Annual Security & Fire Safety Report

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Crime Statistics for 2017, 2018, and 2019

West Campus - Downtown Campus - East Campus
Desert Vista Campus - Community Campus - Northwest Campus
Aviation Technology Center - 29th Street Coalition Center
El Pueblo Learning Center - El Rio Learning Center
Maintenance and Security Site
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Introduction: An Overview of Campus Safety and Security Reporting

Choosing a postsecondary institution is a major decision for students and their families. Along with academic, financial and geographic considerations, the issue of campus safety is a vital concern. In 1990, Congress enacted the Crime Awareness and Campus Security Act of 1990 (Title II of Public Law 101-542), which amended the Higher Education Act of 1965 (HEA). This act required all postsecondary institutions participating in HEA’s Title IV student financial assistance programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998, 2000 and 2013. The 1998 amendments renamed the law the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in memory of Jeanne Clery, a student who was slain in her dorm room in 1986. It is generally referred to as the Clery Act.

Summary

This report includes crime statistics for the previous three years concerning reported crimes that occurred on a campus; in certain off-campus buildings or property owned or controlled by the Pima County Community College District (the College or PCC); and on public property within, or immediately adjacent to and accessible from, a campus or building or property owned or controlled by the College. This report also includes institutional policies for the 2020/2021 academic year concerning College security, such as policies concerning sexual assault, and other matters. You may obtain a paper copy of this report upon request by contacting (520) 206-2638 or by downloading a copy at: https://pima.edu/administration/police/docs/clery-annual-report.pdf

All policy statements contained in this report apply to all campuses unless otherwise indicated.

Law Enforcement and Security

Pima Community College Police Department

The Pima Community College Police Department (PCCPD) provides safety and security services to the College community. PCCPD has its authority granted by the College Governing Board and Arizona Revised Statutes. All PCCPD sworn officers are certified by the Arizona Peace Officer Standards and Training Board (AZPOST) and have received a minimum 585 hours of basic peace officer training approved by AZPOST. PCCPD police officers are armed and have full peace officer authority and powers of arrest. PCCPD sworn officers enforce College policies as well as local, state, and federal laws.

The PCCPD also provides a variety of programs, services, resources, and training opportunities to minimize public safety risks throughout the College.

Pima Community College policy statements refer to the PCCPD as the Department of Public Safety.

Jurisdictional Authority

Pima Community College Police Department officers will use sworn peace officer powers and authority on property owned, leased, or controlled by the College as outlined by the Clery patrol map, and property immediately adjacent thereto such as sidewalks, parking lots, and streets used by the College community, or as outlined in the General Patrol Procedures-305, with the following exceptions:

- At the direction of the Chief of Police or a command level supervisor during emergency situations.
- Upon receipt of a specific request for assistance by another sworn peace officer in person or through the Dispatch Center. Assistance can be rendered to the level requested. If at all possible, the officer should
have the approval of the on-duty supervisor. This should normally only involve situations where the requesting officer or third party is in harm’s way or the situation is related to College interests.

- When a PCC officer comes upon a traffic accident while en route from one PCC location to another, they may render aid to the injured and initiate traffic control. The scene will be released to the responsible agency as soon as they are able to respond.
- When a PCC officer is en route from one PCC location to another and is flagged down by a citizen, the officer will render whatever immediate emergency assistance is required, but will refer the situation to the responsible agency as soon as possible.
- Under the provisions of ARS, Title, 13-3883, PCC officers will do their sworn duty. However they will not routinely enforce rules of the road off PCC property under ARS Title 28 except in life-threatening situations or hazardous traffic conditions such as excessive speed or running a red signal light where to ignore the situation could potentially cause harm to others. They will not proactively seek out situations of a criminal or traffic nature off PCC property that are clearly not within the patrol map boundaries and enforcement is not directly serving the interests of the College community.
- When officers are working off-duty at locations approved by the Chief of Police, they may act as peace officers. Officers on temporary duty working at or with other agencies approved by the PCC Governing Board may act as peace officers under the law regardless of location.

State and Local Law Enforcement Agencies

The PCCPD maintains working relationships with the Tucson Police Department (TPD) and Pima County Sheriff’s Department (PCSD), as well as the Arizona Department of Public Safety (AZDPS). PCCPD maintains mutual assistance agreements with TPD and PCSD pertaining to disaster response and the investigation of criminal incidents. An agreement also exists with AZDPS for evidence analysis.

On-duty PCCPD officers traveling outside routine patrol areas on official College business may take appropriate law enforcement actions as necessary in the absence of available TPD or PCSD officers up to and including investigation and final criminal disposition.

Pima Community College does not have student organizations that operate or control off-campus locations.

Pima Community College does not plan to lease student housing from local private residence halls for the 2020-2021 academic year.

If an outside law enforcement agency contacts PCC regarding a student organization that is officially recognized by the institution, the Student Code of Conduct would dictate the appropriate intervention for the college. The Student Code of Conduct governs all conduct that: (a) occurs on College property; (b) occurs at a College sponsored, sanctioned, or supervised event or activity, regardless of the location of the event or activity and inclusive of travel, lodging, and unscheduled time in between sessions of the event or activity; and/or (c) adversely affects the operation of the College, regardless of when or where the conduct occurs.

Community Service Officers (CSOs)

The Pima Community College Community Service Officers (CSOs) are full- and part-time, non-exempt employees of the College, who fall under the Operations Division of the PCCPD. CSOs are non-sworn officers distinguished from a sworn officer in that the CSO does not have police authority and does not perform arrests or criminal investigations. The CSOs do not carry a weapon, chemical agents, handcuffs, or any other equipment that would normally be carried by a police officer or that would require specialized training. The CSO is under the direct supervision of a field supervisor when on duty, or may be assigned to a Lead Officer in a supervisor’s absence.
The primary duty of a CSO is to be the eyes and ears of commissioned field officers, as well as perform other duties as assigned. Some of those duties may include, but not be limited to:

- Assisting officers with patrol and certain police procedures by directing traffic, crowd control at athletic or special events, or similar activities.
- Enforcing traffic and parking regulations by preparing reports or issuing citations.
- Locking and unlocking college facilities.
- Escorting persons on college property upon request.
- Processing lost and found property.
- Assisting with administrative tasks, such as filling out or typing reports.
- Answering questions and providing customer service to the community.
- Basic security function to include asset protection.
- Other duties assisting Department operations as required.

The College also contracts with independent security firms, to oversee safety and security of certain college locations in the absence of PCCPD personnel. The patrol jurisdiction of CSOs and Security Officers include PCC owned and controlled buildings, property, and parking.

PCC officers, CSOs, and contracted independent security staff, have distinct uniforms and photo IDs that allow them to be identified by members of the college and surrounding community.

Routine patrol outside College property is provided by the Tucson Police Department (TPD) or the Pima County Sheriff’s Department (PCSD). Normal patrol patterns maintained by each department may overlap. The concurrent (overlapping) areas of patrol are defined as all College properties, and public streets adjacent to or within College properties.

PCCPD administrative offices and the Communications Center are located at the Pima Community College’s Maintenance & Security facility. The Communications Center is staffed 24 hours a day, monitors security and fire alarms for the District, and serves as a primary point-of-contact for department services, 520 206-2700.

In addition, the PCCPD maintains offices at six campuses and the District Office:

- West Campus: 206-6643
- Downtown Campus: 206-7087
- East Campus: 206-7652
- Desert Vista Campus: 206-5052
- Northwest Campus: 206-2286
- 29th Street Coalition Center: 206-3534
- District Office: 206-4855

**Additional Services**

As additional services to the college community, PCCPD provides services in the following areas:

- Control lost and found property
- Escort persons with large amounts of money
- Store items of value short term for safekeeping
- Battery jumps
- Provide visitor information
- First aid services
- PCCPD officers are available for educational programs upon request.
Crime and Fire Log

PCCPD maintains a crime and fire log of incidents reported to the Department. The log includes the nature, date, time, and general location of each crime and fire reported for the previous sixty days. This crime log is available for viewing by the public from 8:00 AM to 5:00 PM at the PCCPD Records Section, 6680 S. Country Club Road, Tucson, AZ 85709-1740. The crime and fire log is also available from 8:00am to 5:00pm at the police offices at these locations: West Campus, Downtown Campus, East Campus, Desert Vista Campus, Northwest Campus, District Office, the administrative offices at the 29th Street Coalition Center, El Pueblo, and El Rio Neighborhood Learning Centers, or viewed online at https://pima.edu/administration/police/reports.html

Security of and Access to Campus Facilities

The physical security of the College is essential to protect the assets of PCC and ensure a safe environment for students, faculty and staff. The College promotes a fail-safe culture where buildings, spaces, and resources will fail to locked positions to maintain the security of both buildings and contents. Primary focus is directed towards deterrence, prevention, detection, delay and apprehension. Physical security can include but is not limited to mass notification systems, video surveillance, access systems with various credentials (card, key, mobile device, etc.), alarm systems and CPTED (Crime Prevention Through Environmental Design). The College will use technology combined with an integrated approach to lay the foundation for confidence in a more secure future. Today’s security challenges require a robust, integrated program backed by a holistic strategy including a culture that embraces security for everyone.

Academic and administrative buildings are open and accessible during normal business hours to staff, students, faculty, guests, and campus visitors. A College ID card provides students and employees with proper identification to use appropriate College facilities and can be obtained from Access Control located at Maintenance and Security facility.

The College is in the initial stages of implementing a card access system that augments current lock and key mechanisms and reduces the number of keys carried. Priority is placed on high risk spaces and perimeter doors. Access is managed through an electronic system that provides oversight and remote control of those systems.

An extensive alarm system monitors the status of most College facilities and includes intrusion and duress alarms. All areas that contain confidential student and employee information are controlled with restricted access and alarm systems. All alarms and access control systems are monitored at the PCCPD Communications Center. All intrusion and duress alarms are managed with immediate law enforcement response.

PCCPD maintains computerized access to student and employee files in order to verify the status of students and employees, and to locate an individual in an emergency. PCCPD conducts routine patrols to monitor and assess security-related matters at PCC facilities. Community Service Officers conduct visual sweeps each day as they open and secure the campuses as well as routine foot patrols throughout their shifts. PCCPD maintains lists of PCC personnel who are to be notified if an emergency arises at their location.

Security Considerations Used in the Maintenance of Campus Facilities

Facility inspections are conducted on a continuous basis to evaluate safety and security practices, lighting conditions, emergency telephones, and alarm systems. Facilities staff, along with Community Service Officers, performs preventative maintenance checks on safety systems such as duress alarms, emergency blue phone function, and exterior lighting. Lost, stolen and compromised access devices are reported immediately to College Police 520-206-2700 and Facilities Work Control 520-206-2733.
Reporting Criminal Actions or Other Emergencies

All visitors and members of the College community are encouraged to promptly call 911 in the event of a crime or emergency requiring immediate police, fire, or medical assistance. Call the PCCPD at (520) 206-2700 to report any on-campus crime, potential criminal activity, non-emergency security issue, public safety-related matters, or when the victim of a crime elects to or is unable to make such a report him/herself.

There are “Blue Phones” located throughout campus parking lots and other locations, and “Red Phones” outside of the campus police offices that contact the PCCPD Communications Center directly.

Dispatchers are available 24 hours a day to answer calls. PCCPD will respond immediately to all emergencies and will respond to and investigate all reports of criminal or suspicious activity. If assistance is required by the Tucson Police Department, Pima County Sheriff’s Department, or Tucson Fire Department, Communications Center personnel will contact the appropriate department.

All reported crimes will be investigated by the College and may become a matter of public record.

Individuals are encouraged to report crimes to the PCCPD for the purpose of assessing them to ensure when a Timely Warning Notice is warranted and for inclusion in the Annual Security and Fire Safety Report.

Medical Emergencies

In case of medical emergencies, individuals should dial 911. 911 operators are trained in providing pre-arrival instructions. 911 will contact PCCPD.

PCCPD will:

- Dispatch personnel to the scene.
- Administer first aid, if required.
- Radio for medical and ambulance service, if needed.
- Contact relatives or friends, if requested.

In cases that do not require emergency room treatment or ambulance transportation, individuals should contact their own personal physician.

Emergency Notifications

The College will initiate and provide, without delay, emergency notifications to the appropriate segment(s) of the College community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, and visitors.

The PCCPD is responsible for confirming emergencies, in conjunction with College administrators, local first responders, PCC facilities personnel, and/or the National Weather Service, that may warrant the distribution of an immediate notification to the College community.

Emergency Notification for incidents that may pose an immediate threat to health and safety will be made unless issuing a notification will, in the professional judgment of responsible authorities and taking into account the safety of the College community, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.
Notification will be made by using some or all of the following methods depending on the type of emergency: PCCAlert text alert system, blast email, telephone, fire alarm, internal/external speakers/public address systems (where available), digital signage, local media, webpage, and/or in-person communication.

The content of the message will vary depending on the situation. At a minimum, the messages will describe the emergency, provide basic instructions to the community, and will direct them to where they can receive additional information.

Follow-up information will be distributed using some or all of the identified communication systems (except fire alarm).

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents, and other interested parties. The larger community can also access emergency information via the College website or by enrolling in the PCCAlert system.

Objectives:

- Provides accurate and effective information to students, employees, and the public.
- Ensures that official communications from Pima Community College (PCC) are uninterrupted, regardless of circumstances.
- Provides guidance to the PCC community during emergencies or critical incidents.
- Informs the PCC Community when the situation is all clear.

In the event of an emergency the following procedures will be followed to contact students, faculty and staff:

- The activation of PCCAlert, a text message and email blast to all students, faculty and staff
- The activation of available internal and external public address systems

For all college law enforcement issues, the PCCPD will be primarily responsible for confirming a significant emergency or dangerous public safety situation on campus through victim, witness, and/or officer observations.

For other emergencies (non-law enforcement), including but not limited to hazardous materials releases, utility failures, computer systems/telecommunications failures, and hazardous weather affecting College campuses, PCC Facilities may also confirm a significant emergency.

Authority for approving & sending messages

To ensure the integrity of the PCCAlert system, a limited number of individuals have the authority to approve the sending of PCC emergency messages.

- PCCPD on duty Supervisor, as well as Communications section upon direction of the on duty Supervisor.
  - For all life threatening law enforcement issues at the College, including confirming a significant emergency or dangerous public safety situation on campus through victim, witness, and/or officer observations.
- Vice Chancellor for Facilities or designee
  - For facility emergencies including but not limited to hazardous materials releases, utility failures, structural failures, affecting Pima Community College campuses.
- Vice Chancellor for External Relations or designee
  - For large scale disruptions of college activities, campus-wide closures and upon activation of the Crisis Management Team.
If any of these systems fail or the College deems it appropriate, in-person communication may be used to communicate an emergency.

**PCCAlert - Emergency Messaging**

PCC uses the PCCAlert notification system to provide accurate information and guidance via text message and email to the PCC community about emergencies. Anyone can sign up for PCCAlerts: students, parents, employees, and members of the community.

- **Text messaging - Employees, Students**
  
  Employee and student enrollment is documented through entering their cell phone number into a dedicated phone type field, “PCCAlert text” in the College’s Banner System.
  
  o **Employee Instructions**: To subscribe: 1. Log onto MyPima and select the Employees tab > @Work > @Work; 2. Scroll down the left side of the page and find Banner Online at the bottom of the column. Select Personal Information under Banner Self-Service, and scroll down to select the fourth item, Update Addresses and Phones; 3. Click on Update Addresses and Phones, and a window will

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<td>PRIMARY</td>
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<td>External public address system</td>
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<td>Internal public address system</td>
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<td>Police Commander or Vice Chancellor of Facilities</td>
<td>Vice Chancellor for External Relations or Executive Director for Media, Community and Government Relations</td>
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<td>Local Media</td>
<td>Chief of Police or Vice Chancellor for Facilities</td>
<td>Police Commander or Vice Chancellor of Facilities</td>
<td>Executive Director of Public, Government and Community Relations</td>
<td>Manager of Marketing and Public Relations</td>
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<td>Webpages – <a href="http://pima.edu/dps">http://pima.edu/dps</a> &amp; <a href="http://www.pima.edu">http://www.pima.edu</a></td>
<td>Chief of Police or Vice Chancellor for Facilities</td>
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<td>Director of Web Services</td>
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appear in which you will see your personal information; 4. a) Click on the word Primary under Phones and a new window will appear. Scroll down to locate Phone Types. In a blank field, click on the drop-down arrow and select PCCAlert Text, then add the 10-digit cell phone number you wish to receive PCC text alerts; be sure to include your area code even if local. Click on Submit, before exiting the page.

- **Student Instructions:** Enrollment for students is now captured via a dedicated field on the new student application. This information is transferred to the Banner system. Existing students can confirm their enrollment by ensuring that their Personal Information in MyPima on the Home tab is up to date to include a cell phone number in the dedicated “PCCAlert Text” phone type field.

- **Text messaging - Community members**
  To sign up: using your cellphone, text the word ALERTS to 79516. (Ignore any hyphens that your phone might insert in the number.) You will receive a confirmation message. You can text the word STOP to the same number to stop receiving messages. There is no limit to the number of cellphones that you can register to receive messages. Note that certain cell phone providers may charge you a fee for delivery of text messages, however most carriers will waive these fees if contacted.

- **Email**
  - All PCC e-mail addresses will automatically receive these messages.
  - Anyone can request to enroll a non-college email account by emailing maintinfo@pima.edu. New enrollees will receive a confirmation email. It will contain information on how to opt out of future messages.

PCCAlerts enforces a zero spam policy that clearly prohibits unsolicited messages. PCCAlert does not sell contact information to third-parties. If the text message short code is anything other than 79516 or 50911, then it is not from PCCAlert. To learn more about PCCAlert, go to: [https://pima.edu/administration/police/docs/pccalert-faq.pdf](https://pima.edu/administration/police/docs/pccalert-faq.pdf)

**Timely Warnings**

Timely Warning notices shall be distributed to students and employees for any of the 15 Clery Act crimes that pose a serious or continuing threat to the College community and have occurred on or within the College Clery Geography described in the Policies for Preparing the Annual Disclosure of Crime Statistics section. Timely Warnings will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the intention of trying to aid in the prevention of similar occurrences.

In the event a crime is reported to have occurred within the PCC Clery Geography, that in the judgment of the Chief of Police (or designee in PCC Police) constitutes a serious or continuing threat to the community, a campus-wide Timely Warning will be issued. Timely Warnings will be issued to the campus community via blast email. All members of the PCC community are provided an email address to facilitate communication.

The Clery Geography is defined as: the core campus boundaries (which includes College-owned or controlled property on campus and public property that is within or immediately adjacent to the campus) and in non-campus properties.

Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

- Murder/Non-negligent Manslaughter.
- Aggravated Assault (cases involving assaults among known parties, such as two students fighting that results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger PCC community).
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not
result in the issuance of a Crime Alert, but will be assessed on a case-by-case basis).

- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the PCC Police Department). Cases involving sexual assault are often reported long after the incident occurred, thus there is no ability to distribute a “timely” warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Major incidents of Arson.
- Other Clery crimes as determined necessary by the Chief of Police, or his or her designee in his or her absence.

Timely Warnings are typically written by the Chief of Police (or designee in the PCCPD) and are distributed via email by the Chief of Police (or designee in the PCCPD).

