, dating violence, and stalking are violations of college policy.

NSC will respond promptly to reports of sexual harassment, sexual assault/sexual misconduct, domestic violence, dating violence, and stalking.

Sexual Harassment under Title IX.

NSHE and its member institutions do not discriminate on the basis of sex in their education programs and activities. Title IX of the Education Amendments Act of 1972, 20 U.S.C. § 1861(a), provides:

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

Title IX applies to every single aspect of education, including course offerings, counseling and counseling materials, financial assistance, student health and insurance benefits and/or other services, housing, marital and parental status of students, physical education and athletics, education programs and activities sponsored by the institution, and employment.

1. Designation of Coordinator, dissemination of policy, and adoption of complaint procedures.

- a. Each President of NSHE's eight (8)

institutions and the Chancellor for NSHE's System Administration offices shall designate and authorize an individual to serve as the Title IX Coordinator for the institution who shall be tasked with coordinating the institution's efforts to comply with its responsibilities under this Section. The institution must notify applicants for admission or employment, students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the institution, of the name or title, office address, electronic mail address, and telephone number of the individual designated as the Title IX Coordinator.

- b. Each institution must prominently display the contact information for the Title IX Coordinator on its website, if any, and in each handbook, or catalog that it makes available to persons entitled to a notification under paragraph (a) of this section. Each institution must notify persons entitled to a notification under paragraph (a) of this section that the institution does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX not to discriminate in such a manner. Such notification must state that the requirement not to discriminate in the education program or activity extends to admission and employment, and that inquiries about the application of Title IX to the institution may be referred to the institution's Title IX Coordinator, to the Assistant Secretary of the Department of Education, or both.
- c. Each institution must adopt and publish complaint procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited under this section and a complaint process that complies with subsection 5 for formal complaints as defined in subsection 2. An institution must provide to persons entitled

to a notification under paragraph (a) of this section notice of the institution's complaint procedures and complaint process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the institution will respond.

2 Definitions.

- a. "Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
- b. "Respondent" means an individual who has been reported be the individual engaging in the conduct that could constitute sexual harassment.
- c. "Reporting Party" means any person who reports sexual harassment or conduct that could constitute sexual harassment, whether or not the person reporting is the person alleged to be the victim.
- d. "Sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:
 - (i) An employee of a NSHE institution conditioning the provision of an aid, benefit, or service of the institution on an individual's participation in unwelcome sexual conduct;
 - (ii) Unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the institution's education program or activity; or
 - (iii) Sexual assault, as defined by the Clery Act, 34 C.F.R. § 668.46(a), as amended by the Violence Against Women Act of 1994, including but not limited to dating violence, domestic violence, and stalking.

or activity" includes locations, events, or circumstances over which an institution exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by an institution, which may include but is not limited to recognized fraternity, sorority, or student organizations. This definition does not apply to persons outside the United States.

For the purposes of this definition, "sexual assault" means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the Federal Bureau of Investigation's Uniform Crime Reporting Program.

"Rape" means penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

"Fondling" means the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

"Incest" means sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

"Statutory rape" means sexual intercourse with a person who is under the statutory age of consent (16 years old).

"Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

"Domestic violence" means felony or misdemeanor

For the purposes of this definition, "education program

crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or 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.

"Stalking" means engaging in a course of conduct on the basis of sex directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

- e. "Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the institution investigate the allegation of sexual harassment.
- f. "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed.
- g. "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to an institution's Title IX Coordinator or any official of the institution who has authority to institute corrective measures on behalf of the institution, including the President, Vice Presidents, Provost, Vice Provosts, Human Resources Director, and those designated by the President.

Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met

when the only official of the institution with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment or to inform an individual about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the institution.

- h. "Institution" means any and all of NSHE's eight (8) institutions, including the College of Southern Nevada; the Desert Research Institute; Great Basin College; Nevada State College; Truckee Meadows Community College; the University of Nevada, Las Vegas; the University of Nevada, Reno; and Western Nevada College, and NSHE's System Administration offices.
- i. "Consent" means an affirmative, clear, unambiguous, knowing, informed, and voluntary agreement between all participants to engage in sexual activity.
 - Consent is active, not passive. Silence or lack of resistance cannot be interpreted as consent.
 - Seeking and having consent accepted is the responsibility of the person(s) initiating each specific sexual act regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
 - The existence of a dating relationship or past sexual relations between the participants does not constitute consent to any other sexual act.
 - Affirmative consent must be ongoing throughout the sexual activity and may be withdrawn at any time. When consent is withdrawn or cannot be given, sexual activity must stop.
 - Consent cannot be given when it is the result of any coercion, intimidation, force, deception, or threat of harm.
 - Consent cannot be given when a person is incapacitated. Incapacitation occurs when an individual lacks the ability to fully, knowingly choose to participate in sexual activity. Incapacitation includes:

impairment due to drugs or alcohol (whether such use is voluntary or involuntary); inability to communicate due to a mental or physical condition; the lack of consciousness or being asleep; being involuntarily restrained; if any of the parties are under the age of 16; or if an individual otherwise cannot consent.

