



2021 Annual Security Report



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The Annual Security Report

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

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

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Cam

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

Consent:

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.

Georgia: Georgia does not appear to define "consent" related to sexual activity; however, it defines "without consent" as words or actions that display a willingness and agreement of the essential facts before engaging in mutually agreed-upon sexual activities. Consent cannot be obtained by intimidation, force, or incapacitation.

South Dakota: South Dakota does not appear to provide a definition of consent; however, rape is committed if an act of sexual penetration accomplished with any person under any of the following circumstances: (1) if the victim is less than thirteen years of age; or (2) through the use of force, coercion, or threats of immediate and great bodily harm against the victim or other persons within the victim's presence, accompanied by apparent power of execution; or (3) if the victim is incapable, because of physical or mental incapacity, of giving consent to such act; or (4) if the victim is incapable of giving consent because of any intoxicating, narcotic, or anesthetic agent or hypnosis; or (5) if the victim is thirteen years of age, but less than sixteen years of age, and the perpetrator is at least three years older than the victim. See SDCL § 22-22-1.

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

Dating violence:

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

State 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.

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similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which 2

t m s
a Everyone on campus (including students, faculty, staff, and visitors) is also encouraged to report immediately any crime or potential criminal activity to the local police department (911)

Reporting link in NAU [\[redacted\]](#). See [\[redacted\]](#) NAU [\[redacted\]](#) R^h [\[redacted\]](#) D^h [\[redacted\]](#) c T@ confidentiality of information contained in such reports will be maintained when possible and in accordance with university policies and procedures.

Security Considerations of Campus Facilities

All NAU facilities are for the use of the students, faculty, st

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

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

Always lock your car doors and never leave your keys in the vehicle.

Do not leave valuables in plain view. Always take your valuables with you when you leave the campus premises.

Try to park your car in a well-lit area.

Avoid leaving property where it is visible.

Avoid walking alone at night.

Refrain from taking shortcuts and walk where there is plenty of light and traffic.

Walk with a friend.

Protect yourself walking and jogging.

Avoid walking and jogging alone after dark.

Walk along well-lit routes.

If you see something happening and it is safe to do so, cause a distraction or report the crime.

In all instances, be alert to your

lists provide a range of assistance from childcare, housing, and advocate services for victims of a variety of crimes to include sexual assault or domestic violence.

Monitoring and Recording Activity at

through its abuse. Driving while intoxicated has been a serious problem and is especially relevant to college campuses within the last decade. Alcohol is frequently associated with instances of rape, violence and many types of accidents.

Marijuana is the most widely used illegal drug in this country; however, many fail to recognize its many harmful effects. Use of marijuana is detrimental to one's physical, emotional and mental wellbeing. Marijuana smoke is even more toxic and carcinogenic than c

Georgia criminal statutes and penalties may generally be found in Title 16 of the Georgia Code. Criminal sanctions may also apply to those who operate motor vehicles while under the influence of alcohol and/or drugs.

Counseling Services

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

National Drug Helpline (Drug and Alcohol) 1-844-289-0879

Substance Abuse and Mental Health Services Administration (SAMHSA) National Helpline 1-800-662-4357
SAMHSA National Helpline is a free, confidential, 24/7, 365-day-a-year treatment referral and information service (in Eng

Emergency Response Training

The CSA will ensure that students, faculty, and staff receive training in the emergency response protocols. This training is provided and reviewed quarterly during staff meetings. Students receive the training during practice emergency drills that incorporate training.

Annual Testing

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

Confidentiality

Every attempt is made t

2. Written notice of the date, time, and location of the hearing will be provided to the parties at least 5 days prior to the hearing. The Title IX Coordinator or Human Resources Lead may grant an extension for good cause.
3. Prior to the hearing, the committee will be provided with a copy of the original complaint, any response from the accused, any evidence, and any witness statements.
4. The hearing will be conducted in a fair and impartial manner. The parties will have the opportunity to attend the hearing, present their cases, present witnesses, present evidence, but may not question each other. Each party may be accompanied by an advisor; however, the advisor may not speak during the proceedings. A member of the committee shall take general notes of the proceeding, which will be retained.
5. The decision of the committee will be based upon a preponderance of evidence (more likely than not the incident occurred).
6. The committee will strive to render a final decision, with appropriate sanction, within 3 business days after the hearing and will promptly provide a copy of the decision to the Title IX Coordinator and/or Human Resources Lead. The Title IX Coordinator and/or Human Resources Lead will provide a copy of the final decision to each party within 3 business days after the decision.

Sanctions

Sanctions for an offense depends on the nature of the incident. Sexual assault and rape cases that are determined by a clear and convincing evidence standard that the incident is highly and substantially more probable to be true than not, will receive a sanction of suspension or permanent suspension. One or more of the following sanctions may be imposed upon a person determined to have committed sexual misconduct based on a preponderance of evidence:

Student Sanctions	Employee Sanctions**
Warning	Informal Discussion with the Employee
Probation	Suspension Pending Investigation (with or without pay)
Suspension	Termination of Employment
Permanent Suspension*	Other measures as determined appropriate
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 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 , and Other Servic

(877) 995-5247 (

Rapid City 5301 Mount Rushmore Road, Rapid City, SD 57701							
Offense Type	2019			2020			2021
	On-Campus	Non-Campus	Public Property	On-Campus	Non-Campus	Public Property	On-Campus