A Timely Warning will typically include the following, unless issuing any of this information would risk compromising law enforcement efforts:

- Date and time or period of the incident.
- A brief description of the incident.
- Information that will promote safety and potentially aid in the prevention of similar crimes (crime prevention or safety tips).
- Suspect description(s) when deemed appropriate and if there is sufficient detail (see below).
- Police/Public Safety agency contact information.
- Other information as deemed appropriate by the Chief or designee.

The description of subjects in a case will only be included in the alert if there is a sufficient amount of detail to describe the individual. If the only known descriptors are sex and race, that will not be included in the alert.

**PCC does not issue Timely Warnings for a Clery crime:**

1. Where law enforcement quickly apprehended the subject(s) following the reported incident, he/she is in custody, so that the threat of a serious or continuing threat for members of the PIMA community has been mitigated. PCC will reassess the threat of serious or continuing threat to members of the community if it becomes aware of the offender making bail or otherwise being released. If the institution believes that a current threat exists, a crime alert shall be distributed.
2. If a report was not filed with PCC or a local Police agency in a manner that would allow the department to post a “timely” warning for the community. A general guideline will include a report that is filed more than ten days after the date of the alleged incident, which may not allow PCC to distribute a Timely Warning to the community. This type of situation will be evaluated on a case-by-case basis.

Timely Warnings and Emergency Notifications shall be provided to students and employees in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences.

If there is an immediate threat to the health or safety of students or employees occurring on a PCC campus, PCC will follow its emergency notification procedures. When PCC follows its emergency notification procedures, it is not required to issue a timely warning based on the same circumstances; however, PCC will provide adequate follow-up information to the community as needed.

**Public Safety Advisories**
Public Safety Advisories are developed and distributed to the community for security and safety related incidents that do not meet the legal standards or requirements for the distribution of an Emergency Notification or Timely Warning notice per the Clery Act. Examples of such incidents and situations include:

- A crime or pattern of crimes that are not one of the 15 reportable Clery crimes (ex., a pattern of larcenies or vandalism cases).
- A crime that occurs outside of the PCC Clery Geography (the decision to issue a Public Safety Advisory for an off-campus crime will be made on a case-by-case basis depending on an assessment of various factors, which include but are not limited to: the nature of the crime, the exact location, the time of the incident, the local police response and guidance to campus officials, and the potential direct effect on the campus community).
- A minor security or safety concern (mulch fires caused by cigarettes, etc.).
- Facilities related issues that may cause a disruption to one or more campuses.

Public Safety Advisories are typically written by the Chief of Police (or PCCPD designee) or Vice Chancellor for Facilities (or Facilities designee) and are distributed via email by the Vice Chancellor for Facilities or the Chief of Police.

Public Safety Advisories may be distributed to the entire campus community or to the segment(s) of the community that are affected, as deemed appropriate by PCCPD or the Vice Chancellor for Facilities.

**Emergency Response and Emergency Management Plans**

The Emergency Response Plan provides hazard specific guidelines to assist the College community in responding to different types of emergency situations. The Emergency Management Plan establishes policies, procedures, and organizational structure for responding to events that disrupt or threaten to disrupt normal College operations. The plan describes the roles and responsibilities of College personnel during these situations.

The basic emergency procedures are designed to protect lives and property through effective use of College and community resources. Since an emergency may be sudden and without warning, the procedures are designed to be flexible in order to accommodate incidents of various types and magnitudes. This plan outlines emergency preparation, response, and recovery of College personnel and resources. The Emergency Response Plan is consistent with established practices relating to the coordination of emergency response actions and incorporates the use of National Incident Management System (NIMS) practices to facilitate cooperation between responding agencies.

In any type of emergency, the PCCPD Dispatchers are trained to follow standard operating procedures and will route information to the appropriate responders based on the level of emergency. If the emergency incident warrants, Dispatchers will communicate immediately by following the PCCPD communications structure, which outlines the communications hierarchy and the succession procedures if individuals are unavailable.

PCCPD has the responsibility for responding to and summoning any immediate necessary resources. The confirmation may be made in consultation with College Administration, and outside governmental agencies, e.g., Pima County Emergency Response Center.

The Emergency Management Plan is drafted under the authority of the Chancellor and all decisions concerning the discontinuation of College functions, cancellation of classes, or cessation of operations, rest with the Chancellor (or designee).
Emergency Readiness Tests, Drills and Exercises

All emergency tests, drills, and exercises shall be arranged, conducted, and supervised by the Facilities department of Environmental Health & Safety (EH&S) and PCCPD on a regular basis. The tests may be announced or unannounced to building occupants. In the case of an unannounced drill, only the Campus President or Campus Vice President and the Campus Action Team Leader will be notified of the drill prior to the event to ensure proper participation. All employees, students, contractors, and visitors on campus during a test will participate and comply with orders or directions given by those in charge of the drill as if it were an actual incident.

In conjunction with other emergency agencies, the PCC conducts emergency response drills and exercises each year, such as table top exercises, field exercises, and tests of the emergency notification systems on campus. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution.

Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

The campus publicizes a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act.

Emergency Evacuations

Emergency evacuation procedures and maps are posted in all classrooms, lecture halls, laboratories, and internal public areas at all the campuses.

The emergency evacuation procedures are tested at least twice each year, during day and evening hours, at each campus. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The PCCPD and EH&S do not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, PCCPD and Campus Action Team members (CAT) staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. PCC evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants ‘practice’ drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

Campus Action Teams (CAT)

Members are volunteers staffed at each campus, District Office, or the Maintenance and Security facility. They are assigned to a designated building area and are responsible for assisting and advising during an emergency and work under the direction of the CAT Leader.

Each CAT member shall be knowledgeable regarding:

- Emergency plans
- Infrastructure, including the building areas they represent
● Communication structure
● Emergency response

CAT members will:

● Assist in evacuating their assigned buildings and direct people to outdoor emergency assembly areas.
● If a shelter-in-place has been initiated, help communicate information to building occupants.
● Provide assistance to people with disabilities.
● Communicate information and make requests for resources to CAT Leader.
● Remain with the assigned group at the assembly area until further directions are given by a College official.
● If requested, monitor sidewalks, courtyards, and parking lots to direct lingering people to the assembly area during an evacuation.
● Attend all training, workshops and activities specifically organized for CAT members.

What to do during an emergency evacuation

● If a decision is made to evacuate a campus building, you will be notified by activation of the audible/visual fire alarm system, (horns and/or white strobe lights), a phone call, text alert, verbal directions, or by public address announcement. Once you are notified, evacuation is required.

● If possible, take the most important personal items with you, e.g., medications, keys, purse, and jacket.

● Close doors behind you but do not lock them.

● Do not use elevators.

● Evacuate the area by following the evacuation plans posted in all classrooms and meeting rooms.

● Follow directions of the CAT Members and go to the assigned outdoor assembly area.

● If you are unable to leave the building or there is no ground floor access, notify any CAT Member (wearing bright green vests) of your situation and tell them what type of assistance you require (e.g., wheelchair user, breathing difficulties, visual impairment). CAT Members are trained to assist persons with disabilities and to immediately relay required information to the Campus Emergency Management Team (CEMT). If a CAT Member is not available, notify a co-worker, friend, or other college personnel as they leave the building and ask them to inform the CEMT of your name, location, and type of assistance required.

● After you inform a co-worker, friend, or CAT Member of your situation, go to the nearest safe “Emergency Staging Area” (do not use the elevator) and wait until assistance arrives.

Evacuation of the entire campus

● Once the campus is evacuated, it will be secured and no one will be allowed to reenter without proper authorization.

● The campus will remain closed until the decision to reopen is made by emergency responders and College Administration. Campus reopening will be broadcasted through email, text alert, web, local radio, and television stations.
**Special assistance**

- Individuals with disabilities are encouraged to prepare for emergencies ahead of time by discussing their need with appropriate personnel.

- Employees should discuss questions or concerns about emergencies with their supervisor and/or the ESC office at 206-4945.

- Students should discuss questions or concerns about emergencies with the Access and Disability Resources (ADR) office on any campus, by calling 206-3228, or by email at ADRhelp@pima.edu.

- Plan ahead – know the areas where you work, attend class, or visit on campus.

- Identify at least two exits.

- Is there ground floor access? If there is not, and you normally use an elevator to enter and leave a building, you will need evacuation assistance. Do not use elevators during an emergency unless instructed by emergency responders.

- Find a friend or co-worker and ask if they would be willing to assist during an emergency. It is suggested that you find more than one friend or co-worker in the event one of those persons is unavailable. Campus Action Team Members (CAT) are also available to assist persons with disabilities during an emergency. To find out who these personnel are for your work area, please contact your supervisor or the Administrative Business Office.

- Know the location of a telephone for each area you frequent.

- Once you have a plan and practice that plan.

**Campus Security Authorities (CSAs)**

PCC prefers that community members promptly report all crimes and emergencies directly to the PCCPD. Students and employees may also choose to report incidents to other College officials. The Clery Act recognizes certain College officials and offices as “Campus Security Authorities” (CSAs).

“Campus Security Authority” is a Clery-specific term that encompasses four groups of individuals and organizations associated with an institution that are responsible for reporting Clery crimes and incidents:

- A campus police department or a campus security department of an institution.

- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).

- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.
Examples of individuals who meet the criteria for being campus security authorities include:

- A dean of students who oversees student life center, or student extracurricular activities.
- A director of athletics, a team coach, or a faculty advisor to a student group.

The function of a campus security authority at PCC is to report to the PCCPD those allegations of Clery Act crimes that he or she receives. CSAs are responsible for reporting allegations of Clery Act crimes that are reported to them in their capacity as a CSA. This means that CSAs are not responsible for investigating or reporting incidents that they overhear students talking about in a hallway conversation; that a classmate or student mentions during an in-class discussion; that a victim mentions during a speech, workshop, or any other form of group presentation; or that the CSA otherwise learns about in an indirect manner.

Primary Campus Security Authorities
Crimes and complaints can also be reported to primary PCC Campus Security Authorities as follows:

- **PCC’s Title IX Coordinator**
  Title IX is administered through the Title IX Coordinator’s Office, located at PCC’s Downtown Campus, Room LB-190, 1255 N. Stone Ave., Tucson, AZ.

<table>
<thead>
<tr>
<th>Dr. Suzanne Desjardin</th>
<th>Diane Deskin</th>
<th>Staci Shea</th>
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<tbody>
<tr>
<td>Dean of Students</td>
<td>Advanced Program Manager</td>
<td>Assistant Program Manager</td>
</tr>
<tr>
<td>Title IX Coordinator</td>
<td>Title IX and Student Conduct</td>
<td>Title IX and Student Conduct</td>
</tr>
<tr>
<td>(520) 206-6677</td>
<td>(520) 206-7120</td>
<td>520-206-7028</td>
</tr>
<tr>
<td><a href="mailto:sdesjardin@pima.edu">sdesjardin@pima.edu</a></td>
<td><a href="mailto:sdeskin@pima.edu">sdeskin@pima.edu</a></td>
<td><a href="mailto:sshea1@pima.edu">sshea1@pima.edu</a></td>
</tr>
<tr>
<td>Michelle Wiltshire</td>
<td></td>
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<tr>
<td>Senior HR Consultant</td>
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<tr>
<td>Deputy Title IX Coordinator</td>
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<tr>
<td>(520) 206-4865</td>
<td></td>
<td></td>
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<tr>
<td><a href="mailto:swiltshire@pima.edu">swiltshire@pima.edu</a></td>
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</tbody>
</table>

Email: title9@pima.edu

The Title IX Coordinator works to ensure that the College meets its legal obligations under Title IX of the Education Amendments of 1972 and related regulations (“Title IX”). Title IX prohibits discrimination on the basis of sex, including sexual harassment.

The Title IX Coordinator maintains overall compliance responsibility for Title IX-related matters and Student Code of Conduct matters related to discrimination and harassment.

The Title IX Coordinator is responsible for ensuring there is an appropriate investigation of any applicable complaint that the Student Code of Conduct has been violated by a student, including any allegation that a student has violated the provisions of the Code of Conduct concerning discrimination and harassment.

For more information on Title IX, go to: [https://pima.edu/student-resources/student-policies-complaints/index](https://pima.edu/student-resources/student-policies-complaints/index)
Office of Dispute Resolution

PCC’s Office of Dispute Resolution (ODR) provides centralized and consistent oversight to address complaints and grievances from all constituency groups: students, employees and community members. The office is located at PCC’s District Office, Room C 208, 4905 East Broadway Blvd, Tucson, AZ.

Office of Dispute Resolution
Phone 520.206.4727

ODR is committed to addressing complaints, grievances, or concerns in an independent, fair, and objective manner. ODR’s core functions include intake, triage, investigation, and analysis of complaints and grievances, as well as identification of process improvements. The Office reports to the General Counsel.

Complaints may be filed with the Title IX Coordinator through:

- Online forms found at https://pima.edu/student-resources/student-policies-complaints/titleix/index.html
- The 24/7 complaint hotline: 1-855-503-8072 (toll-free)
- Calling or emailing the Title IX administrator or coordinator
- An in-person visit to the Title IX office

For more information on the Office of Dispute Resolution, go to: https://pima.edu/administration/dispute-resolution/index.html

Anonymous complaints can be made via the online form or hotline. While they are accepted, this type of complaint may affect reporting and resolution.

PCC takes complaints of sexual discrimination or harassment very seriously and encourages all students who feel they have experienced discrimination or harassment on the basis of their sex or gender to reach out to the College for assistance. However, students are not required to file a Title IX complaint with the College before filing a complaint with the U.S. Department of Education’s Office of Civil Rights, which may be contacted as followings:

U.S. Dept. of Education - Office for Civil Rights
800-421-3481
OCR@ed.gov

The following is the COVID-19 Update that was posted to inform the College community of changes to procedures during the pandemic:

Dear PCC Community,

The Title IX office is open and functioning remotely while the campus is closed due to the COVID-19 pandemic. If you are impacted by sex- or gender-based discrimination, harassment, or assault during this time, please know that we are here for you. Please contact our office using one of the following methods. You can make a report or contact us to discuss your options:

24/7 complaint hotline: 1-855-503-8072 (toll-free)
Contact the Title IX Office or Office of Dispute Resolution on page 16.
PCC strives to maintain an environment free from discrimination and harassment. The same in-person behavior guidelines also apply to the online environment. PCC employees and students are expected to conduct themselves in online and virtual activities with the same level of respect they would in person. We understand that due to the pandemic and people being isolated at home, incidents of domestic and family violence can increase. While Title IX regulates behavior between members of the PCC community, if you are a PCC employee or student and are being harassed or abused by someone who is not affiliated with PCC, please email Diane or Staci who can provide you with community resources that can help.

Be safe,
PCC Title IX Office

Student Complaint Processes

To support quality instruction and service, PCC provides students access to appropriate College staff and administration to resolve questions and concerns about PCC staff, policies, procedures, or other actions or inactions of the College.

Students are strongly encouraged to resolve any concern by talking with the individual or faculty member and their supervisor if necessary.

Need assistance navigating the complaint process or have questions or a concern? Contact the Student Complaint Resource Liaison at each campus:

<table>
<thead>
<tr>
<th>PimaOnline:</th>
<th>East Campus:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Linda Cordier</td>
<td>Rob Carey</td>
</tr>
<tr>
<td><a href="mailto:CC-studentresource@pima.edu">CC-studentresource@pima.edu</a></td>
<td><a href="mailto:FC-studentresource@pima.edu">FC-studentresource@pima.edu</a></td>
</tr>
<tr>
<td>520.206.6516</td>
<td>520.206.7880</td>
</tr>
<tr>
<td>Desert Vista Campus:</td>
<td>Northwestern Campus:</td>
</tr>
<tr>
<td>Mariah Young</td>
<td>Ed Gallagher</td>
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<tr>
<td><a href="mailto:DV-studentresource@pima.edu">DV-studentresource@pima.edu</a> 520.206.5306</td>
<td><a href="mailto:NW-studentresource@pima.edu">NW-studentresource@pima.edu</a></td>
</tr>
<tr>
<td>Downtown Campus:</td>
<td>520.206.2121</td>
</tr>
<tr>
<td>Hector Acosta</td>
<td>West Campus:</td>
</tr>
<tr>
<td><a href="mailto:DC-studentresource@pima.edu">DC-studentresource@pima.edu</a> 520.206.2199</td>
<td>Daisy Rodriguez Pitel</td>
</tr>
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<td><a href="mailto:WC-studentresource@pima.edu">WC-studentresource@pima.edu</a></td>
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</table>

Distance Education/Online Students Outside the State of Arizona can access the support of AZ SARA at: [https://azsara.arizona.edu/content/complaint-process](https://azsara.arizona.edu/content/complaint-process). Prior to registering a non-instructional complaint with AZ SARA Council, the student must complete PCC's official complaint process.

For more information on Student Complaint Processes, go to: [https://pima.edu/student-resources/student-policies-complaints/index](https://pima.edu/student-resources/student-policies-complaints/index)

Confidential Reporting Procedures

Complainants who do not wish to pursue action within the criminal justice system, Title IX, or College Code of Conduct system, may want to consider making a confidential report. An individual may inquire about making a confidential report either in person at any PCCPD office or by calling the PCCPD Communications Center at (520)
An officer can fill out a police report and list the reporting party as anonymous to capture the incident. The purpose of confidential reporting is to comply with a person’s desire to keep the matter confidential, while taking steps to help ensure the future safety of themselves and others. Reports filed in this manner will be counted and disclosed in the institution’s Annual Security Report.

If the complainant requests confidentiality or asks that the complaint not be pursued, the PCCPD and Title IX Coordinator may nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. However, the College may be required to pursue an investigation even if a Complainant chooses not to do so to ensure the safety of the PCC community. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, PCCPD will inform the complainant that its ability to respond may be limited.

Title IX prohibits retaliation. If a Complainant is afraid of reprisals from the alleged perpetrator, PCC will take steps to prevent retaliation and will take strong responsive actions if retaliation occurs.

PCC does not staff pastoral or professional counselors that provide confidential counseling and are exempt from the reporting responsibilities of the Clery Act. This pertains to professional counselors whose official responsibilities include providing mental health counseling within the scope of the counselor’s license or certification and to pastoral counselors who are associated with a religious order or denomination, or is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

**Pima Community College Response to Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

Dating violence, domestic violence, sexual assault, and stalking are criminal acts that subject the alleged perpetrator to criminal and civil penalties in state and federal courts. In addition to court-imposed sanctions, the College will respond administratively if dating violence, domestic violence, sexual assault, stalking, or other crimes are perpetrated by a student or employee.

An officer from the PCCPD or Title IX Coordinator will guide the victim of dating violence, domestic violence, sexual assault, or stalking through the available options and support the victim in his or her decision. She or he may choose for the investigation to be pursued through the:

- Pima Community College Police Department and the Criminal Justice system, or
- Title IX Coordinator and the Pima Community College Discrimination, Harassment, and Retaliation – Prevention and Complaint Procedures.

**Pima Community College Police Department Responsibility**

The Pima Community College Police Department has the responsibility to:

- Conduct criminal investigations into reports of sexual violence, domestic violence, dating violence, and stalking, and refer to courts.
- Inform victim(s)/complainants about their options regarding the involvement of law enforcement authorities and campus authorities.
- Disseminate sexual assault and other sex crime statistics and, if necessary, issue emergency or timely
warnings to the college community.

- Coordinate investigation with Title IX Coordinator.
- Refer off-campus reports to proper jurisdiction if required.
- Refer Mandatory Reports – Abuse of a Minor to Arizona Department of Child Safety (DCS) (ARS 13-3620).
- Provide to the College community timely and appropriate notification of the presence of known Level 2 or Level 3 registered sex offenders who may be on College premises (ARS 13-3826).
- Provide written victim information and assistance to victims of sexual violence (ARS 13-4405).