- The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity or gender expression.

3. Response to Sexual Harassment.

An institution with actual knowledge of sexual harassment allegations in an education program or activity of the institution, as all defined in subsection 2, against a person in the United States must respond promptly in a manner that is not deliberately indifferent. An institution is "deliberately indifferent" only if its response to sexual harassment allegations is clearly unreasonable in light of the known circumstances

An institution's response must treat complainants and respondents equitably by offering supportive measures as defined in subsection f of subsection 2 to all parties, and by following a complaint process that complies with subsection 5 before the imposition of any disciplinary sanctions or other actions that are not supportive measures as defined in subsection f of subsection 2 against a respondent.

The institution's Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures as defined in subsection f of subsection 2, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. An institution's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX.

Depending on the specific nature of the problem,

supportive measures and remedies may include, but are not limited to:

For Students:

- a. Issuing a no-contact directive(s);
- b. Providing an effective escort to ensure safe movement between classes and activities;
- c. Not sharing classes or extracurricular activities;
- d. Moving to a different residence hall;
- e. Providing written information regarding institution and community services including but not limited to medical, counseling and academic support services, such as tutoring;
- f. Providing extra time to complete or re-take a class or withdraw from a class without an academic or financial penalty;
- g. Restricting to online classes;
- h. Providing information regarding campus transportation options;
- i. Reviewing any disciplinary actions taken against the complainant or the respondent to see if there is a connection between the sexual misconduct and the misconduct that may have resulted in the complainant or the respondent being disciplined;¹ and
- j. Requiring the parties to report any violations of these restrictions. For Employees:
- k. Providing an effective escort to ensure safe movement between work area and/or parking lots/other campus locations;
- l. Issuing a no-contact directive(s);
- m. Placement on paid leave (not sick or annual leave);
- n. Placement on administrative leave;
- o. Transfer to a different area/department or shift in order to eliminate or reduce further business/social contact;
- p. Providing information regarding campus transportation options;
- q. Instructions to stop the conduct;
- r. Providing information regarding institution and community services including medical, counseling and Employee Assistance Program;
- s. Reassignment of duties;

- t Changing the supervisory authority; and
- u Directing the parties to report any violations of these restrictions.

All institution administrators, academic and administrative faculty, and staff are responsible for carrying out the supportive measures and remedies.

Supportive measures and remedies may include restraining orders, or similar lawful orders issued by the institution, criminal, civil or tribal courts. Supportive measures and remedies will be confidential to the extent that such confidentiality will not impair the effectiveness of such measures or remedies.

Remedies may also include review and revision of institution sexual misconduct policies, increased monitoring, supervision or security at locations where incidents have been reported; and increased and/or targeted education and prevention efforts.

Any supportive measures or remedies shall be monitored by the Title IX Coordinator throughout the entire process to assess whether the supportive measures or remedies meet the goals of preventing ongoing harassment or discrimination, protecting the safety of the parties, restoring access to the institution’s education programs and activities, and preventing retaliatory conduct.

In responding to allegations of sexual harassment, an institution shall not restrict rights protected under the U.S. Constitution, including the First Amendment, Fifth Amendment, and Fourteenth Amendment.

4. Response to a Formal Complaint.

- a In response to a formal complaint, an institution must investigate the allegations contained therein and follow a complaint process that complies with subsection 5. With or without a formal complaint, an institution must comply with subsection 3.
- b Nothing in this subsection precludes an institution from removing a respondent from the institution’s education program or activity on an emergency basis, provided

that the institution undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

- c Nothing in this subsection precludes an institution from placing a non-student employee respondent on administrative leave during the pendency of a complaint process that complies with subsection 5. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.
- d An institution may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a complaint process involves more than one complainant or more than one respondent, references in this section to the singular “party,” “complainant,” or “respondent” include the plural, as applicable.

5. General complaint process for Reports of Dating Violence, Domestic Violence, Sexual Assault, Stalking, or Sexual Harassment.

Institutions shall:

- a Permit any person to report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct

that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator;

- b. Promote impartial investigations and adjudications of formal complaints of sexual harassment;
- c. Treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following a complaint process that complies with this section before the imposition of any disciplinary sanctions or other actions that are not supportive measures as defined in subsection f of subsection 2 against a respondent. Remedies must be designed to restore or preserve equal access to the institution’s education program or activity. Such remedies may include the same individualized services described in subsection f of subsection 2 as “supportive measures”; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent;
- d. Require an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence—and provide that credibility determinations may not be based on a person’s status as a complainant, respondent, or witness;
- e. Ensure that the Title IX Coordinator, investigator, hearing officer, and any person designated by an institution to facilitate an informal resolution process, does not have a conflict of interest or bias for or against

complainants or respondents generally or an individual complainant or respondent;

