



2022 Annual Security Report

For the reporting period January 1, 2022 through December 31, 2022



National American University
5301 Mount Rushmore Road | PO Box 677
Rapid City, SD 57709-0677
<https://www.national.edu>

TABLE OF CONTENTS

The Annual Security Report.....	3
Definitions.....	3
Campus Crime Timely Warning and Emergency Notification.....	7
Preparation of Annual Security Report	7
Crime Reporting Policies.....	7
Crime Reporting Procedures.....	8
Limited Voluntary Confidential Reporting.....	8
Security Considerations of Campus Facilities.....	8
Security and Access to Campus Facilities	9
NAU’s Relationship with Local Law Enforcement	9
Accurate and Prompt Crime Reporting	9
Security Awareness Program	9
Crime Safety and Crime Prevention Information.....	10
Monitoring and Recording Activity at Off-Campus Locations	10
Alcoholic Beverages and Underage Drinking	10
Illegal Drugs and Controlled Substances	11
Tobacco Use	11
Substance Abuse Education	11
Sanctions	12
Counseling Services	13
Disclosures to Alleged Victims of Crimes of Violence.....	133
Emergency Action Plan.....	14
Emergency Action Procedure.....	14
Sexual Harassment and Offenses.....	15
Sexual Misconduct Education Programs	15
Sex Offense Procedures.....	155
Confidentiality.....	16
..6.....	

to the locations in paragraph (i) of this definition, areas within the patrol jurisdiction of the campus police or the campus security department. 34 CFR 668.46(a)

Consent:

State Definitions: The following information is intended to provide a general description of select state laws shown below and is not intended, nor should be construed, to be legal advice. Because laws change periodically, individuals are strongly encouraged to review current state statutes, which may be accessed at: http://www.law.cornell.edu/wex/table_criminal_code. Individuals who are concerned about specific circumstances may also wish to seek legal counsel.

- *South Dakota:* South Dakota does not appear to provide a definition of consent; however, rape is committed if an act of sexual penetration is accomplished with any person under any of the following circumstances: (1) if the victim is less than thirteen years of age; or (2) through the use of force, coercion, or threats of immediate and great bodily harm against the victim or other persons within the victim's presence, accompanied by

State Definitions: The following information is intended to provide a general description of select laws for the states listed below and is not intended, nor should be construed, to be legal advice. Because laws change periodically, individuals are strongly encouraged to review current state statutes, which may be accessed at: http://www.law.cornell.edu/wex/table_criminal_code. Individuals who are concerned about specific circumstances may also wish to seek legal counsel.

- *South Dakota:* Domestic abuse is defined as physical harm, bodily injury, or attempts to cause physical harm or bodily injury, or the infliction of fear of imminent physical harm or bodily injury when occurring between persons in a relationship described in § 25-10-3.1. Any violation of § 25-10-13 or chapter 22-19A or any crime of violence, as defined in subdivision 22-1-2(9), constitutes domestic abuse if the underlying criminal act is committed between persons in such a relationship. See SDCL § 22-10-1. (<https://sdlegislature.gov/Statutes/22>)
- *University Definition:* Abuse committed against someone who is a cohabitant in an intimate relationship, a spouse, or someone who has a child with the accused. This also includes former relationships.

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

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

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

Noncampus building or property: (i) Any building or property owned or controlled by a student organization th (h)-12.2 ibui a s

that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program and included in Appendix A of this subpart. 34 CFR 668.46(a)

Sexual assault.

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

State Definitions: The following information is intended to provide a general description (w)-2.9 (84 (i)3.1 (ptp(R)-2.9 (2.2 (ed)-

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

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

Campus Crime Timely Warning and Emergency Notification

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

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

Campus se(t)-1.1 (ec 0.23.3 (e)-312.2 (t)-1.1 (i)3.892 -1.15-12.u)-8.9 (r)-12.3 o.2 (e)JTJ 0 Tc 0J 0 Tc 0 Tw98 (l)-8.9

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

NAU normally requires a written complaint from someone to begin the investigation process. The university also normally needs the assistance of the complainant in the disciplinary process, if applicable, against the accused. The university will make exceptions when necessary, including cases presenting clear danger to the victim and/or the university community. The university provides an electronic link on NAU's public website for students, faculty, and staff who wish to make a sexual misconduct complaint. The university responds to reports of criminal activity un

Security and Access to Campus Facilities

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

- Keys are issued to

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

In all instances, be alert to your surroundings. Avoid using phones

property, whether owned

educational classes. Referral for prosecution may occur where appropriate. An employee who i

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

Emergency Action Plan

NAU is committed to ensuring the safety of students, faculty, and staff in the event of an emergency. The university's Emergency Action Plan (EAP) provides procedures to confirm the existence of an emergency or dangerous situation, notify the campus community, identify responsible administrators, inform the ie1 (c)-811 (h)-126 -0 0 936/2san

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

Disciplinary Action

NAU's Sexual Misconduct Policy

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

Informal Resolution

The Title IX Coordinator and/or the Human Resources Lead (b)(6)-(b)(7)(C) EMC />BDC
The Title IX Coordinator and/or s (p)-12.3

Student Sanctions	Employee Sanctions**
<ul style="list-style-type: none"> • Suspension • Permanent Suspension* • Other measures as determined appropriate 	<ul style="list-style-type: none"> • Termination of Employment • Other measures as determined appropriate

Sanctions of permanent suspension may only be imposed by the provost upon recommendation from the Title IX hearing committee.

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

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

Non-Retaliation

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

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

Counseling and medical services are available off-campus. If you are the victim of a sexual assault, NAU encourages you to contact one or more of the following: the appropriate local police department, the Campus Security Authority, the Title IX Coordinator, local crisis counseling centers, local health services clinics, women's resource centers or the local hospital. A complete and detailed list of local community resources is available from the campus security authority and/or the Title IX Coordinator. Victims of sexual assault can also receive, free, confidential, 24-hour

Location	Resource	Telephone Number
	Wellspring-Family Counseling	(605) 342-0345
	Working Against Violence, Inc. (24-hour line)	(888) 716-9284
	Youth and Family Services (24-hour crisis hotline)	(605) 342-4789

Registered Sex Offender Notification

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires higher education institutions to provide a list of registered sex offenders to the campus community. The Act requires institutions to provide a list of registered sex offenders to the campus community. The Act requires institutions to provide a list of registered sex offenders to the campus community.

	2020		2021	2022
Offense Type	On-Campus	Non-Campus		