Title IX Coordinator and Reporting Process

Reports of dating violence, domestic violence, sexual assault, or stalking can be referred the Title IX Coordinator for investigation and sanctions within the PCC Student Code of Conduct or Employee Administrative process.

A complaint of sexual violence, domestic violence, dating violence, and stalking may be received directly from a student, employee, visitor, or witness or referred by PCCPD, or Campus Security Authority. Complaints will be received regardless of the location, whether on- or off-campus. Off-campus criminal complaints may be referred to local law enforcement.

The Title IX Coordinator will explain what is involved in making a police report and will comply with a complainant’s request for assistance in notifying law enforcement.

All reports of dating violence, domestic violence, sexual assault, or stalking will be reported to PCCPD for Clery statistical purposes or possible timely warnings to the College community. The Title IX Coordinator will provide appropriate and specific contact information for the PCCPD or local law enforcement agency.

Interim Measures

At the commencement of, or at any time during the course of an investigation, interim measures may be imposed in order to protect all parties until the investigation is completed, including, but not limited to:

- The PCCPD issues a no trespass or suspension order to the respondent.
- Title IX Investigator issuing a temporary directive to a Respondent or other person relating to conduct that may constitute discrimination, harassment, or retaliation.
- The Chief Human Resources Officer may impose on a Respondent or other person a Paid Investigatory Leave as referenced by the Personnel Policy Statement for College Employees.
- Coordinate protective measures with the PCCPD, Title IX Coordinator, and College administration to request changes to academic, living, transportation, and working situations.
  - PCC is obligated to comply with a student’s request for a living and/or academic situation change following an alleged sex offense. This includes a) working with the student and faculty member to find a different class day/time or location; b) working with the faculty member on an incomplete or withdrawal from the course. The college can provide referrals to housing and legal entities to assist the student in requesting those changes.
Confidentiality

Every reasonable effort will be made to protect the privacy and confidentiality of all parties involved in the investigation, consistent with and subject to the College’s need to investigate the report or complaint and/or implement decisions made in order to resolve the report or complaint or remedy conduct that is determined to constitute an act of dating violence, domestic violence, sexual assault, or stalking. No representative of the College is authorized to promise complete confidentiality to any person who possesses information relevant to the investigation of a report or complaint, including the Complainant.

Documentation resulting from any investigation shall be maintained as confidential in a Title IX investigation. Access to documents or any other kind of information related to a complaint is permitted only for College officials with a “need to know” or as allowed or required by law.

Policies, Procedures and Proceedings on Dating Violence, Domestic Violence, Sexual Assault, and Stalking

The following are relevant policies and procedures pertaining to dating violence, domestic violence, sexual assault, and stalking.

Pima Community College Police Department is sometimes referred to as the Department of Public Safety within the published PCC policies. The College is actively working on updating all policies for consistency on this terminology.

Workplace Violence Prevention

Board Policy Number: BP 1.15

Pima County Community College District promotes a safe environment for its employees, students and visitors. The College is committed to maintaining an environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior. The College provides training, education and resources to promote a safe environment and to help prevent instances of workplace violence.

Violence, threats, harassment, intimidation, and any other disruptive behavior, which carries an expressed, implied or perceived intent to cause harm to a person or property at any Pima Community College facility or sponsored event will not be tolerated. It is the responsibility of every employee, student, or visitor to Pima Community College to report any occurrence of such conduct. The College will investigate all reports; deal with all violations in accordance with the College Personnel Policy Statement for College Employees and/or the Student Rights and Responsibilities and report to legal authorities, as appropriate, for criminal prosecution.

Sexual Violence

Administrative Procedure Number: AP 8.05.01

PURPOSE

The purpose of this procedure is to implement Board Policy on Institutional Security as it relates to sexual violence.

For the purpose of this procedure, the definition of sexual violence is any unwanted sexual contact or attention achieved by force, threats, bribes, manipulation, pressure, tricks or violence. Sexual violence may be physical or non-physical and includes sexual assault (rape), attempted sexual assault and acquaintance rape. Sexual violence is
committed by strangers and, more often, acquaintances, friends or relatives. Anyone can become a victim of sexual violence, regardless of age, race or income level. Pima Community College shall provide an environment that will, to the greatest extent possible, preclude the occurrence of and encourage the reporting of sexual violence.

SECTION 1: Reporting Responsibilities

1.1 Victims are encouraged to report acts of sexual violence to the Department of Public Safety as soon as possible. The Department of Public Safety shall post 24-hour emergency telephone numbers at various locations on all campuses or otherwise provide for emergency contact with the Department, such as, direct telephone lines in all elevators and other locations.

1.2 Any student or employee who witness sexual violence or is informed about an alleged sexual offense shall, as soon as possible, contact the Department of Public Safety.

1.3 The Department of Public Safety is responsible for the dissemination of sexual assault statistics to the college community. Sexual assault statistics shall be published annually and provided to the student population in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

SECTION 2: Prevention and Educational Programs

The College will utilize a number of strategies and activities specifically designed to educate the college community regarding sexual offense issues and to promote awareness of strategies to prevent sexual assault, rape, acquaintance rape, and other sexual offenses.

2.1 Campus President/Vice Chancellor for Academic Affairs and Student Development

2.1.1 Campus Presidents or designee will provide workshops for all employees and students. All Campus Presidents or designee will provide to the student population information on sexual violence prevention and assistance.

2.1.2 Campus Presidents or designee will provide for the display of posters, flyers, brochures, etc. that relate to sexual violence.

2.2 Dean of Students

2.2.1 The Deans of Student Development or designee will be responsible for preparing, scheduling and conducting the various workshops or other educational programs dealing with sexual violence.

2.2.2 The Deans of Student Development or designee will be responsible for the selection of locations for the display of posters, flyers, brochures or other educational materials relating to sexual violence.

2.2.3 The Deans of Student Development or designee will ensure that all education support faculty are provided with training in the area of sexual violence counseling.

2.3 Department of Public Safety

2.3.1 The Department of Public Safety will provide assistance and expertise in the preparation of
workshops or other educational programs and will provide, as needed, assistance in the presentation of information about the role of the Department in sexual offense response and investigation.

2.3.2 The Department of Public Safety will be responsible for the acquisition of posters, flyers, brochures or other educational materials relating to sexual violence.

2.3.3 The Department of Public Safety will provide a cost-free videotape loan program for the college community. The videotapes will cover various aspects of sexual violence. The Department will also provide a videotape viewing area, so the programs can be viewed by persons without video players.

2.3.4 The Department of Public Safety will provide to the College student newspaper (The Aztec Press), the Bulletin, articles and information on the prevention of sexual violence to be published at least twice yearly, during the Spring and Fall semesters.

2.3.5 The Department of Public Safety will provide assistance and referral information electronically to the college community through the Pima Info Web.

2.4 Human Resources and Affirmative Action Office

2.4.1 Human Resources and the Affirmative Action Office will assist in the development of sexual violence workshops by providing expert presenters in the various aspects of the workshops.

2.4.2 Human Resources and the Affirmative Action Office will be responsible for preparing, scheduling and conducting the workshops or other educational programs dealing with sexual violence for all College employees.

2.4.2.1 These employee-related workshops should include information on receiving reports of sexual violence, reporting incidents of sexual violence to the Department of Public Safety, and where to refer victims for assistance.

SECTION 3: Crisis Response Team

The College will establish a Crisis Response Team, which will be activated by the Department of Public Safety in the event of an alleged sexual offense.

3.1 Once the Department of Public Safety becomes aware of an alleged sexual offense, the Department will implement criminal investigative procedures outlined in its Departmental Procedure Manual. These procedures provide specific details on the investigative requirements of sexual offenses and compliance with federal, state and local criminal justice policies.

3.2 In addition to implementing investigative procedures, the Department of Public Safety is responsible for making notifications to all appropriate members of the Crisis Response Team, including but not limited to:

Appropriate Campus President or designee.

The Provost or designee (for incidents at DCO/DSSC or non-campus areas).

The Vice Chancellor for Human Resources or designee (when a college employee is involved).
Title IX Update

U.S. Department of Education recently announced significant changes to the rules and regulations governing Title IX, the federal law that prohibits discrimination on the basis of sex in educational institutions receiving federal funding, including the College. Those new rules and regulations officially went into effect on August 14, 2020. The revised procedure addresses all forms of discrimination, harassment and retaliation, including sexual assault, stalking and other wrongful conduct.

Requirements of Title IX now apply College-wide, rather than to student matters only. AP 2.03.01 essentially consolidates the College’s various discrimination and harassment APs into a single AP under the authority of the Chancellor.

Because of the broad implications of Title IX, other College policies and procedures will be affected by these changes and will require review and revision, which will be conducted in a timely manner in accordance with the College’s standard processes. In the meantime, to the extent there are any differences or conflicts with other APs, the Employee Handbook, or the Student Code of Conduct, AP 2.03.01 supersedes those other policies and procedures.

Additional information about the administration of Title IX at the College can be found at: https://pima.edu/student-resources/student-policies-complaints/titleix/index.html.

The full text of the AP 2.03.01 can be found here: https://pima.edu/about-pima/leadership-policies/policies/administrative-procedures/docs-ap-02/ap-2-03-01.pdf

The following section covers the Clery Act notifications and requirements in reporting to the College community. The Clery Act and requires Colleges to notify the campus community of its responsibility to assist and inform victims of sexual assault, dating violence, domestic violence and stalking on how to obtain help, and victims’ and alleged perpetrators’ rights under the law.

The following is a summary of pertinent College Policies, Procedures and Proceedings on Dating Violence, Domestic Violence, Sexual Assault, and Stalking from AP 2.03.01.

Discrimination, Harassment, and Retaliation – Prevention and Complaint Procedures

Administrative Procedure Number: AP 2.03.01

Definitions

“Title IX Sexual Harassment” means conduct meeting the College’s definition of Sexual Harassment that occurs in the United States during a College Education Program or Activity and includes one or more of the following additional elements specifically prohibited by Title IX: a) Quid-Pro-Quo Harassment, b) Sexual Assault, c) Dating Violence, d) Domestic Violence, e) Stalking, or f) other unwelcome conduct of a sexual nature that a Reasonable Person would find to be so severe and pervasive and objectively offensive (all three must be present) that it effectively denies the affected individual of equal access to the College’s Education Programs and Activities.

“Dating Violence” means violence or other physical, psychological, or emotional abuse directed against an
individual by someone with whom that individual is or has been in a social, romantic, or intimate relationship including, but not limited to, acts committed intentionally to frighten, intimidate, coerce, exploit (including economic exploitation), or humiliate the targeted individual or socially isolate them from others.

“Domestic Violence” means violence or other physical, psychological, or emotional abuse directed against an individual by someone with whom that individual currently has or previously had a cohabitational relationship of any kind, including, but not limited to, as a spouse, intimate partner, roommate, or family member, including, but not limited to, acts committed intentionally to frighten, intimidate, coerce, exploit (including economically), or humiliate the targeted individual or socially isolate them from others.

“Sexual Assault” means physical sexual acts perpetrated against an individual, regardless of any current or prior relationship, either through physical force or coercion, including threats against the individual or others, against the individual’s will, without the individual’s consent, or where the individual is incapable of giving consent, including, but not limited to, rape (forcible or statutory), sexual violence, sexual battery, sexual abuse, sexual exploitation, and sexual coercion.

“Stalking” means repeatedly following, making contact with, observing, or engaging in other conduct, or directing or requesting that others engage in such conduct, against another individual without legal justification in a manner or under circumstances that would cause a Reasonable Person to feel threatened, unsafe, or intimidated or to fear for the safety of others.

SECTION 1: Purpose

Pima Community College (“College”) is an equal opportunity, affirmative action institution. The College does not discriminate on the basis of race, color, religion or irreligion, ethnicity, national origin, age, sex, disability (actual or perceived), sexual orientation, gender identity or expression, veteran or military status, or any other unlawful basis.

The College is committed to maintaining a safe and equitable workplace and educational environment in which no member of the College Community is denied full access to the College’s educational programs and services or employment opportunities because of unlawful discrimination or harassment. The College will not tolerate unlawful discrimination or harassment of any kind against any member of the College Community.

SECTION 2: Applicability and Scope

- Covered Individuals

  All provisions of this AP apply to all members of the College Community, including Students, Employees, applicants for admission or employment, visitors, Volunteers, and contractors, unless specified otherwise.

- Covered Locations and Activities

  All provisions of this AP are applicable on all College Property and during all Ordinary College Operations and College Sponsored Activities, on or off campus, regardless of location, unless specified otherwise.

- Online Activity and Social Media

  - This AP applies to all online, telephonic, and otherwise virtual activity, including use of social media, that
▪ Occurs on College Property;
▪ Occurs during or has a material adverse effect on Ordinary College Operations;
▪ Involves a Matter of Substantial College Interest;
▪ Involves the use of College IT Systems.

  o This AP may apply to discriminatory or harassing communications posted to social media sites or other online venues by Students, Employees, or other members of the College Community, even if College IT Systems were not used and/or the College does not control the social-media site or online venue, if the communications can reasonably be shown to be disruptive to Ordinary College Operations.

  o Social media activity and other forms of online communication that are protected by the First Amendment may not be the subject of disciplinary or other adverse action pursuant to this AP. However, the College may still provide Supportive Measures (see Section 6 of this AP) to members of the College Community affected by such communications.

● Additional Covered Events and Circumstances

This AP may also apply to certain events and circumstances involving members of the College Community that do not occur on College Property, during Ordinary College Operations, or during College Sponsored Activities if those events 1) effectively deprive one or more members of the College Community of access to or the benefits of, or subject them to Discrimination or Harassment in, the College's Education Programs and Activities, or 2) involve a Matter of Substantial College Interest.

● Questions About Applicability and Scope

Questions about this AP’s applicability and scope, or other issues related to its interpretation or implementation, including potential conflicts with other policies and procedures, will be resolved by the Chancellor (or designee) and are not subject to further review.

SECTION 4: Prohibited Discrimination and Harassment

● The College strictly prohibits, will not tolerate, and shall endeavor to effectively address, remediate, and eliminate all forms of Discrimination and Harassment that occur in violation of this AP, including, but not limited to, Discrimination or Harassment on the basis of a Protected Class, Retaliation, Title IX Sexual Harassment, and other conduct that creates or contributes to a Hostile Environment.

● The College reserves the right to address other offensive or disruptive conduct that a) does not rise to the level of creating or contributing to a Hostile Environment, or b) is not based on a Protected Class through the College’s other applicable policies and procedures, including, but not limited to, Employee Handbooks and the Student Codes of Conduct.

● The College recognizes that acts of Discrimination or Harassment may be committed by any individual(s) against any other individual(s), regardless of their respective status, even if they are both members of the same Protected Class.

SECTION 5: Retaliation
● Retaliation is a form of unlawful Discrimination prohibited by this AP and will not be tolerated by the College.

● Acts of Retaliation against persons who have reported or submitted a Complaint about Discrimination or Harassment, participated in the investigation or resolution of a report or Complaint about Discrimination or Harassment (e.g., as a Complainant, Respondent, witness, Advisor, or decision-maker), or engaged in other Protected Activity pursuant to this AP are prohibited, will not be tolerated by the College, and should be reported immediately (see Section 10.31 of this AP).

● Retaliation does not include the following:
  
  o Adverse action taken against an individual for 1) making materially false, bad-faith statements or Frivolous allegations in the course of College proceedings undertaken pursuant to this AP or other College policies, or 2) refusing to cooperate or otherwise interfering with those same College proceedings when required to do so.

  o The legitimate exercise of rights otherwise protected under the First Amendment.

SECTION 6: Supportive Measures

● The College shall offer Supportive Measures to affected members of the College Community upon notice of alleged Discrimination or Harassment, even if a Complaint has not been submitted.

● If a Complaint is submitted, Supportive Measures shall be offered equally to both Complainants and Respondents until at least such time as a decision has been made on the Complaint pursuant to applicable College policy.

● The College will endeavor to maintain the privacy of members of the College Community receiving Supportive Measures and avoid unnecessary burdens on individuals involved, provided that doing so does not impair the College’s ability to provide the Supportive Measures or to investigate or fully address Discrimination or Harassment.

● Other members of the College Community, including Employees, will not be informed of the reason why an individual is receiving a Supportive Measure unless disclosing that information is necessary to provide the Supportive Measure.

SECTION 8: Court-Issued Orders of Protection/“No Contact” Orders

● Although individual members of the College Community may receive lawful civil court orders in their personal capacities related to discrimination and harassment, including orders of protection and “no contact” orders, from local, state, and federal courts, the College is generally not in a position, or legally responsible, to enforce or otherwise take action on civil court orders, unless the College itself is a party to or subject of the same orders.

● Members of the College Community with questions about complying with, or who believe other individuals are engaging in violations of, civil court orders on College Property or at College Sponsored Activity, may contact the College Police Department for assistance.

● When necessary and appropriate to protect the College Community as a whole from specific incidents of Discrimination and Harassment, particularly when public safety is threatened, the College may seek
injunctions, orders of protection, or “no contact” orders on behalf of the College itself from local, state, or federal courts.

● The College itself cannot seek personal orders of protection, “no contact” orders, or other forms legal relief from local, state, and federal courts on behalf of individual Students, Employees, or other members of the College Community who may be affected by Discrimination or Harassment.

● The College may, in addition to other Supportive Measures, refer members of the College Community affected by Discrimination and Harassment to low- or no-cost legal services outside the College to assist them with related legal matters, including, but not limited to, seeking or defending against such court orders.

SECTION 9: College-Wide, Inter-Departmental Cooperation

● The College is committed to providing a unified, holistic approach to preventing and responding to Discrimination and Harassment, regardless of the form it takes, where or when it occurs, or the status within the College Community of the persons perpetrating or affected by it (e.g., Student, Employee, visitor).

● The College recognizes that individual incidents may include multiple forms of Discrimination and Harassment as well as other violations of College policy; involve various combinations of Students, Employees, and other members of the College Community; and require the simultaneous attention of multiple College departments. Accordingly, all College departments shall share information, combine efforts, and otherwise cooperate, to the maximum extent permitted by law and consistent with other applicable College policies, to provide uniform, consistent, efficient, and effective responses to Discrimination and Harassment.

SECTION 10: Complaint and Reporting Processes and Resources

● Federal Timely Warning Obligations

Pursuant to the Clery Act, the College may be required to issue “timely warnings” upon receipt of reports of certain types of Discrimination or Harassment that pose or may pose a serious or continued threat to the overall College Community (e.g., Sexual Assault and Stalking). If timely warnings are required, the College will ensure that the names and other personally identifying information of the persons reporting the Discrimination and Harassment in question are not disclosed.

● Disability Accommodations in Complaint Processes

The College is committed to providing reasonable accommodations to ensure that qualified Students, Employees, and other members of the College Community with disabilities have equal access to all aspects of the administration of this AP. Anyone requesting such an accommodation should contact the College’s Accesses and Disabilities Resources Office (“ADR”).

● Effect of Collateral Criminal or Civil Legal Proceedings

  o The College is generally not prevented from taking responsive action by ongoing collateral criminal or civil legal proceedings based on the same general allegations as a Complaint received by the College. Likewise, the fact that criminal charges have been dropped or reduced, or civil lawsuits settled, does not affect ongoing related matters at the College.
At the request of law enforcement agencies, the College may institute reasonable delays in College proceedings if the College determines that doing so would be in the best interests of the administration of justice and would not materially interfere with the College’s ability to effectively investigate or respond to the matter.