- f. Ensure that the Title IX Coordinator, investigator, hearing officer, and any person designated by an institution to facilitate an informal resolution process receive training on the definition of sexual harassment in subsection 2, the scope of the institution’s education program or activity, how to conduct an investigation and complaint process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
- g. Ensure, in coordination with the NSHE Chief General Counsel, that hearing officers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, as set forth in subsection d of subsection 8;
- h. Ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in subsection d of subsection 8;
- i. Ensure that any materials used to train Title IX Coordinators, investigators, hearing officers, and any person who facilitates an informal resolution process, do not rely on sex stereotypes;
- j. Include a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the complaint process;
- k. Establish a reasonably prompt time frame for conclusion of the complaint process, including reasonably prompt time frames

for filing and resolving appeals and informal resolution processes if the institution offers informal resolution processes, and a process that allows for the temporary delay of the complaint process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The institution must establish a reasonably prompt time frame that complies with the procedures outlined in Chapter 284 of the Nevada Administrative Code for classified employees, Chapter 289 of the Nevada Administrative Code for law enforcement,

Chapter 6 of the NSHE Code for professional employees, and Chapter 10 of the NSHE Code or applicable code of conduct for students. Institutions may establish different time frames for different types of cases (e.g., sexual assault, domestic violence, dating violence, etc.);

- l. Describe the range of possible disciplinary sanctions and remedies or list the possible disciplinary sanctions and remedies that the institution may implement following any determination of responsibility;
- m. State that the standard of evidence to be used to determine responsibility is the preponderance of the evidence standard, and must apply the same standard of evidence for formal complaints against students as for formal complaints against employees, including faculty, and must apply the same standard of evidence to all formal complaints of sexual harassment. "Preponderance of the evidence" means the evidence establishes that it is more likely than not that the prohibited conduct occurred;
- n. Include the procedures and permissible bases for the complainant and respondent to

appeal a written determination;

- o. Describe the range of supportive measures available to complainants and respondents;
- p. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege; and
- q. Require any party to assert that the Title IX Coordinator, investigator(s), or hearing officer(s) has a conflict of interest or bias against complainants or respondents generally or the individual complainant or respondent at the time the party knew or should have known of such conflict of interest or bias.

6. Complaint Procedures.

- a. Upon receipt of a formal complaint, an institution must provide the following written notice to the parties who are known:
 - (i) Notice of the institution's complaint process that complies with this section, including any informal resolution process; and
 - (ii) Notice of the allegations potentially constituting sexual harassment as defined in subsection 2, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. "Sufficient details" include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment under subsection 2, and the date and location of the alleged incident, if known. This written notice also must:
 - (a) Include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the

- complaint process;
 - (b) Inform the parties that they may have an advisor of their choice under subsection d of subsection 7 who may be, but is not required to be, an attorney, and may inspect and review evidence under subsection 7; and
 - (c) Consistent with section 13, inform the parties of the prohibition against knowingly making false statements or knowingly submitting false information during the complaint process.
- b. If, in the course of an investigation, the institution decides to investigate allegations about the complainant or respondent that are not included in the notice provided pursuant to subsection a of subsection 6, the institution must provide notice of the additional allegations to the parties whose identities are known.
- c. Dismissal of formal complaint.
- (i) If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in subsection 2 even if proved, did not occur in the institution's education program or activity, or did not occur against a person in the United States, then the institution must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX. Such a dismissal does not preclude action under another provision of the Board of Regents' Handbook, NSHE Code, or institution's code of conduct.
 - (ii) The institution may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:
 - (a) A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
 - (b) The respondent is no longer enrolled or employed by the institution; or
 - (c) Specific circumstances prevent the institution from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
- (iii) Upon a dismissal required or permitted pursuant to subsections i and ii of subsection c of subsection 6, the institution must promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties.
- 7. Investigation of a Formal Complaint. The institution investigating a formal complaint must:**
- a. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the institution and not on the parties, provided that the institution cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the institution obtains that party's voluntary, written consent to do so for a complaint process under this section (if a party is not an "eligible student," as defined in 34 CFR 99.3, then the institution must obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3);
 - b. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
 - c. Avoid restricting the ability of either party

to discuss the allegations under investigation or to gather and present relevant evidence;

- d. Provide the parties with the same opportunities to have others present during any complaint proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or complaint proceeding. However, an institution may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to all parties;
- e. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
- f. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the institution does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation;
- g. Prior to completion of the investigative report, send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report. The

institution must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination; and

- h. Create an investigative report that fairly summarizes relevant evidence and, at least ten (10) days prior to a hearing (if a hearing is required under this section or otherwise provided) or other time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. Each party's written response, if any, shall be submitted to the investigator at least three (3) days prior to the live hearing.