College proceedings will not be delayed to accommodate civil lawsuits or other non-criminal legal matters.

Central Repository for all Complaints of Discrimination and Harassment

In accordance with Section 15 below, all Complaints of Discrimination and Harassment in violation of this AP shall be recorded and maintained in a centralized electronic database, administered by the Office of the General Counsel or designee (e.g., the Office of Dispute Resolution (“ODR”), regardless of the types of conduct alleged, the roles of the Complainant and/or Respondent within the College Community, or the specific College departments receiving and responding to the Complaints.

The College shall monitor this central Complaint repository and periodically review the information contained therein to identify any trends in the reporting of Discrimination and Harassment at the College, to improve the College’s investigation and resolution processes, and for any other purposes related to the overall reduction of Discrimination and Harassment at the College.

Confidential and Anonymous Complaints

Persons reporting alleged violations of this AP may request that their Complaints remain confidential. The College will endeavor to honor such requests when not prohibited from doing so (e.g., as with Formal Title IX Complaints (see Section 14.6.4 of this AP)) and when the College’s obligation to protect the College Community does not override the request for confidentiality.

Anonymous Complaints may be submitted through a toll-free telephone number and/or anonymous website, which can be found on the Office of Dispute Resolution (“ODR”)’s page on the College’s website.

Persons requesting confidentiality or submitting anonymous Complaints should be aware that doing so, even when permitted, may significantly limit the College’s ability to investigate and respond to such Complaints.

Use of Email for Complaint-Related Written Communication and Determining Effective Dates

All written communication related to Complaints made pursuant to this AP shall be conducted by email unless alternative means are required due to extenuating circumstances and expressly approved in writing by a College administrator with authority over the Complaint process in question or by the College’s Access and Disabilities Resources (“ADR”) Office as part of an accommodation.

Current Employees and Students participating in Complaint proceedings in any capacity (e.g., as Complainants, Respondents, Advisors, or witnesses) must conduct all Complaint-related written correspondence using their assigned “pima.edu” email accounts unless specifically authorized in writing by the College to use another form of correspondence for a specific purpose (e.g., to forward to the College Discriminatory or Harassing messages received at a personal account).
All Complaint-related email sent at or before 5:00 p.m. on a Business Day will be deemed received and read by the recipient on the date it was sent. Complaint-related email sent after 5:00 p.m. will be deemed received and read by the recipient on the next Business Day.

- Duty of Employees to Report Discrimination and Harassment

- Employees who are Supervisors or who instruct or advise Students are required to report all potential Discrimination or Harassment that comes to the Employees’ attention in the course and scope of their College employment, either because they themselves witness it or because it is reported to them verbally or in writing.

- Reports must be made as soon as possible (generally within one (1) Business Day, unless specified otherwise) and may be submitted in accordance with the provisions of the Employee Handbook or to the College’s Office of Dispute Resolution (“ODR”).

- The duty of certain Employees to report Discrimination and Harassment pursuant to this AP is independent of and in addition to the legal “Mandatory Reporting” duty of all Employees to report child abuse, child neglect, and other “reportable offenses” as defined by law (see AP 8.05.03, “Mandatory Reporting - Abuse of a Minor or Child”).

SECTION 14: Title IX Sexual Harassment

Title IX Sexual Harassment is a specific category of sex- or gender-based Discrimination and Harassment under federal law (i.e., Title IX and associated regulations promulgated by the U.S. Department of Education) which requires certain different or additional action by the College. All Title IX Sexual Harassment qualifies as prohibited Discrimination and Harassment under this AP, but not all prohibited sex- and gender-based Discrimination and Harassment qualifies as Title IX Sexual Harassment. Questions about the distinction may be directed to the College’s Title IX Coordinator.

- Authority of the Title IX Coordinator

- The College’s Title IX Coordinator is designated as having the primary responsibility to oversee and coordinate the implementation of the Title IX Sexual Harassment portions of this AP, including, but not limited to, the resolution of Title IX Sexual Harassment Complaints and the delivery of required Title IX training.

- The Title IX Coordinator (or designee) shall be primarily responsible for the College’s response to reports and Complaints of Title IX Sexual Harassment, regardless of whether the parties involved are Students, Employees, or other members of the College Community.

- Designation of Deputy Title IX Coordinators

- The Title IX Coordinator may designate one or more Deputy Title IX Coordinators to oversee the implementation of this AP within specific College departments, including, but not limited to Human Resources.

- Regardless of their respective administrative supervisors, all Deputy Title IX Coordinators will report exclusively to the Title IX Coordinator for purposes of the administration of the Title IX Sexual Harassment provisions of this AP only.

- All Deputy Title IX Coordinators shall be identified on the College’s website along with their respective contact information and designated areas or responsibility (e.g., Human Resources).
Designated “Officials with Authority” for Purposes of Title IX

- Title IX requires that the College promptly respond to a Formal Title IX Complaint in a manner that is not Deliberately Indifferent when a College official with authority to address a Formal Title IX Complaint has actual knowledge of reported Title IX Sexual Harassment. For purposes of the Title IX Sexual Harassment provisions of this AP, such “Officials with Authority” are limited to the following:
  - Title IX Coordinator
  - Deputy Title IX Coordinators
  - Chancellor
  - Provost
  - Chief Human Resources Officer
  - College Employees designated as “mandatory reporters” pursuant to AP 8.05.03 (“Mandatory Reporting – Abuse of a Minor Child”) are not necessarily “Officials with Authority” for purposes of this AP and Title IX.

The Title IX Pool

- Role and Responsibilities
  The College will utilize a group of specially trained individuals, to serve a variety of roles in the Title IX process, including, but not limited to, Title IX Advisors, Title IX Hearing Officers, Title IX Appeal Panelists, and informal mediators. These individuals are referred to collectively as the College’s Title IX Pool.

- Membership
  - Membership selection for the Title IX Pool shall be at the discretion of the Title IX Coordinator and shall include, at a minimum, Employees (both academic and non-academic) with administrative responsibilities at the College that are not related directly to Title IX.
  - Employees whose responsibilities already include the administration of Title IX at the College, either specifically or in an oversight or compliance capacity, may not serve in the Title IX Pool, including, but not limited to, the Chancellor, the Provost, the General Counsel and other College legal staff, the Chief Human Resources Officer, , the Title IX Coordinator, any Deputy Title IX Coordinators, and personnel from the Office of Dispute Resolution (“ODR”). At the Title IX Coordinator’s discretion, the College may draw upon qualified individuals from outside the College to serve in the Title IX Pool.

- Required Training
  All members of the Title IX Pool shall have completed specialized Title IX training and shall continue to receive and complete additional such training at least annually and more often as necessary as determined by the Title IX Coordinator. This training generally includes, but is not limited to, the following topics:
  - The provisions of this AP and other College policies and procedures related to Discrimination and Harassment;
  - Applicable laws, regulations, and federal guidance;
  - Maintaining impartiality and objectivity and avoiding biases, including implicit bias;
  - Determining and implementing appropriate Supportive Measures;
• Conducting thorough and impartial investigations;

• Conducting hearings and appeal proceedings;

• Conducting questioning, including cross-examination;

• Weighing evidence, including assessing credibility and relevance;

• How to reach decisions and generate clear, concise, evidence-based written findings;

• Determining and implementing appropriate Disciplinary Sanctions;

• Using technology commonly utilized in the Title IX process.

● Reporting Title IX Sexual Harassment

○ Title IX Sexual Harassment may be reported to the College using any of the following methods:

  ▪ Contacting the Title IX Coordinator, a Deputy Title IX Coordinator, or another Official with Authority (see Section 14.3 of this AP) by any method, including, but not limited to, by telephone, email, or in-person (contact information can be found on the Title IX Coordinator’s website);

  ▪ Contacting the College’s Office of Dispute Resolution (“ODR”) by any method, including anonymously (contact information and instructions for submitting anonymous reports can be found on ODR’s website);

  ▪ Submitting a Formal Title IX Complaint (see Section 14.6 of this AP).

○ Title IX Sexual Harassment may be reported without submitting a Formal Title IX Complaint. The College will take appropriate action in response to all reports of Sexual Harassment (or other forms of Discrimination and Harassment), whether formal or informal. However, only Formal Title IX Complaints will be addressed according to the College’s Title IX process.

○ Individuals reporting Title IX Sexual Harassment shall be informed of the following:

  ● Their right to submit or not to submit a Formal Title IX Complaint;

  ● Their right to submit a Formal Title IX Complaint in the future, if they decline to do so at the time of reporting;

  ● Their right to receive Supportive Measures whether or not they submit a Formal Title IX Complaint;

  ● A Formal Title IX Complaint must be submitted in order for the College to initiate the Title IX Complaint Process.

● Submission of Formal Title IX Complaints

○ Formal Title IX Complaints must be submitted to the Title IX Coordinator or a designated Deputy Title IX Coordinator.
A Formal Title IX Complaint must 1) be in writing; 2) be signed by the Complainant; 3) include enough factual allegations to determine that, if proven to be true, Title IX Sexual Harassment may have occurred; and 4) request that the College investigate the allegations.

Only current Students and Employees, persons currently attempting to access the College’s Education Programs and Activities, or the Title IX Coordinator may be a Complainant to a Formal Title IX Complaint. Complaints by former Students and Employees, and persons not currently attempting to access the College’s Education Programs and Activities, may submit complaints of Sexual Harassment and other prohibited Discrimination and Harassment through other College processes.

Formal Title IX Complaints may not be submitted anonymously or confidentially (i.e., with the name of the Complainant withheld).

Once a Formal Title IX Complaint has been received, the College will offer Supportive Measures to both the Complainant and the Respondent equally. If the College was already providing Supportive Measures prior to the submission of the Formal Title IX Complaint, the College may continue to do so or provide new or appropriately modified Supportive Measures.

Formal Title IX Complaints against Multiple Respondents

In the interest of fairness and clarity, all allegations in a single Formal Title IX Complaint should generally be against a single Respondent.

A single Formal Title IX Complaint may, at the discretion of the Title IX Coordinator (or designee) be brought against more than one Respondent if 1) all factual allegations arise from substantially the same event(s) and circumstances, 2) the Complainant clearly identifies which factual allegations are against which Respondent(s), and 3) doing so would not materially prejudice the interests of any party or the jeopardize the College’s full and fair resolution of the matter (e.g., by creating an unreasonable risk of unfair “guilt by association”).

Discretionary Inclusion of Other Discrimination or Harassment Allegations in Formal Title IX Complaints

If a Formal Title IX Complaint alleges additional forms of Discrimination or Harassment prohibited by this AP, the Title IX Coordinator shall have the discretion to either 1) separate the additional allegations from the Formal Title IX Complaint and forwarded to the appropriate College department to address those allegations, or 2) direct that the additional allegations be investigated and resolved as part of the Title IX Complaint process in the same manner as the allegations of Title IX Sexual Harassment.

The Title IX Coordinator shall provide written notice to all parties of the decision.

Notice to Respondent of a Formal Title IX Complaint

Upon receipt of a Formal Title IX Complaint and prior the commencement of the investigation, the Title IX Coordinator (or designee) shall provide timely written notice of the complaint to the Respondent. The written notice must include all of the following:

The identities of the parties involved, including Complainant;

A meaningful summary of the allegations, including the specific conduct in which the Respondent allegedly engaged that is believed to constitute Title IX Sexual Harassment, including the date and
location when each incident of such conduct is alleged to have occurred;

- The College policies allegedly violated by the Respondent (including citations);
- A general description of the sanctions with may be imposed if the Respondent is determined to be responsible for the alleged violations;
- A statement of or citation/link to any applicable policies and procedures, including, but not limited to, this AP;
- A statement informing Respondents of their right to a Title IX Advisor;
- A statement informing Respondents that an investigation will be conducted and of their right to be accompanied by their inspect and review any evidence obtained during that investigation;
- A statement that the Respondent is presumed not responsible for the alleged violations until determined otherwise at the conclusion of the Formal Title IX Complaint process;
- A statement that College policy prohibits making false statements or knowingly submitting false information during any College investigation.

● Prohibition against "Gag Orders"

Notwithstanding any other College policies or procedures, the College may not impose a “gag order” on the parties to a Formal Title IX Complaint or otherwise restrict the ability of either party to discuss the allegations in, or to gather evidence during any investigation into, that Formal Title IX Complaint.

● Assessment of Formal Title IX Complaints - Mandatory & Discretionary Dismissals

- Mandatory Dismissal

  - Upon receipt of a Formal Title IX Complaint, the Title IX Coordinator (or designee) shall conduct an initial assessment to determine if all of the following Title IX jurisdictional requirements are met:

    > If ultimately proven, all or part of the conduct alleged would constitute Title IX Sexual Harassment as defined in this AP;
    > The alleged conduct occurred on College Property or during an Education Program or Activity or other College Sponsored Activity;
    > The alleged conduct occurred in the United States; and
    > At the time the Formal Title IX Complaint was submitted, the Complainant was a Student or Employee or was attempting to access or participate in an Education Program or Activity.

  - If any of the foregoing requirements are not met, the Title IX Coordinator must dismiss the Formal Title IX Complaint (although the allegations may continue to be addressed by the College in another form through non-Title IX processes).

- Discretionary Dismissal
- At any time during the Formal Title IX Complaint process, the Title IX Coordinator may dismiss a Formal Title IX Complaint, in whole or in part, if one or more of the following occurs:

  > The Complainant notifies the Title IX Coordinator in writing that the Complainant is opting to withdraw the Formal Title IX Complaint or any of the allegations made in it;

  > The Respondent is no longer a Student or Employee of the College, or

  > Specific circumstances prevent the College from gathering sufficient evidence to make a full and fair determination on the Formal Title IX Complaint or any of the allegations contained in it.

If the Complainant ceases to be a Student or Employee of the College while a Formal Title IX Complaint is pending, the Formal Title IX Complaint process will generally continue, provided the Complainant continues to participate as required. A Formal Title IX Complaint may be dismissed at the discretion of the Title IX Coordinator if a Complainant who is no longer a Student or Employee fails to participate after being given a reasonable opportunity to do so (e.g., participating remotely, extending timelines, etc.).

The Title IX Coordinator may also opt to substitute the Title IX Coordinator or a designee as the Complainant if the Formal Title IX Complaint alleges Title IX Sexual Harassment that could reasonably harm or threaten the general College Community, rather than just the individual original Complainant.

- Notice of Dismissal

  The Title IX Coordinator will promptly and simultaneously provide written notice of the mandatory or discretionary dismissal of a Formal Title IX Complaint to both parties and include a specific rationale for the dismissal. The notice shall include information about submission and resolution of any applicable appeals.

- Mandatory or Discretionary Dismissals – Additional Considerations

  - Complaints or specific allegations that are dismissed as Formal Title IX Complaints for any reason should be referred to other College departments as appropriate for further consideration and/or proceedings in accordance with other College processes (e.g., Employee Handbook or Student Code of Conduct).

  - Complainants who choose to withdraw their Formal Title IX Complaints or any of their Title IX Sexual Harassment allegations may subsequently submit them again as Formal Title IX Complaints or resubmit them in the form of a non-Title IX Complaint (e.g., in accordance with the Employee Handbook or Student Code of Conduct).

  - Decisions by the Title IX Coordinator to dismiss Formal Title IX Complaints may be appealed by either party according to the applicable procedures (e.g., as provided in the Employee Handbook or Student Code of Conduct).

  - The dismissal of a Formal Title IX Complaint for any reason shall not preclude or impair the College’s ability to offer, institute, or continue Support Measures for any party.
● Right to a Title IX Advisor

- All parties to Title IX Sexual Harassment Complaints may choose to have one Title IX Advisor of their choosing, from inside or outside the College Community, during all stages of the process (e.g., during interviews, meeting, and hearings) provided the parties’ chosen advisors are not already involved in the Title IX Sexual Harassment Complaint process (e.g., as a witness) or are not otherwise unwilling or unable to, or prohibited from, participating.

- Parties may choose Attorneys to serve as their Title IX Advisors at the parties’ own personal expense. Title IX Advisors fulfill the same function and are bound by the same rules, regardless of whether they are Attorneys or non-Attorneys.

- Trained Title IX Advisors from the College’s Title IX Pool shall be made available to both parties at no cost.

- Parties may change their Title IX Advisors at any time and are expected to notify the Title IX Coordinator of any changes at least two (2) Business Days before any scheduled meetings, interviews, or hearings. Regardless of any changes that have occurred, parties may only be accompanied by one Title IX Advisor to a particular meeting, interview, or hearing. Parties generally may not change their selection of Title IX Advisors during a particular meeting, interview, or hearing, absent exceptional circumstances and only with the approval of the Title IX Coordinator (or designee).

● Title IX Advisors’ Roles and Responsibilities

- All Title IX Advisors, including those selected or appointed from the College’s Title IX Pool, have the duty and responsibility, first and foremost, to consider the best interests of, and provide candid advice to, the parties they advise to the best of the Title IX Advisors’ abilities within the parameters set by this AP and any accompanying College procedures.

- Title IX Advisors are expected to be available at scheduled dates and times to attend Title IX Sexual Harassment Complaint proceedings in person as required. Dates and times may be adjusted to accommodate Title IX Advisors, and/or proceedings may be conducted remotely (by telephone or video conference), at the sole discretion of the Title IX Coordinator (or designee) if doing so would not unreasonably delay the proceedings, unfairly prejudice or burden another party, or materially interfere with an applicable right of parties to Confront other parties or witnesses who present evidence against them.

- Title IX Advisors are required to abide by the College’s rules of civility and decorum and to advise their respective parties without being disruptive. Title IX Advisors may be excluded from any proceeding and/or replaced by the College if they repeatedly violate College policy or cause Substantial Disruptions.

- Title IX Advisors may not address College officials during meetings, interviews, or hearings with their respective advised parties unless specifically authorized to do so under College policy or invited to speak by the College officials in question.

- Parties are expected and required to speak for themselves during the Title IX Sexual Harassment Complaint process, including during investigations and hearings. Advisors may not make present evidence or arguments in favor of their advised parties, object to questions, speak on behalf of their advised parties at any time during the Title IX Sexual Harassment Complaint process, except to conduct
cross-examination during hearings.

- Parties are expected and required to communicate with College officials themselves about Title IX Sexual Harassment Complaint proceedings. Requests that College officials communicate with parties through attorneys or their Title IX Advisors will be declined.

- Parties may consult with their Title IX Advisors as needed during any part of the Title IX Sexual Harassment Complaint process and may request reasonable breaks during any proceedings to consult privately.

- Parties may share otherwise confidential information and documents with their Title IX Advisors and may request that the College share such information with their Title IX Advisors, or allow them to access it directly, by completing a FERPA release in accordance with applicable College policy. Title IX Advisors are required to maintain the confidentiality of any information shared with them and may be prohibited from acting as Title IX Advisors or subject to disciplinary action by the College if they fail to do so.

- Parties’ selected Title IX Advisors may request to meet or otherwise confer with the Title IX Coordinator (or designee) prior to interviews, meetings, and hearings with their respective advised parties for guidance on the College’s Title IX Sexual Harassment Complaint process and to clarify the role and responsibilities of Title IX Advisors.

- Appointment of Title IX Advisors to Conduct Cross-Examination During Hearings

  - Federal Title IX regulations require that cross-examination of parties and witnesses during hearings on Formal Title IX Complaints be conducted only by the parties’ Title IX Advisors (see Section 14.16.5.11 of this AP). If a party does not have a Title IX Advisor, the College will appoint a trained Title IX Advisor from the Title IX Pool at no cost to the party for the limited purpose of conducting cross-examination at the hearing. Parties may only reject the College’s appointment of a Title IX Advisor if they then provide their own Title IX Advisors to conduct the required cross-examination.

  - If a party does not select a Title IX Advisor, or if the party’s chosen Title IX Advisor refuses to or, in the determination of the Title IX Coordinator, is incapable of conducting minimally adequate cross-examination, the College will appoint a Title IX Advisor from the Title IX Pool for the sole purpose of conducting cross-examination, regardless of the participation of the advised party. In the event that occurs, the affected party may otherwise continue to be advised by the party’s chosen Title IX Advisor for all other permissible purposes.

- Informal Resolution of Title IX Complaints

  - Once submitted, and after all parties have been notified, most Formal Title IX Complaints may be resolved informally, without conducting additional investigations, holding a hearing, or making a determination of responsibility.

  - A Formal Title IX Complaint alleging that an Employee engaged in Title IX Sexual Harassment against a Student may not be resolved informally.

  - Either the Complainant or the Respondent may request at any time (including after commencing the Formal Title IX Complaint process) that a Formal Title IX Complaint be resolved informally, but both parties must agree to do so in writing, and either party may opt at any time to move forward with the Formal Title IX Complaint process.
Attempting to resolve a Formal Title IX Complaint informally is not required before initiating the Formal Title IX Complaint process.

Formal Title IX Complaints may be resolved informally through a variety of approaches, provided the parties both agree to do so, including, but not limited to, one or more of the following:

- College-facilitated mediation by a neutral mediator;
- Mutually agreeable Restorative Justice measures;
- The Respondent accepting responsibility for a violation of College policy (including violations other than Title IX Sexual Harassment) and agreeing to receive a particular Educational Measure or Disciplinary Sanction;
- The provision of mutually agreeable Supporting Measures by the College.

The Formal Title IX Complaint Process

Notice of Investigation and Allegations

- The Title IX Coordinator (or designee) will provide written notice of the Formal Title IX Complaint to the parties prior to commencing any investigatory meetings or interviews.
- Such notice shall be given sufficiently in advance to allow the parties a reasonable opportunity to gather and review evidence, select and confer with their respective Title IX Advisors, and otherwise prepare for the meetings/interviews.

Resolution Timelines, Deadlines, and Extensions

- Although there is no specific amount of time by which the Formal Title IX Complaint process must be completed, the College will endeavor to resolve all Formal Title IX Complaints, including any subsequent appeals, within ninety (90) Business Days from the date of submission.
- Deadlines and other dates set during the Formal Title IX Complaint process may be extended at the discretion of the Title IX Coordinator (or designee) for good cause, including, but not limited to, requests from law enforcement to delay investigations, the unavailability of parties or witnesses, and to accommodate disabilities or health conditions.
- The Title IX Coordinator (or designee) shall inform the parties in writing of any delays, the reasons for them, and the anticipated date when the process will resume. Supportive Measures shall continue, and additional or modified Supportive Measures may be implemented, during any delays.
- Proceedings on Formal Title IX Complaints will generally not be delayed or postponed if they are ongoing at the end of an academic term or semester, except for good cause and at the sole discretion of the Title IX Coordinator. If the Respondent is a graduating or transferring Student, a hold may be placed on the Student's degree or official transcripts, and other institutional restrictions may be put in place, until the matter is fully resolved, including any appeal.
Ensuring Impartiality

- All persons involved in administering the Formal Title IX Complaint process, including, but not limited to, the Title IX Coordinator (and any designees), the Investigators, and all decision-makers must be neutral, objective, and free from any material conflicts or biases that might unfairly affect the resolution of the Formal Title IX Complaint for one party or the other.

- Either party may, at any time during the Formal Title IX Complaint process, raise a concern about a perceived material bias or conflict on the part of anyone involved. The Title IX Coordinator (or designee) shall make a timely determination if the concern is reasonable and factually supported, and, if so, assign someone else to fulfill the role of the individual about whom the concern was raised. Concerns about bias or conflict by the Title IX Coordinator should be brought to the attention of the Chancellor (or designee).

Investigations

- Investigator Training Requirements

  All individuals conducting investigations into Formal Title IX Complaints must complete specific training, provided by the College, on the proper methodology for conducting thorough, unbiased investigations in accordance with the requirements of Title IX. This training shall include, but is not limited to, the following topics:

  > Title IX and its associated federal regulations;
  > This AP and other College policies and procedures related to Discrimination and Harassment;
  > Maintaining neutrality and objectivity;
  > Avoiding biases, including implicit bias;
  > Disparate treatment of Complainants, Respondents, and witnesses and its investigatory implications;
  > Reporting, confidentiality, and privacy requirements;
  > Conducting investigations in a thorough, reliable, and impartial manner;
  > Questioning witnesses neutrally and objectively;
  > Generating clear and impartial investigatory reports.

- Selection of Impartial Investigators

  The individuals conducting investigations into Formal Title IX Complaints cannot be the same individuals who will serve as the Title IX Hearing Officers, Title IX Appeal Panelists, and/or decision-makers on those same complaints. Investigators must be adequately trained, neutral, impartial, and unbiased. The selection of Investigators into Formal Title IX Complaints shall otherwise be at the discretion of the Title IX Coordinator and may include Investigators from the College’s Office of
Dispute Resolution ("ODR") or qualified individuals retained or recruited from outside the College.

- **Impartiality During the Investigative Process**

Investigators must remain impartial and objective during investigations into Formal Title IX Complaints. All such investigations shall be conducted with the presumption that the Respondent is not responsible for the alleged Title IX Sexual Harassment unless and until proven otherwise by a Preponderance of the Evidence as determined by the designated decision-maker.

Investigators shall not provide any determinations or assessments of the parties’ or witnesses’ respective credibility at any point during the Formal Title IX Complaint process. Likewise, Investigators shall not make or draw any conclusions or inferences regarding whether the evidence gathered supports a finding that a Respondent did or did not violate Title IX (e.g., that an allegation is “substantiated” or “unsubstantiated”).

- **Ensuring Thorough and Fair Investigations**

To the maximum extent possible, Investigators into Formal Title IX Complaints shall interview all parties and relevant witnesses and obtain all potentially relevant evidence that is reasonably available. All parties should have a full, fair, and equal opportunity to 1) identify both fact and expert witnesses and suggest questions for the Investigator to ask those witnesses, 2) provide documents and other evidence to the Investigator, 3) identify sources of expert information, and 4) review and respond to all evidence and to have those responses made part of the investigatory record.

- **Investigation Timelines for Formal Title IX Complaints**

Although there is no set deadline, investigations into Formal Title IX Complaints shall be conducted in a timely manner and completed expeditiously, normally within thirty (30) days, not including any applicable time periods required for the parties and their Title IX Advisors to have an opportunity to review and comment on the evidence collected during the investigation. However, the College is primarily concerned that investigations are conducted fairly and thoroughly, and, as such, some investigations may take substantially longer.

- **Cooperation of Parties and Witnesses During Investigations**

All parties and witnesses are expected to cooperate fully with investigations into Formal Title IX Complaints unless doing so would require them to violate or waive a Legally Recognized Privilege. All claims of privilege must be referred to and reviewed by the College’s General Counsel. Witnesses who are Employees or Students of the College may face disciplinary action in accordance with the requirements of the Employee Handbook, Student Code of Conduct, and other applicable College policies and procedures if they fail to cooperate during a Title IX investigation when required to do so.

- **Party and Witness Interviews**

Witness interviews will generally be conducted in person. Witnesses may be interviewed via telephone or other electronic means (e.g., via Zoom, Skype, Google Hangouts, etc.) at the discretion of the Investigator if necessary and doing so would not materially impair the thoroughness or impartiality of the investigation.
Absent exceptional circumstances, audio recordings will be made of all investigatory interviews.

- **Witness’s Written Statements**

Witnesses may provide written statements in addition to being interviewed. Witnesses may not provide written statements in lieu of being interviewed. If a witness provides a written statement but is not present or refuses to be cross-examined during the Title IX Hearing, the witness’s written statement may not be used as evidence and should be disregarded by the decision-maker.

- **Limitations on Use of Party’s Medical Records**

Neither the College nor any other party may access or use a party’s confidential medical, psychological, or similar treatment records during the investigation or at any other time during the Formal Title IX Complaint process unless the Title IX Coordinator (or designee) has obtained the voluntary, written consent of the party to whom the records belong.

- **Additional Considerations During Investigations**

Investigations should not include witness statements or other evidence about 1) incidents that are not related directly to the allegations in the Formal Title IX Complaint, unless those incidents could reasonably provide evidence of a pattern of substantially similar conduct, 2) the purported character or reputation of any party, 3) questions and evidence about the Complainant’s prior sexual behavior, unless it is relevant to a question of consent or if someone other than the Respondent is responsible for the alleged violation.

- **Investigative Reports**

At the conclusion of the investigation into a Formal Title IX Complaint, the Investigator shall produce a final investigative report summarizing all relevant evidence, including, but not limited to, a list of all fact and expert witnesses identified by either party and any potentially Inculpatory Evidence and Exculpatory Evidence.

The investigative report shall not contain any inferences drawn from that evidence, conclusions about the responsibility of either party for any allegations, or assessments of the parties’ and witnesses’ credibility, as those are determinations which must be made only by the decision-maker and only after the conclusion of the Title IX Hearing.

- **Provision of Final Investigative Reports and Relevant Evidence Prior to Hearing**

At least ten (10) Business Days prior to the Title IX Hearing, the Investigator shall simultaneously 1) provide copies of the final investigative report to all parties, their Title IX Advisors, and the Title IX Coordinator (and any designee), and 2) provide the parties and their Title IX Advisors with copies of, or otherwise make reasonably available for their inspection and review, all evidence collected during the investigation that is directly related to the allegations in the Formal Title IX Complaint, including any potentially Inculpatory Evidence and Exculpatory Evidence.

- **Hearings**

Although the College endeavors to provide a clear and well-organized process, administered by
knowledgeable and impartial personnel, hearings on Formal Title IX Complaints at the College are non-judicial proceedings, and formal rules of evidence and procedure, such as would be following in a court of law, are generally not applicable. Questions about the hearing process may be directed to the Title IX Coordinator.

▪ **Standard of Proof**

  The standard of proof for deciding all allegations brought as part of a Formal Title IX Complaint shall be the Preponderance of the Evidence standard.

▪ **Burden on the College, not the Parties**

  The College, not any of the parties, has the sole burden and responsibility to determine, through a thorough and impartial process, if any or all of the allegations in a Formal Title IX Complaint have been established by a Preponderance of the Evidence.

▪ **Scheduling the Hearing**

  After the parties and their Title IX Advisors have received the final investigative report and had an opportunity to review the evidence directly related to the allegations in the Formal Title IX Complaint, the Title IX Coordinator will schedule the matter for a hearing. Hearings cannot be scheduled for less than ten (10) Business Days after either the date when the final investigative report was provided to the parties or when the evidence was made available to the parties and their Title IX Advisors (whichever date is later), unless all parties and the Title IX Coordinator agree in writing to expedite the hearing schedule.

▪ **Notice of the Hearing**

  Not less than ten (10) Business Days prior to the scheduled date of the hearing, the Title IX Coordinator shall send notice to the parties containing the following:

  > A description of all alleged violations that will be considered at the hearing and their potential disciplinary consequences, with citations to their corresponding provisions in College policy and/or procedure;

  > A description and/or copy of (or link to) the procedures that will be followed during the hearing;

  > The time, date, and location (including virtual location, if applicable) of the hearing, and a statement that attendance is mandatory;

  > The name and title of the designated Title IX Hearing Officer who will conduct the hearing and act as decision-maker, along with instruction on how to object to the designated hearing officer, acceptable bases for such objections (e.g., conflicts, biases), and the deadline for submitting any such objections.

  > Any technology that will be used to facilitate the hearing;

  > A list of expected hearing attendees;

  > A notice that the hearing will be recorded and information on how parties will be provided
access to the recording after the hearing;

> A statement that, if any party or witness does not appear at the scheduled hearing, it will continue as scheduled without them (absent compelling reasons for their absence that the Title IX Hearing Officer determines warrants a discretionary rescheduling of the hearing), and the statements or testimony of any parties or witnesses who do not attend the hearing will not be considered by the Title IX Hearing Officer in reaching a decision;

> Notice that the parties may each have a Title IX Advisor of their choosing present at the hearing and must have a Title IX Advisor, either of their choosing or provided by the College, to conduct cross-examination questioning on their behalf;

> Copies of all evidentiary materials provided to the Title IX Hearing Officer or a list of those materials if they were provided to the parties previously;

> Instructions on how to request disability accommodations, if needed;

> Any other instructions or directives relevant to the administration of the hearing.

▪ Hearing Officers

For each hearing on a Formal Title IX Complaint, the Title IX Coordinator shall designate a single member of the Title IX Pool to serve as the Title IX Hearing Officer. The Title IX Hearing Officer shall conduct the hearing, make discretionary decisions during the hearing about the relevance of evidence offered and questions asked (including during cross-examination), and serve as the finder-of-fact and decision-maker.

▪ Evidentiary Considerations During Hearings

Title IX Hearing Officers may generally consider any evidence they believe to be relevant and credible in reaching their decisions. The Title IX Hearing Officer shall make all determinations as to the relevance of all evidence and the credibility of the statements and testimony provided by all parties and witnesses.

Title IX Hearing Officers may not consider the following as evidence at the hearing:

> Incidents not directly related to the allegations in the Formal Title IX Complaint, unless they reasonably evidence a pattern of substantially similar conduct;

> The purported character or reputation of any party;

> The Complainant’s prior sexual behavior unless offered to show that someone other than the Respondent committed the conduct alleged in the Formal Title IX Complaint or that the alleged conduct was consensual.

▪ Virtual Hearings and Remote Testimony

The College will generally hold in-person hearings when it is reasonably feasible to do so, but all or part of any hearing may be conducted virtually at the discretion of the Title IX Coordinator (or designee). The College will make arrangements to utilize technology to allow live testimony to be
conducted remotely without compromising fairness or impairing either party’s right to Confront witnesses directly and in real time.

- **Hearing Participants and Attendees**

  Participants at the hearing will include the Title IX Hearing Officer, the parties and their respective Title IX Advisors, the Investigator(s) who conducted the investigation, and any witnesses who will give testimony and answer questions.

  At the discretion of the designated Title IX Hearing Officer, a hearing may also be attended by a limited number of non-participating attendees, including, but not limited to, the Title IX Coordinator (or designee), Deputy Title IX Coordinator(s), and/or the College’s General Counsel (to advise on procedural matters), as well as additional members of the Title IX Pool (for observation and training purposes).

- **Concurrent Hearings**

  In the event a single Formal Title IX Complaint involves allegations against more than one Respondent, the general practice of the College shall be to conduct separate hearings, typically scheduled consecutively (i.e., one immediately after the other) for each Respondent.

  At the discretion of the Title IX Coordinator, and with the written consent of all parties, hearings may be conducted concurrently (i.e., at the same time) to jointly resolve allegations against more than one Respondent to the same Formal Title IX Complaint, if doing so would not unfairly prejudice either Respondent and would materially benefit the parties and/or witnesses (e.g., by avoiding having to testify multiple times).

- **Testimony and Direct Questioning of Parties and Witnesses**

  The Title IX Hearing Officer shall afford each party an equal opportunity to present evidence for consideration during the hearing, including testimony from any fact or expert witnesses. Title IX Hearing Officers may call upon parties, witnesses, and other individuals involved in the process (e.g., the Title IX Investigators) to testify in the order the Title IX Hearing Officers wish to hear from them, provided all parties have an equal opportunity to present evidence, including any Aggravating Factors or Mitigating Factors.

  Parties and witnesses may give testimony in the form of statements to the Title IX Hearing Officer, and the Title IX Hearing Officer may ask the testifying parties and witnesses questions about those statements and any other matters the Title IX Hearing Officer believes to be relevant. Neither the opposing parties nor their Title IX Advisors may ask questions or offer arguments or objections at this time.

  When a party or a particular party’s witness has finished testifying, and the Title IX Hearing Officer has finished asking the party or witness questions, the Title IX Hearing Officer shall offer the opposing party’s Title IX Advisor the opportunity to conduct cross-examination questioning of the testifying party or witness.

  If the testifying witness is the Investigator, both parties’ Title IX Advisors shall have an equal opportunity to conduct cross-examination.
- Cross-Examination by Title IX Advisors

Only parties’ Title IX Advisors may ask testifying parties and witnesses (including Investigators) cross-examination questions. Cross-examination is generally limited to the scope of 1) the specific statements given by the party or witness being cross-examined (i.e., what that party or witness personally said, either during the live hearing or in other statements, such as to an Investigator), 2) statements attributed to the party or witness being cross-examined that are contained in the allegations of the Formal Title IX Complaint (regardless of whether the party or witness testified at the hearing or spoke to Investigators at any time about those purported statements), or 3) if the party being cross-examined is the Complainant, any allegation made in the Formal Title IX Complaint. Title IX Hearing Officers may, at their discretion, allow additional cross-examination if they determine that it is 1) not done solely to embarrass or harass the party or witness, 2) reasonably likely to lead to relevant information and, 3) not likely to cause unnecessary delay or disruption.

Title IX Hearing Officers shall not allow any cross-examination to continue that is irrelevant, repetitive, unnecessarily argumentative, or harassing. Title IX Advisors who engage in such conduct should be warned and subsequently removed from the proceeding if they refused to abide by the Title IX Hearing Officer’s directives.

- Failure or Refusal to Answer Cross-Examination – Use of Statements

If a party or witness does not attend the hearing or refuses to answer any cross-examination questions during the hearing, the Title IX Hearing Officer may not rely upon any prior statements made by that party or witness in reaching a decision, including, but not limited to, statements contained in the final investigative report or attributed to that party or witness in the Formal Title IX Complaint’s allegations.

If the party or witness attends the hearing and refuses to answer some cross-examination questions, the Title IX Hearing Officer may not rely upon any prior statements by the party or witness related to the unanswered questions.

Exception: A party’s statements that are themselves the central issue in a specific Title IX Sexual Harassment allegation (e.g., verbal harassment or Quid Pro Quo offers) may be considered by the Title IX Hearing Officer in reaching a decision, even if the party does not attend the hearing or refuses to answer cross-examination statements about such statements.

- Failure or Refusal to Answer Cross-Examination – Inferences Drawn

Title IX Hearing Officers may not infer that a Respondent is either more likely or less likely to be responsible for an alleged Title IX Sexual Harassment violation based solely on any party or witness failing to attend the hearing or to answer cross-examination questions.

If additional violations other than Title IX Sexual Harassment (e.g., forms of Sexual Harassment that violate College policy or Title VII but not Title IX) are among the alleged violations at issue in a hearing Title IX Hearing Officers may draw reasonable inferences from any decision by a party or witness not to attend the hearing or answer cross-examination about those additional, non-Title IX violations only.
• Recordings and Transcripts of Hearings

All hearings on Formal Title IX Complaints shall be recorded by the College and made available for inspection and review upon request to all parties and their Title IX Advisors, as well as to College Employees involved in the Title IX process and the administration and implementation of this AP, for inspection and review. Recordings must be reviewed in a controlled environment. Copies shall not be made, released, or distributed except internally at the College for purposes consistent with this AP (e.g., for training purposes).