8. Live Hearings.

- a. An institution must hold a live hearing over which a hearing officer presides. The hearing officer cannot be the same person as the Title IX Coordinator or the investigator(s) and must be selected in consultation with the NSHE Chief General Counsel.
- b. At the live hearing, the hearing officer must permit each party's advisor during cross-examination to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally, notwithstanding the discretion of the institution under subsection d of subsection 7 to otherwise restrict the extent to which advisors may participate in the proceedings.
- c. The live hearing may be conducted with all parties physically present in the same geographic location or, at the institution's discretion, any or all parties, witnesses, and other participants may appear at the live

hearing virtually, with technology enabling participants simultaneously to see and hear each other. At the request of either party, the institution must provide for the live hearing to occur with the parties located in separate rooms with technology enabling the hearing officer(s) and parties to simultaneously see and hear the party or the witness answering questions.

- d. Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the hearing officer(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. For the purposes of this section, “relevant” means a question or evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more or less probable than it would be without the question or evidence. Questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.
- e. If a party does not have an advisor present at the live hearing, the institution must provide, without fee or charge to that party, an advisor of the institution’s choice, who shall not be an attorney, to conduct cross-examination on behalf of that party. Such advisors need not be provided with specialized training because the essential function of such an advisor provided by the institution is not to “represent” a party but rather to relay the party’s cross-examination questions that the party wishes to have asked

of other parties or witnesses so that parties never personally question or confront each other during a live hearing. If a party or witness does not submit to cross-examination at the live hearing, the hearing officer(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the hearing officer(s) cannot draw an inference about the determination regarding responsibility based solely on a party’s or witness’s absence from the live hearing or refusal to answer cross-examination or other questions.

- f. Institutions must create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.
- g. Nothing in this subsection shall be construed to impair rights under the U.S. Constitution, including but not limited to the Fifth Amendment, or privileges recognized by statute or common law.

9. Determination Regarding Responsibility.

- a. The decision-maker, or hearing officer(s) as appropriate, must issue a written determination regarding responsibility under the preponderance of the evidence standard within 14 calendar days of the live hearing.
- b. The written determination must include:
 - (i) Identification of the allegations potentially constituting sexual harassment as defined in subsection 2;
 - (ii) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
 - (iii) Findings of fact supporting the

- determination;
 - (iv) Conclusions regarding the application of the institution's code of conduct to the facts;
 - (v) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the institution imposes on the respondent, and whether remedies designed to restore or preserve equal access to the institution's education program or activity will be provided by the institution to the complainant; and
 - (vi) The institution's procedures and permissible bases for the complainant and respondent to appeal.
- c. The institution must provide the written determination regarding responsibility to the parties simultaneously. The written determination becomes final either on the date that the institution provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

10. Appeals.

- a. Within five (5) calendar days, any party may appeal from a determination regarding responsibility, and from an institution's dismissal of a formal complaint or any allegations therein, on the following bases:
- (i) Procedural irregularity that affected the outcome of the matter;
 - (ii) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
 - (iii) The Title IX Coordinator, investigator(s), or hearing officer(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; and
 - (iv) Any additional basis offered by an institution.

- b. As to all appeals, the institution must:
- (i) Immediately notify the other party in writing when an appeal is filed;
 - (ii) Ensure that the decision-maker for the appeal is not the same person as the hearing officer(s) or decision-maker that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
 - (iii) Ensure that the decision-maker(s) for the appeal complies with the standards set forth in subsections e-i of subsection 5;
 - (iv) Give all parties an equal opportunity to submit a written statement in support of, or challenging, the outcome within five (5) calendar days of the outcome;
 - (v) Issue a written decision within five (5) calendar days of receiving a written statement in support of, or challenging, the outcome describing the result of the appeal and the rationale for the result; and
 - (vi) Provide the written decision simultaneously to all parties.
- c. The review on appeal is limited to the record, except in appeals based on newly discovered evidence that could affect the outcome of the matter and that was not reasonably available at the time the determination regarding responsibility or dismissal was made. In such appeals, newly discovered evidence may be considered on appeal notwithstanding its absence from the record.

11. Informal Resolution.

- a. If a formal complaint of sexual harassment is filed, and at any time prior to reaching a determination regarding responsibility, an institution may offer the parties the option of informal resolution and may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the institution:
- (i) Provides to the parties a written notice disclosing the allegations; setting forth the

requirements of the informal resolution process, including the circumstances under which the process's agreed upon resolution precludes the parties from resuming a formal complaint arising from the same allegations; and explaining that any statements made or documentation or information provided by a party during the informal resolution process shall not be used or relied upon in a subsequent complaint process or live hearing without the permission of the party who made the statement or provided the documentation or information;

- (ii) Obtains the parties' voluntary, informed written consent to the informal resolution process; and
 - (iii) Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.
- b. Institutions must provide the parties with a written notice explaining that, at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the complaint process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
- c. An institution shall not require the parties to participate in an informal resolution process for any reason, and shall not require waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right.
- d. An individual serving as a facilitator of an informal resolution process shall not be the Title IX Coordinator, Title IX investigator, Title IX hearing officer, witness, or other institutional employee that has a duty to

disclose allegations of sexual harassment to the institution.

12 Recordkeeping.

- a. An institution must maintain for a period of at least seven (7) years records of:
- (i) Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under subsection g of subsection 8, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the institution's education program or activity;
 - (ii) Any appeal and the result therefrom;
 - (iii) Any informal resolution and the result therefrom; and
 - (iv) All materials used to train Title IX Coordinators, investigators, hearing officers, decision-makers, and any person who facilitates an informal resolution process. An institution must make these training materials publicly available on its website, or if the institution does not maintain a website the institution must make these materials available upon request for inspection by members of the public;
 - (v) For each response required under subsections 3 and 4, an institution must create, and maintain for a period of seven (7) years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the institution must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the institution's education program or activity. If an institution does not provide a party with supportive measures, then the institution must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the institution in the future from providing

additional explanations or detailing additional measures taken.

13. False Reports. Because discrimination and sexual harassment frequently involve interactions between persons that are not witnessed by others, reports of discrimination or sexual harassment cannot always be substantiated by additional evidence. Lack of corroborating evidence or "proof" should not discourage individuals from reporting discrimination or sexual harassment under this policy. However, individuals who knowingly make false reports or submit false information during the complaint process may be subject to disciplinary action under the applicable institution and Board of Regents disciplinary procedures. This provision does not apply to reports made in good faith, even if the facts alleged in the report cannot be substantiated by subsequent investigation.

14. Retaliation.

a. **Retaliation Prohibited.** No institution or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this part, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this part. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this part, constitutes retaliation. The institution must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual

harassment, any complainant, any individual who has been reported to have engaged in sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to the complaint procedures for sex discrimination under subsection C.

b. Specific circumstances.

(i) The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under subsection a of this subsection.

15. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a complaint proceeding under this part does not constitute retaliation prohibited under subsection a of this subsection, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith. This subsection D shall become effective on August 14, 2020.

Evidence Preservation:

Although in the immediate aftermath of an incident an individual may not be interested in reporting the incident to the University or in pressing charges, preserving evidence immediately can be vital to a successful investigation if, in the future, an individual decides to move forward with a civil, criminal, or university conduct case, or seeks a protective order.

Tips for preserving evidence:

- Avoid showering, bathing, douching, brushing teeth, going to the bathroom, drinking, and/or changing clothing before seeking medical attention
- Any clothing, towels, or bedding should remain untouched pending collection by law enforcement. Whether or not an individual has chosen how to proceed at the time of a medical examination, taking steps to gather evidence

will preserve the full range of options to seek resolution through the pursuit of criminal investigation or through the University's complaint process.

- If an individual has bruising or injuries, they should take photos of the bruising with a camera and document the date and time of the photography (cell phones automatically do this). If an individual goes to the hospital, they can do this as it is deemed necessary.

Medical attention is also strongly encouraged. If a survivor of sexual assault would prefer to remain anonymous, they can receive an evidentiary exam at no cost at an area hospital without filing a police report. These exams are filed under a Jane/John Doe name. If a survivor chooses to file a police report, it should be noted that a police report states what happened and does not require the survivor to press charges. The choice remains with individual whether to press charges.

Persons of Organizations that can assist victims

The following support services are available should victims want to access them:

- The following support services are available should victims want to access them:
- Dean of Students at (702) 992-2511.
- Title IX and the Office of Compliance at (702) 992-2322.
- To notify and report the crime off-campus, contact the Henderson Police Department at (702) 267-5000 or the appropriate jurisdiction, or 9-1-1.
- University Police Services at (702) 895-3669 or file an online report at www.updsouth.nevada.edu, and
- In the case of an emergency, dial 9-1-1.

Options about the Involvement of Law Enforcement

You have options to report to, or decline to report to, the college and local law enforcement. Although the college strongly encourages prompt reporting of domestic violence, dating violence, sexual assault, or stalking individuals have the option of reporting to:

- a. Local law enforcement,
- b. The Ucollege, including University Police Services,

- c. Both a & b,
- d. None of the above.

This means that individuals have the right to decline to notify the college or law enforcement officials.

Individuals have the right to notify local law enforcement of crimes. If an individual wants to notify local law enforcement, the college will upon request, help that individual make a report to local law enforcement. A report to local law enforcement is separate from a report to the college. To report directly to the Henderson Police Department call (702) 267-5000. For assistance in contacting the Henderson Police Department, contact University Police Services at (702) 895-3668.

Process of Making a Police Report: depending on the circumstances of an incident, University Police Services may meet you at the hospital, on campus, or at the police station. An officer will document the case with a written report. It is very important for an individual to provide the most comprehensive, accurate details of the crime to the officer. Sometimes a person may have distorted memories of the event; it is okay for a person to say, "I don't remember" or "I'm not sure," without any penalty. A police interview can take a few hours, depending on the circumstances of the case. Questions often include the timeline events, what (if anything) was said, whether there was additional physical assault or injury, if weapons were used, and any descriptive features that were noticed about the perpetrator. It is likely the officer may go over the events of an assault repeatedly when writing the report. This is intended to gather as many details as possible to make the strongest case. Information gathered is then given to a detective who will review the information. All individuals have the right to stop a report at any time, not complete the report, or request a break.