Hearing recordings may be transcribed at the discretion of the Title IX Coordinator and made available for inspection and review in a controlled environment under the same conditions and subject to the same restrictions as recordings.

• Closing Statements and Hearing Adjournment

Before concluding the hearing, the Title IX Hearing Officer shall confirm that all parties have presented all evidence and arguments that they believe the Title IX Hearing Officer should consider in making a decision. If necessary, the Title IX Hearing Officer may infer a party’s confirmation if the party refuses to answer or merely repeats evidence or arguments previously stated.

The Title IX Hearing Officer may also offer each party an opportunity to make a concluding statement (which may include or reiterate any Aggravating Factors or Mitigating Factors the party believes should be considered) and to suggest what decision(s) they believe the Title IX Hearing Officer should make and what, if any, Educational Measures and/or Disciplinary Sanctions should be issued.

The Title IX Hearing Officer shall conclude the hearing by informing the hearing attendees that the matter will be taken under advisement and a decision will be issued in writing.

The Title IX Hearing Officer shall not issue a decision during the hearing.

  o Educational Measures and Disciplinary Sanctions

The Title IX Hearing Officer may impose any available Educational Measure or Disciplinary Sanction applicable to the party in question under College policy or procedure, including, but not limited, those specified in the Employee Handbook and Student Code of Conduct.

  o Written Decisions

  • Following the hearing, the Title IX Hearing Officer will issue a timely written decision according to timeframes and processes established by the Title IX Coordinator.

  • Decisions are ultimately at the sole discretion of the individual Title IX Hearing Officers making them. In considering their decisions, Title IX Hearing Officers may confer confidentially with the Title IX Coordinator (or designee), the College’s General Counsel, and other College Employees involved in the implementation and administration of this AP and the College’s overall compliance with Title IX, as well as with other members of the Title IX Pool. If, after concluding the hearing, the Title IX Hearing Officer determines it is necessary to confer again with the Investigator (e.g., to clarify information in the final investigative report), the Title IX Hearing Officer shall make a note of
that conference and the reason for it in the written decision.

- Written decisions shall include specific findings of fact and determination of responsibility on all allegations in the Formal Title IX Complaint based on the Preponderance of the Evidence standard. Decisions must clearly state the specific evidence relied upon in reaching a determination on each alleged violation, as well as the Title IX Hearing Officer’s rationale for issuing the specified (or for not issuing any) Educational Measures and/or Disciplinary Sanction.

- Written decisions shall also include information about the availability of any appeals of the Title IX Hearing Officer’s decision and the process for submitting them, including, but not limited to, applicable submission deadlines.

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**Notice and Delivery of Decisions**

The Title IX Hearing Officer shall deliver the written decision to the Title IX Coordinator (or designee) in accordance with the College’s established timelines and procedures. The Title IX Coordinator shall distribute the written decision to all parties and their Title IX Advisors, along with a notice informing the parties about the availability of any appeals and the processes for submitting them, including, but not limited to, applicable submission deadlines.

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**Imposition of Educational Measures and Disciplinary Sanctions**

Educational Measures and Disciplinary Sanctions will be imposed in accordance with the College policies and procedures applicable to the affected party, including, but not limited to, the Employee Handbook and the Student Code of Conduct.

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**Appeals of Title IX Decisions**

Appeals of certain Title IX decisions may be submitted, and acceptable appeals will be considered and decided in a timely manner, as described below.

- **Who May Appeal**

  Any party to a Formal Title IX Complaint (i.e., a Complainant or Respondent) may submit an appeal of an appealable issue on an appealable basis (see Section 14.18.2 and Section 14.18.4). Parties may likewise submit cross-appeals, including cross-appeals about the same issues (e.g., the Respondent may appeal a sanction on the basis it is too harsh, and the Complainant may appeal the same sanction on the basis that it is too lenient).

- **What May Be Appealed**

  - The following may be appealed pursuant to the Title IX appeal processes stated below in this section of this AP:

    > Decisions by the Title IX Coordinator to dismiss a Formal Title IX Complaint pursuant to Section 14.10 of this AP;

    > Decisions by the Title IX Hearing Officer on allegations of Title IX Sexual Harassment, including, but not limited to, decisions about responsibility for the violation(s) alleged, whether or not to impose Educational Measures and/or Disciplinary Sanction, and the specific types or degrees of
Educational Measures and/or Disciplinary Sanctions imposed (e.g., if they were too harsh or too lenient).

- All other decisions, including decisions by the Title IX Hearing Officer on alleged violations of this AP that do not constitute Title IX Sexual Harassment, must be appealed separately according to the policies and procedures applicable to the party appealing the decision (e.g., the Employee Handbook, the Student Code of Conduct) or the specific form of Discrimination or Harassment alleged (e.g., the College’s disability-discrimination AP).

  o Submitting an Appeal

  Appeals shall be submitted to the Title IX Coordinator or (designee) within five (5) Business Days of the appealing party’s receipt of the Title IX Hearing Officer’s written decision. Appeals must state an acceptable basis for appeal (see Section 14.18.4 of this AP) and be supported by specific factual information and/or College policy arguments. Appeals will not be considered if they are submitted 1) without specific factual support and/or policy arguments, or 2) solely with conclusory or speculative allegations or arguments not based on College policy.

  Please contact the Title IX Coordinator’s Office or see the Title IX Coordinator’s page on the College’s website for additional submission instructions and processes.

  o Acceptable Bases for Appeal

  Appeals are limited to and must be based on one or more of the following acceptable bases:

  - A Material Error in Process occurred that affected or reasonably could have affected an appealable decision to the detriment of the Appellant;

  - The discovery of new relevant evidence that was not reasonably available at the time an appealable decision was made that reasonably could have affected that decision in favor of the Appellant had it been presented;

  - Bias or a material conflict of interest on the part of the Title IX Coordinator, Investigator, Title IX Advisor, or Title IX Hearing Officer that affected or reasonably could have affected an appealable decision to the detriment of the Appellee;

  - The decision being appealed was Clearly Erroneous in light of all information known at the time it was made.

  o Status of Educational Measures and Disciplinary Sanctions While an Appeal Is Pending

  Educational Measures or Disciplinary Sanctions imposed by the Title IX Hearing Officer that are the subject of an appeal are generally stayed (i.e., their imposition is postponed temporarily) while the appeal is pending, unless specifically decided otherwise by the Title IX Coordinator. Supportive Measures may be continued, reinstated, or modified at the discretion of the Title IX Coordinator, pending resolution of the appeal.

  o Notice of Appeal to All Parties

  The Title IX Coordinator (or designee) shall notify all parties in writing of the appeal and provide them
with copies of the appeal document along with information regarding their rights in the appeal process, including, but not limited to, their right to respond in writing to the appeal and the process for doing so.

- Appellee Responses to Appeals

Appellees shall have a reasonable opportunity to provide written responses to Appellants’ appeals. Written responses should be delivered to the Title IX Coordinator or designee, who will provide copies to Appellants.

- Designating the Title IX Appeal Panel

The Title IX Coordinator (or designee) shall designate a Title IX Appeal Panel consisting of three (3) individuals selected from the Title IX Pool.

- Title IX Appeal Panel Processes

  - Title IX Appeal Panel decisions will generally be made without conducting a live hearing and will be based on the written submissions of parties and the information already in the evidentiary record.

  - Title IX Appeal Panels may submit additional written questions to Appellants and Appellees to be answered in writing.

- Discretionary Title IX Appeal Hearings

  - Any party may request a live appeal hearing before the Title IX Appeal Panel. Requests for a live appeal hearing must be clearly stated in the party’s appeal and delivered to the Title IX Coordinator, who will forward copies of the request (along with the appeal) to the Title IX Appeal Panel and to all parties. Opposing parties shall have an opportunity to file written responses indicating why they believe the request for a live hearing should be denied.

  - The decisions whether to grant such a request and conduct a live appeal hearing shall be at the sole discretion of the Title IX Appeal Panel and is not subject to review. Requests shall be granted only in exceptional circumstances. The party requesting the hearing has the burden of demonstrating that a live hearing is necessary for the requesting party to receive a full and fair opportunity to be heard. The Title IX Appeal Panel will inform the Title IX Coordinator in writing of its decision on the request, and the Title IX Coordinator will notify all parties of the decision.

  - If an appeal hearing is held, the Title IX Appeal Panel shall offer Appellants and Appellees an equal opportunity to be heard.

  - Both Appellants and Appellees may be accompanied by their respective Title IX Advisors. Appeal hearings may also be attended by the Title IX Coordinator (or designee) and the College’s General Counsel to advise the Title IX Hearing Panel on procedural matters as needed.

  - An appeal hearing is not a new evidentiary hearing, and further witness testimony or other additional evidence will generally not be heard or considered unless it is necessary to demonstrate the existence of new evidence that 1) could not reasonably have been discovered at the time of the hearing before the Title IX Hearing Officer, and 2) is substantially likely to have affected the Title IX Hearing Officer’s decision, had it been available at the time. If new testimonial evidence is
offered at the appeal hearing, limited additional cross-examination may be conducted by the parties’ Title IX Advisors.

- No decisions shall be issued during the appeal hearing. At the conclusion of the hearing, the Title IX Appeal Panel shall inform the parties that it will take the matter under advisement and issue a written decision at a later time.

**Title IX Appeal Decisions**

- Title IX Appeal Panels shall meet privately to deliberate and reach a decision, either after 1) the time to request an appeal hearing has expired, 2) all requests for hearings have been denied, or 3) a discretionary appeal hearing has been completed. No parties may attend the deliberation meetings. Meetings may be attended by the Title IX Coordinator (or designee) and/or the College’s legal counsel to advise on procedure matters as needed. If the decision being appealed was made by the Title IX Coordinator or a designee, the Title IX Coordinator or the designee who made the decision under review generally should not attend the meeting.

- Title IX Appeal Panels should give a great deal of deference to Title IX Hearing Officers’ and Title IX Coordinator’s decisions and only change or overturn a decision if a majority of the Title IX Appeal Panel is firmly convinced that the decision was in error, even if the individual panelists themselves might have reached a different conclusion.

- When deciding appeals, Title IX Appeal Panels may 1) deny the appeal and affirm the decisions, 2) affirm the decision that a violation occurred but reduce or increase the Educational Measure or Disciplinary Sanction, or 3) grant the appeal in its entirety and remand the matter to the decision-maker for further proceedings and/or a new decision (consistent with the Title IX Appeal Panel’s findings).

- Title IX Appeal Panels decisions must be in writing and provide sufficient detail to reasonably inform the parties and the Title IX Coordinator of the bases for the decisions.

**Finality of Title IX Appeal Panel Decisions**

Decisions of Title IX Appeals Panels are final, and no further review of the appealed decisions shall be available unless specifically stated otherwise in applicable College policies or procedures (e.g., for termination or expulsion proceedings pursuant to the Employee Handbook or Student Code of Conduct, respectively).

**Notice of Title IX Appeal Panel Decisions**

The Title IX Appeal Panel shall provide its written decision to the Title IX Coordinator who shall in turn provide copies of the decision to the parties and the Title IX Hearing Officer (if applicable). The Title IX Coordinator shall include with the decision a notice informing the parties of any right they may have under other applicable College policies or procedures (e.g., the Employee Handbook or Student Code of Conduct) to request review of the Title IX Appeal Panel’s decision (e.g., for a final review of a termination or expulsion decision, if available).

- Withdrawal or Resignation of Respondent While a Formal Title IX Complaint Is Pending (Including During Appeal)
In addition to the provisions of Section 14.10 above (dismissals), the following considerations are applicable in the event of the withdrawal of a Student Respondent or Resignation of an Employee Respondent while a Formal Title IX Complaint is pending against them:

- **Withdrawal of a Student Respondent**

  If a Student Respondent withdraws from or otherwise ceases to be enrolled at the College while a Formal Title IX Complaint is pending, the Student will not be permitted to re-enroll at the College. The College may place a hold on the Student’s account, prohibit the Student from being on College Property or attending or participating in College Sponsored Events, and/or restrict the Student’s ability to receive a degree or certificate, participate in the College’s graduation ceremony, and/or access official transcripts.

- **Resignation of an Employee Respondent**

  If an Employee Respondent resigns from or otherwise ceases to be enrolled at the College while a Formal Title IX Complaint is pending, the Employee will not be eligible for rehire for any position with the College. Records retained by the respective offices of the Title IX Coordinator and the Chief Human Resources will reflect the Employee’s ineligible status. The College may also prohibit the Employee from being on College Property or attending or participating in College Sponsored Activities, including, but not limited to, being enrolled as a Student.

**SECTION 15: Recordkeeping**

- The College shall maintain all records of proceedings undertaken pursuant to this AP in accordance with the College’s record-retention policies and applicable state and federal laws.

- The College shall maintain a centralized electronic database of all documentation associated with alleged violations of this AP, including, but not limited to, reports and Complaints, evidentiary documentation (incl. any audio or video recordings), investigatory reports, and written decisions.

- The Chancellor designates the College’s Office of the General Counsel with the primary responsibility of establishing, maintaining, and overseeing the utilization of the required database in conjunction with all College departments tasked with administering any processes under this AP (e.g., the Office of Dispute Resolution (“ODR”, Human Resources (“HR”), the Office of the Dean of Students, the Access and Disabilities Resources Office).

**Services for Victims of Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

Being a victim of a crime is traumatic. He or she may feel isolated and confused, and not know where to turn for practical advice or support. Police Officers and Title IX Coordinators will provide referrals to victim assistance agencies and services available to assist victims, and further explain their rights as a victim under Arizona law. They will help victims to understand their rights, the procedures for exercising them, and provide further assistance.

**On Campus**

- PCC Financial Aid – contact information
o Student Services  520-206-4950
o Phone hours: Monday - Thursday: 8:00am-4:30pm, Friday: 10:00am-4:30pm

o Email  fahelp@pima.edu

o Website:  https://pima.edu/paying-for-college/financial-aid/contact-us.html

o Student Aid Forms
  For form or document submission, please use your MyPima > Financial Aid > Document Upload Portal
  Fax: 520-206-4566

o Website:  https://pima.edu/paying-for-college/financial-aid/contact-us.html

● In person:

  Desert Vista Campus Student Services Center
  5901 S. Calle Santa Cruz, Tucson AZ  85709-6033

  Downtown Campus Student Services Center
  1255 N. Stone Ave., Tucson AZ  85709-3013

  East Campus Student Services Center
  8181 E. Irvington Rd., Tucson AZ  85709-4000

  Northwest Campus Student Services Center
  7600 N. Shannon Road, Tucson, AZ 85709

  West Campus Student Services Center
  2202 W. Anklam Rd., Tucson, AZ 85709-0195

  Center for Training and Development, Student Services, Desert Vista Campus
  5901 S. Calle Santa Cruz, Tucson, AZ 85709-4950
  Phone: (520) 206-5100

Off Campus Services

● Victim Assistance Agencies and Services

Organizations such as victim assistance programs, sexual assault centers, child abuse treatment programs, support groups, and domestic violence shelters are established throughout the state to help crime victims regain control over their lives. Some of the services are listed below. They provide emergency and long-term support to victims and their families. Services that may be available include:

● Emergency safe homes or shelters
● 24-hour crisis telephone lines
● Follow-up crisis and long-term counseling
● Advocating for victims’ needs and rights
● Accompanying victims to medical examinations
● Transportation
● Child care
For certain sexual offenses, costs for medical examinations that are done to preserve evidence may be paid for by the Prosecuting Agency. Victims should check with a victim/witness program advocate in their County for more information.

● **Pima County Services**

  Pima County Victim Services Division 520-740-5525
  Juvenile Victim Witness Program 520-740-4500
  Tucson City Prosecutor 520-791-4104
  Pima County Victim Compensation 520-740-5525
  Help-On-Call, 24-Hour Crisis Line 520-323-9373
  Child Protective Services 800-767-2445

● **Domestic Violence Crisis Services**

  Emerge! Center Against Domestic Abuse
  https://www.emergecenter.org
  520-795-4266/800-428-0101
  Emerge! Center Against Domestic Abuse provides domestic abuse crisis intervention and housing, prevention, education, support, and advocacy services to anyone experiencing domestic abuse. While the majority of the people seeking our services are women and their children, our services are available to anyone regardless of gender.

  National Domestic Violence Hotline
  800-799-7233
  For those in relationships experiencing domestic violence seeking assistance

● **Other Services**

  Brewster Center for Victims 520-881-7201
  Tucson (Assistance for Victims of Abuse) 520-795-4880
  Tucson Center for Women & Children 520-326-7135
  Casa De Los Niños 520-624-5600
  Tucson Shalom House 520-750-1405
  Gospel Rescue Mission 520-740-1501
  Pasqua Yaqui Domestic Violence Program 520-883-5190
  Elder Shelter 520-566-1919

● **Sexual Assault Programs**
Southern Arizona Center Against Sexual Assault (SACASA)
https://www.sacasa.org
800-400-1001 (24 HR. COUNSELING & REFERRALS)
520-327-7273
520-327-1171 (FOR APPOINTMENT)

Las Familias
https://www.arizonaschildren.org/behavioral-health/las-familias/
520-837-7122
Counseling for children who are victims of sexual abuse and their families as well as adults molested as children

- Victim Health Services

   Sexually Transmitted Diseases (STD’s)
   Planned Parenthood
   https://www.plannedparenthood.org/
   520.408.7526
   Testing and treatment for all STDs; confidential HIV testing available; Offers sliding scale fees

   Southern Arizona Aids Foundation
   saaf.org
   520-624-1779

   Wingspan
   saaf.org/about-saaf/wingspan-programs-and-affiliates/
   800-771-9054
   Arizona’s Lesbian, Gay, Bisexual, & Transgender Community & Resource Center

Victim Compensation

If you are the victim of a violent crime or the next-of-kin of a victim who has died as the result of a criminal act, you may apply to the County’s Crime Victim Compensation Program to recover certain expenses. You should file your claim in the county where the crime occurred. Some expenses you may be able to recover include:

- Medical and dental expenses
- Mental health counseling
- Lost wages
- Funeral costs

The Crime Victim Compensation Program does not compensate for loss of property or property damage. There are conditions that must be met to be eligible for compensation, and eligibility does not guarantee an award. To obtain an application or receive more information on Crime Victim Compensation, contact your county Victim Compensation Coordinator. The Pima County Coordinator can be reached at 520-740-5525.

The following information is not legal advice, but may be helpful to victims of domestic violation to seek protection from their abusers. Pima Community College cannot provide individuals with legal advice and should consult their own attorneys should they require such advice.
Domestic Violence

If you are the victim of domestic violence, you may seek a protective order. Orders of Protection prohibit spouses, ex-spouses, persons with a child in common or pregnant by the other person, persons living together, now or in the past, and close relatives from harming each other and/or from contacting you. Injunctions Against Harassment can be sought when there has been a series of harassing attacks.

A petition for a protective order can be filed, with or without a lawyer, in any Justice, City, Superior, or Tribal Court. If you are a party in an ongoing case involving legal separation, divorce, paternity/maternity, child custody, child/spousal support, or if the juvenile defendant is under the age of twelve, you should apply to any Superior Court location.

When the court is not open, you may request an Emergency Order of Protection through a law enforcement officer. Emergency Orders of protection are valid until the close of the next court business day.

A protective order can prohibit the abuser from: having any contact with you and/or other persons, committing further offenses, going to your residence (even if the abuser has been living at this address), going to other locations, and/or possessing or purchasing a firearm. If you seek a protective order, you may request that your address and/or other locations are kept confidential.