Contact information: an individual who wishes to pursue criminal action in addition to, or instead of, making a report to the University for domestic violence, dating violence, sexual assault, or stalking may contact law enforcement directly by calling 911 (for emergencies) or 702-895-3669 to reach University Police Services, or in person at any University Police Services location.

Availability of Protective Orders

In some cases, an individual may wish to consider a Protection from Abuse Order from the local courts. This is a civil proceeding independent of the college. If a court order is issued the college will, to the extent possible, assist the protected person in benefiting from the restrictions imposed by the court and will also facilitate on-campus compliance order.

Efforts to Protect Confidentiality of Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

The college will attempt to protect the confidentiality of victims of domestic violence, dating violence, sexual assault, or stalking. In completing any publicly available record keeping, including Clery Act reporting and disclosures, such as the daily crime log, the college takes all efforts to avoid the inclusion of personally identifying information about the victim, to the extent possible by law.

Written information made available to victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

Written notification is made to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available for victims both on-campus and in the community. Written notification is made to victims about options for, available assistance in, and how to request chances to academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available.

The institution is obligated to honor this request, if the accommodation is reasonable available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

Any student or employee who reports to NSC that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employees' rights and options.

Institutional Disciplinary Action, Procedures in the Case of Alleged Domestic Violence, Dating Violence, Sexual Assault or Stalking

NSC is committed to creating and maintaining an educational environment free from all forms of sexual discrimination, including sexual misconduct. Any act involving sexual harassment, violence, coercion, and intimidation will not be tolerated. NSC prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking. It is the practice of NSC's Title IX and Office of Compliance to investigate any allegations of sexual misconduct and to take immediate action by providing interim resources and accommodations to both the accused and the accuser.

SANCTIONS FOR STUDENTS: RESTRICTIONS, LOSS OF PRIVILEGES, AND EXCLUSION FROM ACTIVITIES. Exclusion/restriction from participation in privileges, extracurricular activities, holding office, or represent the College. Loss of use privileges for designated College facilities, denial of the use of a vehicle on campus, and/or other restrictions consistent with the violation committed.

CONDUCT PROBATION. The terms of probation will be determined at the time the probation is imposed. Probation may include exclusion from participation in privileges or extracurricular activities. The student/student organization placed on probation shall be notified in writing that the commission of prohibited acts will lead to additional and/or increased conduct sanctions.

DISCIPLINARY CONDUCT SUSPENSION. This is the temporary separation of the student from the College for a specified period of time and/or until specific conditions, if imposed, have been met. A disciplinary suspended student shall not participate in any College-sponsored activity and shall be barred from all College campuses and properties. The student will be notified in writing of the suspension. The official transcript of the student shall be marked "Not In Good Standing". The parent(s) or legal guardian(s) of students under the age of eighteen (18) years shall be notified of the action. After the suspension period has elapsed, the student will be placed on conduct probation for a period of time that is equal to the amount of time

that the student was suspended. At the end of the probationary period, the student will be classified as being in “good standing” provided that no further Code violations have occurred.

EXPULSION OR TERMINATION. Permanent

separation of the student from the College. The expelled student shall not participate in any College- sponsored activity and shall be barred from all NSHE campuses and properties. The official transcript of the student shall be marked “Conduct Expulsion Effective (date).” The parent(s) or legal guardian(s) of a student under the age of eighteen (18) years shall be notified of the action.

REQUIRED EDUCATIONAL/RESTITUTION

ACTIVITIES. Mandatory participation in educational activities or programs of community restitution service on campus or in the community, as approved.

ADMINISTRATIVE CONDUCT HOLD.

status documented in the Registrar’s official file that precludes the student from registering for classes and/or accessing official transcripts until clearance from the Dean of Students.

INTAKE/ASSESSMENT/TREATMENT

REFERRALS. A student may be referred to NSC All About You Counseling or a community mental health provider to complete an intake and assessment involving alcohol, controlled substance, or other identified issues arising from a violation. In the College’s discretion, proof of participation or completion of treatment may be required. When appropriate, a student may be referred to an off- campus

provider for such services at the student’s expense.

Range of Protective Measures Available

These measures may include, but are not limited to: the implementation of a NSC-issued no-contact order, academic accommodations, residential accommodations, transportation accommodations, employment accommodations, safety consultations with University Police Services, personal protection devices, on-campus escorts,

SANCTIONS FOR EMPLOYEES:

- Nevada Administrative Code
- NAC 284.480 Letters of Instruction
- NAC 284.638 Warnings and written reprimands
- NAC 284.642 Suspension and Demotion
- NAC 284.646 Dismissal
- NSHE Prohibitions and Penalties
- Warning
- Written Reprimand
- Suspension
- Demotion
- Dismissal

For part-time employees of Nevada State College, prohibited conduct may result in the immediate termination of the employment agreement. Part-time employees are considered at-will, and the College may terminate employment at any time, for any lawful reason.

Educational Programs and Campaigns to Promote the Awareness of Dating Violence, Domestic Violence, Sexual Assault and Stalking

NSC promotes awareness and prevention of Dating Violence, Domestic Violence, Sexual Assault and Stalking through a variety of programs:

Women's Project:

A student led club whose main focus is to uplift, encourage and help women heal from past trauma. This club met on a recurring basis throughout the 2019 school year.

A Voice For the Innocent:

A student led club whose main focus is to bring awareness regarding sexual assault, rape and domestic abuse. This club meets on a recurring basis throughout the year.

Man Enough Project (staff):

A staff led group targeting men to discuss themes around toxic masculinity, re-define masculinity, and challenge the what society deems as being man enough. This group meets on a recurring basis throughout the year.

Girls on Guard: A program offered by University Police Services is a self-defense class for women to provide the basic skills to escape an attacker and teach them how to avoid dangerous situations whenever possible. This class is offered at a minimum annually.

Rape Culture & the Patriarchy: An educational presentation on what we can do to improve the environment of the rape culture that we live in. This was a one-time presentation offered to the NSC community.

Man Enough Project (Students): A program offered educating students on the statistics surrounding rape, sexual assault, and domestic abuse; followed by a clothing drive and volunteer opportunity in the Safe Nest warehouse. This is offered on an ongoing basis.

Tunnel of Awareness: An interactive experience where students walk through a tunnel of rooms created to bring awareness to social justice issues such as violence against women, black bodies immigrants, human trafficking and more. This is offered on an annual basis.

The college provides additional information on sexual harassment and sexual violence trainings. New faculty, staff, and student workers will be notified of sexual harassment and sexual violence prevention training during orientation. Current faculty, staff and students can access training through the Law Room. Students are assigned training through Campus Clarity.

In addition, NSC’s Office of Human Resources also provides training on Title IX and Sexual Harassment and oversees the college’s web-based training programs.

Students and staff may report a student conduct incident to the Dean of Students via the NSC Portal. In addition, any staff member who is concerned about the health, safety, and/or well-being of a student can make a referral to the CARE Team.

NSC’s Law Room/ Campus Clarity Training Library includes:

STUDENT TRAINING LIBRARY	STAFF/FACULTY TRAINING LIBRARY
Alcohol, Drugs, Sexual Assault harm-reduction Training – Title IX and Campus SaVE Act (main course)	Overview of Title IX and Campus SaVE Act.
Title IX and Campus SaVE Act training (main course)	Prevent harassment, discrimination & retaliation
	Family Educational Rights and Privacy Act

Sex Offender Registration

In compliance with the **Campus Sex Crimes Prevention Act** (and Nevada State statute (NRS 179D), University Police Services must register employees and students of the College who are convicted of a sexual offense and deemed a sexual offender by law. These registrations are kept by University Police Services Records Custodian. Persons interested in accessing this information may contact University Police Services at (702) 895-5575.

Nevada State College

Crime Statistics

Offense	Year	On Campus	Non-Campus	Public Property
Murder/Non-Negligent Manslaughter	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
Manslaughter by Negligence	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
Rape	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
Fondling	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
Incest	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
Statutory Rape	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
Robbery	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
Aggravated Assault	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
Burglary	2019	1	0	0
	2018	0	0	0
	2017	0	0	0
Motor Vehicle Theft	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
Arson	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
Dating Violence	2019	0	0	0
	2018	1	0	0
	2017	0	0	0
Domestic Violence	2019	0	0	0
	2018	0	0	1
	2017	0	0	0
Stalking	2019	0	0	0
	2018	1	0	0
	2017	0	0	0

*Nevada State College residential facilities opened October 2020. Data for housing will be tracked starting with calendar year 2020.

Nevada State College
Arrests and Disciplinary Referrals

Offense	Year	On Campus	Non-Campus	Public Property
Liquor Law Violation Arrests	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
Drug Law Violation Arrests	2019	1	0	1
	2018	0	0	0
	2017	0	0	0
Weapons Law Violation Arrests	2019	0	0	0
	2018	0	0	0
	2017	1	0	0
Liquor Law Violation Referrals for Disciplinary Action	2019	0	0	0
	2018	0	0	0
	2017	1	0	0
Drug Law Violation Referrals for Disciplinary Action	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
Weapons Law Violation Referrals for Disciplinary Action	2019	0	0	0
	2018	0	0	0
	2017	0	0	0

* Nevada State College residential facilities opened October 2020. Data for housing will be tracked starting with calendar year 2020..

Data is reported by calendar year.

Hate Crimes:

2016: Zero Hate Crimes reported.