There is no filing fee to request a protective order. There is no service fee for Orders of Protection or Injunctions Against Harassment involving dating relationships. Law Enforcement shall not require a prepayment of service fees on other injunctions. You may request that the courts waive service fees for these other injunctions. You may have your protective order served by a private process server for a fee.

If there is a firearm present in a domestic violence matter, and a law enforcement officer determines that you or others could be exposed to serious injury or death, the firearm may be taken and held by the law enforcement agency. To ensure that you, as the victim, are notified of the release of a firearm that has been seized, you must provide the law enforcement agency with any change of address or phone number.

Victim’s Rights

As a victim of crime in Arizona, you have a Constitutional right to be treated with fairness, respect, and dignity and to be free from intimidation, harassment, or abuse throughout the criminal or juvenile justice process. All state, county, and municipal justice agencies and courts in Arizona are required to perform certain duties to ensure that you receive your rights. Please carefully read the overview that follows.

Who Is a Victim For Purposes of Exercising Rights?

State law says a victim is a person against whom a criminal or juvenile offense has been committed. This includes any felony, or any misdemeanor offense, or a sexual offense. If a person is killed or incapacitated, the person’s spouse, parent, child, sibling, grandparent, legal guardian, or other lawful representative is the victim. Legal entities and neighborhood associations may also be victims of felony offenses, though rights for these entities are limited. Rights do not apply if the person is in custody for an offense, or is the accused.

Requesting/Waiving Rights

Some rights are given to victims automatically and some rights need to be requested. The law enforcement officer will provide you with a form that asks you to request or waive (decline) your rights. You will be given a copy of the
completed request/waiver form for your records. Following is a list of the “upon request” rights that you may request or waive (these rights apply after arrest):

- To be notified of the suspect’s release from custody.
- To receive a copy of the terms and conditions of release.
- To receive notification of scheduled court proceedings.
- To talk with a prosecutor prior to a plea, dismissal, or trial.
- To make a Victim Impact Statement.
- To receive a copy of the pre-sentence or predisposition report.
- To receive notice of a defendant’s conviction (or adjudication), acquittal, or the dismissal of the charges.
- To receive notice of sentencing or disposition results.
- To have property taken and evidence returned after the case is resolved.

**Legal Entity “Upon Request” Rights**

To receive notice of restitution and sentencing/disposition hearings, and notice of the sentencing or disposition results.

**Neighborhood Association “Upon Request” Rights**

To receive notification of scheduled court proceedings, and to make a Victim Impact Statement at sentencing/adjudication.

Your decision to request or waive your rights does not mean that you cannot change your mind later. However, if at first you waive your rights and then request them at a later time, you may be giving up some rights that only apply at certain stages of the justice process.

There are other important benefits and protections that apply to crime victims as a case proceeds through the system. To request a copy of the full text of Arizona’s victims’ rights laws, you may contact the Attorney General’s Office of Victim Services at (602) 542-4911 (Phoenix) or 888-377-6108 toll free. You can also learn more about Arizona’s victims’ rights laws and available services by visiting the Arizona Attorney General web page at [www.azag.gov](http://www.azag.gov).

**Your Right to Restitution**

If someone is found guilty of the crime(s) committed against you, the court may order that person to repay certain financial costs of your victimization. This court-ordered payment is known as restitution. Victims of crime have a Constitutional right to receive prompt restitution. If charges are filed in your case, it is important that you contact the prosecutor’s Victim Services Division for more information and assistance with the restitution process.

**When a Suspect Is Arrested**

Box 3 of the request/waiver ([www.azag.gov](http://www.azag.gov)) form provides information to assist you in exercising your rights immediately following the arrest of a suspect; however, you must act quickly.

If the suspect is an adult and has been arrested, you can exercise certain rights by contacting the court prior to the Initial Appearance. You can also exercise your right to be informed of the suspect’s release by contacting the custodial agency.

If the suspect is a juvenile and has been detained, you can obtain detention hearing information and exercise
certain rights by contacting the juvenile probation department. You can also exercise certain rights by contacting the juvenile probation department. You can also exercise your right to be informed of the juvenile’s release by contacting the detention center.

If an adult or juvenile suspect is cited and released, or a juvenile suspect is referred to the Juvenile Court but not detained, you can exercise certain rights by contacting the court prior to the date and time the suspect must appear.

If the arrest of a suspect is not immediate and you are not notified of an arrest within 30 days, you can call the law enforcement agency to obtain case status information. Your employer may be legally required to allow you unpaid leave from work to attend court. Contact the prosecuting agency for more information.

**Suspect Is an Adult and Has Been Arrested**

**Initial Appearance (Court Hearing)**

**Purposes:**
1. Determine whether to release the accused;
2. If the accused is released, determine the terms and conditions of release;
3. Set the next court date(s);
4. Obtain a plea from the accused (for some misdemeanor offenses).

**When Held:** Within 24 hours of arrest  
**Location:** Court and Custodial Agency  
**Contact:** Pima County Jail 520-547-8200  
Pretrial Services 520-547-8282  
**Your Rights:** To be present and heard at the initial appearance, and upon request, to be informed of the suspect’s release.

**Suspect Is A Juvenile And Has Been Detained**

**Detention Hearing**

**Purposes:**
1. Determine whether to release the juvenile;
2. If the juvenile is released, determine the terms and conditions of release;
3. Obtain a plea from the juvenile (misdemeanor offenses)

**When Held:** Within 24 hours of detention  
**Location:** Detention Screening Section, County Juvenile Probation  
**Contact:** Pima County Juvenile Detention 520-740-5005  
**Your Rights:** To be present and heard at the detention hearing, and, upon request, to be informed of the juvenile’s release.

**Rights of Victims and Institutional Responsibilities for Court Orders and Institutional “No contact” Orders**

PCC complies with Arizona law in recognizing all court orders issued from any jurisdiction in any state that protects the rights of victims. Parties associated with the College who have obtained an Order of Protection or an Injunction
Against Harassment should file a copy of the order with the PCCPD. A copy of this order will be maintained in dispatch to be used for reference on alleged court order violations that are reported to the PCCPD that occur on college property. If a valid court order is determined to have been violated, PCCPD officers take the appropriate legal actions and charge the offense through the court system.

Complainants are able to discuss Safety Planning on campus with the PCCPD staff member when filing their court order with the institution. This planning may include safety escorts as well as special parking or area access. The college cannot apply for these legal orders on behalf of the complainant, but it can institute “no contact” orders while on college property as well as adjusting classroom attendance times or locations for the parties involved. Any violation of these institutional orders would be addressed through the college’s code of conduct disciplinary process.

Orders of Protection and Injunctions Against Harassment are valid for 12 months from the date the defendant is served the order. These orders can be obtained at the following locations in Pima County:

- Tucson City Court – 103 E. Alameda 520-791-4971
- Superior Court – 110 W. Congress, 1st floor 520-724-3272
- Pima County Justice Court – 240 N. Stone Ave. 520 724-3171
- Pima County Juvenile Court – 2225 E. Ajo 520-724-2064

An Injunction Against Harassment prohibits a person from harassing, annoying, or alarming another person.

An order of protection is a court order intended to prevent acts of domestic violence. A person who believes that they or a family member are or may become victims of domestic violence may submit a request (petition) to any court for the issuance of an order of protection. The person you want an order against must have committed or threatened to commit an act of domestic violence within the last year. A child may not be included in an order of protection if the person against whom you are seeking the order is his/her parent, unless that person has committed domestic violence against the child. You must seek custody orders in a separate action in Superior Court.

An order of protection can be filed against someone who is:

- a spouse or former spouse,
- a person you now or did live with,
- a person with whom you currently have or had a romantic or sexual relationship,
- a parent, grandparent, child, grandchild, brother or sister, parent-in-law, stepparent, stepchild, brother-in-law or sister-in-law, or
- someone with whom you have a child.

For full explanation of criminal proceedings and victims’ rights, go to: https://www.pcao.pima.gov/documents/VictimsRightsGuide2_3_15.pdf

Confidentiality
Every reasonable effort will be made to protect the privacy and confidentiality of all parties involved in the investigation, consistent with and subject to the College’s need to investigate the report or complaint and/or implement decisions made in order to resolve the report or complaint or remedy conduct that is determined to constitute discrimination, harassment, or retaliation. No representative of the College is authorized to promise complete confidentiality to any person who possesses information relevant to the investigation of a report or complaint, including the Complainant.

Victims may request that directory information on file with the College be withheld by request by contacting the PCC Registrar’s Office.

Regardless of whether a victim has opted-out of allowing the College to share “directory information,” personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The College does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

Mandatory Reporting

Pursuant to Arizona law (A.R.S. §13-3620), College personnel who learn in the course and scope of their employment that a minor (person under 18 years of age) has been the victim of physical or sexual abuse, are required to report this information immediately to law enforcement.

Pursuant to federal law (34 CFR 668.46), College personnel who learn in the course and scope of their employment that an individual has been a victim of dating violence, domestic violence, sexual assault, or stalking, or is informed about allegations of any of these offenses shall as soon as possible, contact the PCCPD.

Sex Offender Notification

Law Enforcement agency information provided by the Arizona Department of Public Safety concerning registered sex offenders may be obtained on our webpage at: http://www.pima.edu/dps. Level 2 and 3 sex offenders attending the College are publicly displayed on designated bulletin boards at each campus.

The Federal Campus Sex Crimes Prevention Act designates that information concerning registered sex offenders is public information and, as such, is exempt from provisions of the Family Education Rights and Privacy Act (FERPA) and other federal and state laws that might otherwise prohibit the disclosure of such information.

Arizona Revised Statutes 13-3821 requires persons convicted of sexual offenses as described in that code to register within ten days with the sheriff of the county they reside in after their release or move to a new...
location. The responsible law enforcement agency conducts a risk assessment of the offender’s likelihood to re-offend and assigns a risk level to the sex offender. Level 1 (low risk), Level 2, (intermediate risk), and Level 3 (high risk).

Arizona Revised Statutes 13-3825 establishes a Community Notification Guidelines Committee composed of the State Attorney General, state legislators, representatives from the state’s sheriffs, chiefs of police, county attorneys, adult probation officers, and parole administrators, the Director of the Department of Public Safety or their designee, the Director of the Department of Transportation or their designee, and a licensed psychologist examiner. This committee has established guidelines and monitors their implementation that provides levels of notification based on the risk that a particular offender poses to their community.

For Level 3 (high risk of re-offending) offenders and Level 2 (intermediate risk of re-offending) offenders, 13-3826 states the notification shall be made to the surrounding neighborhood, area schools, appropriate community groups, and prospective employers. The notification shall include a flyer with a photograph and exact address of the offender as well as a summary of the offender’s status and criminal background. A press release and a level three flyer shall be given to the local electronic and print media to enable information to be placed in a local publication.

The PCCPD places Level 2 and 3 Sex Offender notifications on its web site as part of the compliance with the above requirement when it is determined that a Level 2 or 3 sex offender is a student or employee of the College. Additional sex offender information can be obtained on the Arizona Department of Public Safety Sex Offender website found at: https://www.asdps.gov/services/public/offender

Security Awareness and Crime Prevention Tips

Contact the Police

- Dial 911 for all life-threatening emergencies
- To request a Community Service Officer
  - Escort persons with large amounts of money
  - After dark escort to vehicle
- Report suspicious people to Campus Police at (520) 206-2700
- Do not hesitate to call Campus Police or 911 when strangers confront you
- Report all criminal incidents and losses to Campus Police immediately

How to Protect Yourself

- Avoid dark vacant places on campus.
- Be alert. If you are being followed, head quickly for a lighted area or to a group of people.
- Avoid places where you are vulnerable and there are no exits.
- When walking:
  - Avoid shortcuts.
Walk where there is plenty of light and traffic.

Never walk alone at night unless absolutely necessary.

Report any suspicious activity or misconduct to PCCPD.

Give your car the quick “once over” before entering with a critical eye for possible break-ins or persons in the rear seat or floor area.

**How to Protect Your Textbooks**

Textbooks are an expensive and necessary part of students’ college education. Year after year they increase in cost. It is necessary for students to take steps to protect their investment:

- Students should write their names and ID numbers in several places in textbooks to help deter thieves who would attempt to resell the book.
- Students should not leave their textbooks, calculators, or book-bags unattended in study rooms, hallways, libraries, cafeterias or unsecured lockers. They should record the serial numbers of calculators and computers.
- Thieves know where students leave their belongings unattended and watch for opportunities to take their property. Be suspicious of persons hanging around storage areas, e.g., outside of bookstores, with no apparent purpose.
- If you see someone suspicious or you discover that you have been victimized, contact the PCCPD at 206-2700.

**How to Protect Personal Property**

Members of the College community are vulnerable to the same problems encountered by residents of any major metropolitan area. PCCPD’s mission is to protect the College community by patrolling the campuses and surrounding areas; however the opportunity for crime still exists and the College community can still be victimized by criminal acts.

Each person of the College community can assist the PCCPD in its effort to apprehend criminals by utilizing preventive measures to reduce the opportunity for criminal acts and by taking the following precautions:

- The campuses are well-lighted at night. Walk only on lighted sidewalks after dark.
- Employ the “buddy system” when walking to your car at night or traveling to other points in the area. On campus you can call (520) 206-2700 for a Campus Safety escort.
- Personal property, purses, brief cases, etc., should never be left unattended. Take such items with you if you are leaving the office, classroom, or library study area for any length of time.
- Try not to carry large amounts of cash on your person, or display large amounts of money.
- Make a record of the serial numbers of both college and personal property in your office.
- Maintain a record of your personal credit cards and other valuables in your wallet.
• When leaving your office or room for the day, make sure:
  o All windows are closed and locked.
  o All valuable items are removed from the top of desks (radios, clocks, pens, etc.).
  o All desks and files are locked.
  o All doors are closed and locked.

• Never lend equipment or keys to strangers. Access devices should only be held and utilized by the authorized person.

• Require identification and authorization from any “repair person” wanting to remove a computer or other office equipment from the room.

• Keep your auto locked. Never leave the keys in the ignition, and avoid leaving property where it is visible on the seats; store it in the trunk instead.

• Lock your bike to a bicycle rack using a high-quality, U-shaped lock.

**Campus Crime Awareness and Prevention Programs**

The PCCPD, in conjunction with Student Affairs, Human Resources, and the Organizational Effectiveness and Development Department will utilize a number of strategies and activities specifically designed to educate the college community regarding safety issues and to promote awareness of strategies to prevent becoming a victim of a crime. The strategies and activities referenced above may include the use of posters, flyers, brochures, videos, lectures, web-based training and outreach events.

Pima Community College offers a number of active and passive programs to inform both students and employees about security procedures and practices.

**Posters and displays promoting health, safety awareness, and crime prevention**

• Social Media Don’t Reveal Too Much Info

• Email Scams

• Campus Watch and Crime Prevention Posters

• Don’t leave your keys in your car

• Secure Your Valuables

• Don’t Leave Belongings Unattended

• Stop Crimes of Opportunity

• Protecting Against Vehicle Theft

• Wanted 88-Crime – Crime Prevention
● No Texting and Driving

These programs encourage students and employees to be responsible for their own security and the security of others. Participants in these programs are asked to be alert, security-conscious and involved and advised to call PCCPD to report suspicious behavior.

As part of the department’s community-oriented policing philosophy, PCCPD offers crime prevention presentations each semester to classrooms, campus clubs and student groups as requested. Topics of these presentations include personal safety awareness, Rape Aggression Defense (R.A.D.) and property protection strategies. Anyone interested in having a PCCPD Officer speak to his or her classroom or group should contact them at (520) 206-2700).

● Campus Safety: New Student Orientation
  o Description: Topics include PCC Annual Security Report, Text alerts, PCC Police Department
  o Audience: New students
  o Method: In-person presentation
  o Frequency: Beginning of every semester
  o Primary Sponsor: PCC Counselors
  o Awareness and Prevention Targets: Security procedures and practices

● Campus Safety International: International Student Orientation
  o Description: Topics include Role of Campus Police, Campus Safety, Alcohol and Drugs, Sex, and Dating
  o Local areas of influence, (parks, etc.)
  o Audience: International Students
  o Method: In-person presentation by PCCPD
  o Frequency: Beginning of Fall semester or when requested.
  o Primary Sponsor: International Development, PCC Police Department
  o Awareness and Prevention Targets: Security procedures and practices, Alcohol and other Drugs Awareness

● Back to School: Get to Know PCC Cop/Connect with Your Campus Police/Donuts with DPS/Snack with a Cop (Back to School Basics)
  o Description: Get to know PCC Police Department.
  o Forum for students to learn about PCC’s Police Department. Officers or CSOs will remind students about personal safety, crime prevention, and security. Students will have the opportunity to ask questions.
- Audience: All students
- Method: Table visit with PCC Police Officers and Community Service Officers
- Frequency: Every January and September* (A virtual resource fair was provided to students in August 2020)
- Primary Sponsor: PCC Police Department, Student Life
- Awareness and Prevention Targets: Security procedures and practices
  
  **Campus Security Obligations Under Federal Law**
  - Description: The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Violence Against Women Act are federal laws that require all institutions of higher learning that participate in federal financial aid programs to collect and report data about crime on and near their campuses, and to educate the campus community about violent crime.
  - In this course, learners will become familiar with their role in helping the institution meet its campus security obligations under these laws. This course is designed to be used in conjunction with an institution’s ongoing crime prevention and awareness campaigns.
  - Target Audience: Made available to new members of the campus community including faculty, employees, and students who have obligations or responsibilities under the Clery Act.
  - Method: Web-based
  - Frequency: PCC encourages annual refresher.
  - Primary Sponsor: Organizational Effectiveness and Development
  - Awareness and Prevention Targets: Security procedures and practices
  
  **National Bullying Prevention**
  - A.S.A.B Aztec Student Advisory Board students will wear orange T-shirts and speak to Desert Vista Campus students to inform students about bullying prevention and awareness. Students can pledge to speak out when being bullied.
  - Audience: All Students
  - Primary Sponsor: Student Life
  - Awareness and Prevention Targets: Encourages the campus community to look out for themselves and one another
  
  **Spring Safety Fair** (This information was provided to students virtually)
  - Description: Encourage students to know how to be safe and protect himself or herself while celebrating or traveling.
  - Audience: All Students
- **Method:** Information booths
- **Frequency:** Every Spring
- **Primary Sponsor:** Student Life
- **Awareness and Prevention Targets:** Encourages the campus community to look out for themselves and one another

- **Campus Police Safety Training**
  - **Description:** Staff from the PCCPD will present strategies and suggestions to promote safety on campus. Discussions and suggestions from staff will be encouraged.
  - **Learning Objectives:** De-escalating angry, upset people and situations. Suggest phrases and words to use. How to best use the “Panic” buttons installed in the Student Services Center. Summarizing and sharing information from the recent report on college safety and other new developments.
  - **Audience:** Student Services Staff
  - **Method:** Instructor led
  - **Frequency:** Available on request
  - **Primary Sponsor:** PCCPD
  - **Awareness and Prevention Targets:** Encourages the campus community to look out for themselves and one another.

- **Civilian Response to Active Shooter Events**
  - **Description:** Participants will receive instruction on how to prepare and respond to being in a building during an active shooter event. There are several simple steps which those trapped can take to increase the chance of survival for themselves and others.
  - **Audience:** All employees
  - **Method:** Instructor led
  - **Frequency:** Available at request of Campus Presidents or Department Leadership
  - **Primary Sponsor:** Organizational Effectiveness and Development
  - **Awareness and Prevention Targets:** Encourages the campus community to look out for themselves and one another.