2017: Zero Hate Crimes reported.

2018: Zero Hate Crimes reported.

Unfounded Crimes:

2016: Zero unfounded crimes.

2017: Zero unfounded crimes.

2018: Zero unfounded crimes.



2020 Annual Fire Safety Report

Residence Hall Fire Safety Systems

Residence Hall	Address	Audible/Visual Fire/Alarm Panel	Sprinkler System	Fire Extinguishers	Smoke/Heat Detectors	Posted Evacuation Routes	# of Evacuation (Fire) Drills each year
Building 1	1300 Nevada State Dr. Henderson, NV 89002	Yes	Yes	Yes In building breezeways.	Yes In each unit.	No	*Anticipated 1 per semester
Building 2	1300 Nevada State Dr. Henderson, NV 89002	Yes	Yes	Yes In building breezeways.	Yes In each unit.	No	*Anticipated 1 per semester
Building 3	1300 Nevada State Dr. Henderson, NV 89002	Yes	Yes	Yes In building breezeways.	Yes In each unit.	No	*Anticipated 1 per semester
Building 4	1300 Nevada State Dr. Henderson, NV 89002	Yes	Yes	Yes In building breezeways.	Yes In each unit.	No	*Anticipated 1 per semester
Building 5	1300 Nevada State Dr. Henderson, NV 89002	Yes	Yes	Yes In building breezeways.	Yes In each unit.	No	*Anticipated 1 per semester
Building 6	1300 Nevada State Dr. Henderson, NV 89002	Yes	Yes	Yes In building breezeways.	Yes In each unit.	No	*Anticipated 1 per semester
Building 7	1300 Nevada State Dr. Henderson, NV 89002	Yes	Yes	Yes In building breezeways.	Yes In each unit.	No	*Anticipated 1 per semester

* Nevada State Housing opened in October 2020. At the time of publication, zero fire drills had been conducted as residents were still in the process of moving in.

Policies Regarding Portable Electrical Appliances, Smoking and Open Flames in Student Housing Facilities

Appliances

Small appliances such as radios, televisions, and irons that do not exceed four cubic feet are permitted. Space heaters and similar heating devices are a potential fire hazard and are prohibited. Violation of this may be subjected to a fine. Fire code prohibits storage or use of barbecue grills in or on any building, stairway, balcony, or walkway. Grills found will be disposed of by the landlord. Community grills are available for resident use only.

Candles

The use of candles is not permitted. Violation may result in a fine.

Smoking

Smoking is prohibited in NEVADA STATE HOUSING. This includes any public areas, e.g. hallways, lounges, laundry room, etc. Tenants who possess a medical marijuana card must notify NEVADA STATE HOUSING to make arrangements to terminate their lease, in which case Tenants will be entitled to the full refund of their deposit.

Procedures for Student Housing Evacuation

Fire warning devices and safety equipment are to be used only in case of emergency. The sounding of a fire alarm should be taken seriously. In the event of an alarm, tenants should proceed in accordance with the instructions posted in and about Nevada State Housing. The intentional sounding of an alarm outside of an emergency is a criminal offense and a material breach of the housing lease.

Policies Regarding Fire Safety Education and Training Programs

Community management and residential assistance go through emergency response training where the fire drill policies and procedures are reviewed. Residential students are given information regarding fire evacuation procedures upon move in.

Where to report a fire

To report a fire after the fact for inclusion in the annual fire statistics contact any of the following individuals:

Dean of Students (702) 992-2511

Vice President for College and Community Engagement (702) 992-2358

Clery Compliance Coordinator (702) 895-3833

Director of Facilities, Facilities Management and Planning (702) 992-2253

Plans for future Fire Safety Improvements

There are no plans for future fire safety improvements at this time.

Nevada State College

Fire Statistics*

Residential Facility	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused By Fire
Building 1 1300 Nevada State Dr. Henderson, NV 89002	0	0	N/A	N/A	N/A	N/A
Building 2 1300 Nevada State Dr. Henderson, NV 89002	0	0	N/A	N/A	N/A	N/A
Building 3 1300 Nevada State Dr. Henderson, NV 89002	0	0	N/A	N/A	N/A	N/A
Building 4 1300 Nevada State Dr. Henderson, NV 89002	0	0	N/A	N/A	N/A	N/A
Building 5 1300 Nevada State Dr. Henderson, NV 89002	0	0	N/A	N/A	N/A	N/A
Building 6 1300 Nevada State Dr. Henderson, NV 89002	0	0	N/A	N/A	N/A	N/A
Building 7 1300 Nevada State Dr. Henderson, NV 89002	0	0	N/A	N/A	N/A	N/A

*Nevada State Housing opened in Fall 2020. Fire Statistics will be tracked beginning Fall 2020.

The Nevada State College
2019 Annual Security Report
was prepared by University Police Services.



For more information about University Police Services,
visit our website at:

www.updsouth.nevada.edu

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