- **Active Shooter – Campus**
  - **Description:** This course helps you prepare to respond to an active shooter situation. It begins by describing the typical character of active shooter incidents. It then explains how to determine the correct course of action in such a situation depending on the circumstances: escape, hiding in a secure location, or physically engaging with the shooter. The course then lays out the principles you should
follow in relation to each of these options. Finally, you will also learn about what to expect and how to react when law enforcement arrives.

- Audience: Individuals in a higher education environment including faculty and administrative staff
- Method: Web-based
- Frequency: PCC encourages annual refresher.
- Primary Sponsor: Organizational Effectiveness and Development
- Awareness and Prevention Targets: Encourages the campus community to look out for themselves and one another.

- Mental Health First Aid (MHFA) for Higher Education

**Dating Violence, Domestic Violence, Sexual Assault, and Stalking Awareness and Prevention**

**Risk Reduction**

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org)):

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don’t know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cab money.
- Don’t allow yourself to be isolated with someone you don’t trust or someone you don’t know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately, call 911.
- Don’t leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, just get a new one.
- Don’t accept drinks from people you don’t know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the
correct tests (you will need a urine test and possibly others).

- If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - Lie. If you don't want to hurt the person’s feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- Try to think of an escape route. How would you try to get out of the room? Where are the doors?
- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

**How to be an Active Bystander (1)**

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. The following is a list of some ways to be an active bystander:

- Watch out for your friends and fellow students/employees.
- If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on- or off-campus resources listed in this document for support in health, counseling, or with legal assistance.
- If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt/intervene.

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1 (Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. Sex Roles, 60, 779-792)

**Procedures Students should follow if they are Victims of Sexual Violence, Domestic Violence, Dating Violence, or Stalking**

Sexual violence is committed by strangers and, more often, acquaintances, friends or relatives. Anyone can become a victim of sexual violence, regardless of age, race, or income level. PCC shall provide an environment that will, to the greatest extent possible, preclude the occurrence of and encourage the reporting of sexual violence.

If a sexual violence offense occurs, victims should do the following:

1. The victim should seek medical attention. It is important that the victim of sexual assault or domestic violence receive a medical examination for health and evidentiary reasons as soon as possible from any hospital emergency department. Locally, only Tucson Medical Center provides a “quiet room” for sex offense and domestic violence victims.
2. In Arizona, evidence may be collected even if you choose not to make a report to law enforcement. Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not “require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both.”

3. Preserve all evidence. A victim should not wash or bathe, use the toilet, douche, smoke, or change clothes before seeking medical attention. If clothing is changed, all items worn during the assault should be placed into a paper bag and taken to the medical facility. Any bedding or linens associated with the assault should be preserved for evidentiary purposes if the assault occurred within the last 96-hours so that they can be used for prosecution or to obtain an order of protection.

4. At the time regarding prosecution, it is important to gather as much evidence as possible allowing for future prosecution. It is important for victims to seek medical attention for the treatment of injuries as well as take steps to address concerns of pregnancy and/or sexually transmitted diseases.

5. If the victim does not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted diseases.

6. Preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs, or other copies of documents, if they have any, that would be useful to PCC adjudicators/investigators or police, or that could be useful to a College Code of Conduct Officer.

7. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with PCCPD or other law enforcement to preserve evidence.

8. In the event that the victim decides to report the incident to law enforcement or the College at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

Victims of sexual violence, domestic violence, dating violence, and stalking are encouraged to follow the above procedures.

Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking

PCC utilizes a number of strategies and activities specifically designed to educate the college community regarding sexual offense issues and to promote awareness of strategies to prevent sexual assault, rape, acquaintance rape, and other sexual offenses. Administrative Procedure 8.05.01, Sexual Violence, lists the responsibilities of college departments to coordinate these programs.

PCC offers the following ongoing prevention and awareness programs to students and employees to address issues of healthy relationships, sexual harassment and assault, domestic and dating violence, stalking, and bystander intervention.

- Rape Aggression Defense Program (R.A.D.)
  - Description: The idea of Self-defense is that, the more prepared you are, the less likely you are to need
it. When you can recognize and respond to potentially dangerous situations, you are less likely to become a target of crime.

- The class takes place over two consecutive days and both sessions are required to complete the training.
- For further details about the R.A.D. Program, please email dps-rad@pima.edu
- Audience: For women only.
- Method: The course includes lecture, discussion, and self-defense techniques suitable for women of all ages and abilities.
- Frequency: Classes are made available throughout the academic year.
- Primary Sponsor: PCCPD
- Awareness and Prevention Targets: Encourages the campus community to look out for themselves and one another.
- Which Prohibited Behavior Covered: Domestic Violence, Dating Violence, Sexual Assault.

- **Resisting Aggression with Defense (R.A.D. for Men)**
  - Description: This course is intended to raise participant awareness of aggressive behavior, recognize how aggressive behavior impacts their lives, learn steps to avoid aggressive behavior and to consider how one can play a part in reducing aggression and violence. The class will explore techniques for identifying and avoiding aggressive behavior.
  - Participants practice hands-on self-defense skills and gain knowledge to make safe choices when confronted with aggression. The men’s program also takes place over 2 consecutive days and both sessions are required to complete the training.
  - For further details about the R.A.D. Program, please email dps-rad@pima.edu
  - Audience: For men only.
  - Method: The course includes lecture, discussion, and self-defense techniques suitable for women of all ages and abilities.
  - Frequency: Classes are made available throughout the academic year.
  - Primary Sponsor: PCCPD
  - Awareness and Prevention Targets: Encourages the campus community to look out for themselves and one another.
  - Which Prohibited Behavior Covered: Domestic Violence, Dating Violence, Sexual Assault.

- **Bystander Intervention**
  - Description: Information about bystander intervention and an individual’s role in intervening during
difficult situations

o Audience: All students

o Method: In-person interactive workshops

o Frequency: Available upon request for any college department or club.

o Primary Sponsor: PCCPD

o Which Prohibited Behavior Covered?: Dating Violence, Sexual Assault

● Clothesline Project

o Description: October is National Domestic Violence Awareness Month, Student Life Offices District Wide will participate in the Clothesline Project. On October 22nd and 24th students will have a chance to decorate a t-shirt and hang it in a clothesline display in the Atrium. The intention of the display is to honor survivors and act as a memorial for victims. The clothesline display is also intended to educate and promote awareness.

o Audience: College Community

o Method: Students decorate T-shirts and display them in the Courtyard throughout the week.

o Frequency: Annually in October

o Primary Sponsor: Student Life

o Which Prohibited Behavior Covered?: Domestic Violence

● Healthy Relationship Workshop

o Description: Information presented by PCC Counseling Services to raise awareness of sexual violence.

o Audience: Method: In-person interactive workshops.

o Frequency: Available upon request for any college department or club.

o Primary Sponsor: PCC Counseling Services.*(This was provided virtually by Counseling staff in Oct. 2020, as part of Domestic Violence Awareness month programming)

o Which Prohibited Behavior Covered?: Domestic Violence, Dating Violence, Sexual Assault.

Expanded workshops hosted by PCC Counselors and Student Life are dedicated to creating and promoting opportunities for students to use and further develop their skills in creating positive change in their lives. These learning opportunities will help students become better equipped to make healthy choices in their daily lives. The students will take away skills on clear and respectful communication, and gain a deeper understanding of how healthy relationships center on respect, honesty, responsibility, and clear boundaries. This will enable students to demonstrate better communication within all their relationships including friendships, partners, instructors, and families.

Web-based continuing Awareness programs available through PCC Employee Development System
The following courses promote the awareness of employees, our responsibilities in addressing issues of discrimination, harassment, sexual violence, and complying with Title IX.

● **Title IX for Higher Education**
  - Every educational institution wants to foster a welcoming, supportive environment for its students. Gender equity is at the heart of a progressive culture in higher education. Title IX of the Educational Amendments of 1972 is a landmark civil rights law prohibiting discrimination in education programs and activities that receive federal funding. Sexual misconduct, including sexual harassment and sexual violence, as well as the failure to provide equal opportunity in educational and co-curricular programs including athletics, are prohibited by the legislation. This course is designed for all members of the campus community who have a responsibility in helping their school develop and maintain a respectful environment. It provides awareness-level training on avoiding, identifying, and reporting sexual discrimination, harassment, and violence, and on complying with Title IX.
  - **Target Audience:** Members of the campus community including faculty, staff, coaches, athletic staff, health center staff, counseling center staff, security personnel, and student-employees who require general awareness level training.
  - **Frequency:** Part of onboarding process for new employees throughout the year.
  - **Primary Sponsor:** Organizational Effectiveness and Development.
  - **Which Prohibited Behavior Covered:** Sexual Assault.

● **Bullying and Hazing on Campus**
  - Institutions of higher learning are generally perceived as communities that promote mutual respect and concern for one another. Most students and their parents expect their chosen campus to be safe, secure, and protected. However, the fact is that bullying, hazing, and other forms of interpersonal violence exist on campuses across the country. In response to this issue, many schools have instituted policies and programs to deal with the moral, legal, and emotional aspects of campus violence. It is important for faculty, staff, and students to understand the implications of bullying and hazing, and know how to access the support resources available to them on campus.
  - In this course, learners will become familiar with the characteristics of bullying and hazing, the appropriate paths of response to incidents of power-based interpersonal violence, and best practices for preventing, recognizing, and responding to incidents of bullying and hazing on campus.
  - **Target Audience:** All employees of higher education institutions.
  - **Frequency:** Available throughout the academic year.
  - **Primary Sponsor:** Organizational Effectiveness and Development.
  - **Which Prohibited Behavior Covered:** Assault.

● **Discrimination and Harassment Awareness**
  - Description: Pima Community College takes the prevention of discrimination and harassment very seriously. All employees should be aware of their rights, protections and responsibilities specified in the federal and state laws, as well as the College’s policies and regulations on sexual harassment. This
session will provide information on recognizing forms of sexual harassment, guidance for employees on what to do and how to report incidents. Upon completion of the instructor-led session, participants must complete an online test within 5 working days. Learning Objectives - At the end of the session attendees will be able to:

- Recognize and identify all forms of discrimination, including sexual harassment.
- Describe what steps to take if harassment occurs.
- Take action to prevent all forms of harassment from occurring in the workplace.
- Describe what resources are available for assistance and support.

  o Audience: All employees.
  o Method: In-person workshops or online course.
  o Primary Sponsor: Organizational Effectiveness and Development.

  ● Pathways to Civility: Addressing Abrasive Conduct

    o Description: This workshop will provide participants with a comprehensive overview of bullying, intimidating, and abrasive behavior in the workplace; eliminate this behavior and create a climate that fosters mutual respect and civility in the workplace; Pima College Policies and Practices on abrasive or intimidating behavior. Incorporate group work (simulations and role plays) on abrasive behavior and how best to respond to it. Completion of online quiz to "check for understanding" required for successful completion of course criteria. Learning Objectives: Participants will be able to:

      - Define bullying and abrasive behaviors.
      - Identify the four constituencies.
      - Recognize the impact of the four phases of abrasiveness on the four constituencies.
      - Describe strategies and resources to address abrasive behavior in the workplace.
      - Raise awareness that abrasive behavior is not acceptable.

    o Audience: All employees.
    o Method: In-person workshops or online course.
    o Primary Sponsor: Organizational Effectiveness and Development.

PCC Statement on Drug-Free Schools & Communities Act

PCC is committed to the Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101-226, 20 U.S.C. §1145g). In compliance with the Drug Free Schools and Communities Act, the College publishes information regarding the College’s Drug- and Alcohol-Free Environment Policy; sanctions for violations of federal, state, and local laws and College policy; educational programs related to drug and alcohol abuse prevention; a description of health risks associated with alcohol and other drug use; and a description of available treatment programs for PCC students and employees.
PCC prohibits the unlawful possession, use, and sale of alcoholic beverages on campus. The PCCPD is responsible for the enforcement of state underage drinking laws.

Standards of Conduct

The unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees is prohibited. The following misconduct is subject to disciplinary action, including exclusion, suspension, or expulsion:

- Violating or failing to comply with published rules and regulations of conduct of the College which prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on College property or as part of any of its activities; or

- Being under the influence of, using, selling, possessing, or distributing any illicit drugs or alcohol on College property or as part of any of its activities. This prohibition includes, but is not necessarily limited to, marijuana (even if you possess an Arizona Department of Health Services medical marijuana card), any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, barbiturate, sniffing glue, aerosol paint, or other chemical substances. Over-the-counter drugs are excluded from consideration unless improperly used.

- Additionally, local, state, and federal laws prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol. Conviction for violating these laws can lead to imprisonment, fine, probation, and/or assigned community service.

- Students convicted of a drug- and/or alcohol-related offense will be ineligible to receive federally funded or subsidized grants, loans, scholarships, or employment. Pima Community College does fully subscribe to and cooperate with the local, state, and federal authorities in the enforcement of all laws regarding the unlawful possession, use, or distribution of illicit drugs and alcohol.

- There are definite health risks associated with the use of alcohol and illegal substances. Students who experiment with drugs, alcohol, and illegal substances, or use them recreationally, may develop a pattern of use that leads to abuse and addiction. Use of alcohol and illegal substances is a major factor in accidents and injuries, and among persons between the ages of 18 and 24, it is responsible for more deaths than all other causes combined.

- College officials will assist students with appropriate referrals and information concerning drug and alcohol education, counseling, treatment, or rehabilitation or reentry programs that may be available in the community. Contact the Student Services Center on any campus for information.


Crime Definitions

Per the Clery Act, PCC must classify crimes based on the Federal Bureau of Investigation’s (FBI’s) Uniform Crime Reporting Handbook (UCR). For sex offenses only, definitions are from the FBI’s National Incident-Based Reporting System (NIBRS) edition of the UCR. Hate crimes are classified according to the FBI’s Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Guide for Hate Crime Data Collection.

Crimes are reported in the following seven (7) major categories, with several sub-categories:
● Criminal Homicide
  o Murder and Non-negligent Manslaughter, and
  o Manslaughter by Negligence

● Sex Offenses
  o Forcible Sex Offenses: rape and fondling
  o Non-forcible Sex Offenses: incest and statutory rape

● Robbery

● Aggravated Assault

● Burglary

● Motor Vehicle Theft

● Arson

FBI's National Incident-Based Reporting System (NIBRS) Definitions:

Sexual Assault (Sex Offenses): Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape** is the 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.

  This offense includes the rape of both males and females. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.

- **Fondling** is 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 incapacity.

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

- **Statutory Rape** is sexual intercourse with a person who is under the statutory age of consent.

UCR Definitions:

- **Murder and Non-negligent Manslaughter** is defined as the willful (non-negligent) killing of one human being by another.

- **Manslaughter by Negligence** is defined as the killing of another person through gross negligence.

- **Robbery** is the taking or attempting to take anything of value from the care, custody, or control of a person
or persons by force or threat of force or violence and/or by putting the victim in fear.

- **Aggravated Assault** is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

- **Burglary** is the unlawful entry of a structure to commit a felony or a theft.

- **Motor Vehicle Theft** is the theft or attempted theft of a motor vehicle.

- **Arson** is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle, or aircraft, personal property of another, etc.

- **Hate crimes**
  - A hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender’s bias.
  - Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation, or ethnicity/national origin. For Clery purposes, hate crimes include any of the above-mentioned offenses, and any of the following that were motivated by bias:
    - **Larceny-Theft** is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Larceny and theft mean the same thing in the UCR.)

- **Constructive possession** is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

- **Simple Assault** is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

- **Intimidation** is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

- **Destruction/Damage/Vandalism of Property** is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

### Arrests and Referrals for Disciplinary Action

- **Arrest** for Clery Act purposes is defined as **persons processed by arrest, citation or summons**.

- **Disciplinary Referrals** are defined as **the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction**.

PCCPD is required to report the following three types of incidents if they result in either an arrest or disciplinary referral. Violations are based on Arizona Revised Statutes. If both an arrest and referral are made for the same
offense, only the arrest is counted:

- **Liquor Law Violations** are defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

- **Drug Law Violations** are defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

- **Weapon Violations** are defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

**Federal Clery Act Definitions of Domestic Violence, Dating Violence, and Stalking**

For the categories of Domestic Violence, Dating Violence, and Stalking, the Clery Act specifies that reports are based on the definitions provided by the *Violence Against Women Act of 1994 (VAWA)* and repeated in the Department’s Clery Act regulations.

**Domestic Violence:**

- A Felony or misdemeanor crime 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 in which the crime of violence occurred; 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 in which the crime of violence occurred.

**Dating Violence:**

- Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- The existence of such a relationship shall be 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.
● For the purposes of this definition:
  o Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  o Dating violence does not include acts covered under the definition of domestic violence.

Stalking:
● Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  o Fear for the person’s safety or the safety of others; or
  o Suffer substantial emotional distress.
● For the purposes of this definition:
  o Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
  o Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
  o Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Arizona Revised Statutes (ARS) on Sexual Assault, Stalking, Consent, and Domestic Violence

Sexual assault (ARS 13-1406)
A. A person commits sexual assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person without consent of such person.

Stalking (ARS 13-2923)
A. A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct causes the victim to:
  1. Suffer emotional distress or reasonably fear that either:
     a. The victim’s property will be damaged or destroyed.
     b. Any of the following will be physically injured:
        i. The victim.
        ii. The victim’s family member, domestic animal or livestock.
        iii. A person with whom the victim has or has previously had a romantic or sexual relationship.
        iv. A person who regularly resides in the victim’s household or has resided in the victim’s household within the six months before the last conduct occurred.
2. Reasonably fear death or the death of any of the following:
   a. The victim’s family member, domestic animal or livestock.
   b. A person with whom the victim has or has previously had a romantic or sexual relationship.
   c. A person who regularly resides in the victim’s household or has resided in the victim’s household within the six months before the last conduct occurred.

   “Without consent” (ARS 13-1401.A.7) includes any of the following:

   a. The victim is coerced by the immediate use or threatened use of force against a person or property.
   b. The victim is incapable of consent by reason of mental disorder, mental defect, drugs, alcohol, sleep or any other similar impairment of cognition and such condition is known or should have reasonably been known to the defendant. For the purposes of this subdivision, “mental defect” means the victim is unable to comprehend the distinctively sexual nature of the conduct or is incapable of understanding or exercising the right to refuse to engage in the conduct with another.
   c. The victim is intentionally deceived as to the nature of the act.
   d. The victim is intentionally deceived to erroneously believe that the person is the victim’s spouse.

Domestic Violence (ARS 13-3601)

A. “Domestic violence” means any act that is a dangerous crime against children as defined in section ARS Title 13-705 (A person who is at least eighteen years of age and who is convicted of a dangerous crime against children in the first degree involving sexual assault of a minor who is twelve years of age or younger or sexual conduct with a minor who is twelve years of age or younger) or an offense prescribed in Arizona Title 13 crimes: Negligent homicide; Manslaughter; Second degree murder; First degree murder; Endangerment; Threatening or intimidating conduct; Assault; Aggravated assault; Custodial interference; Unlawful imprisonment; Kidnapping; Sexual assault; Unlawful distribution of images; state of nudity; Criminal trespass in the first, second and third degree; Criminal damage; Interfering with judicial proceedings; Disorderly conduct; Cruelty to animals; Preventing use of telephone in emergency, false representation of emergency; Use of an electronic communication to terrify, intimidate, threaten or harass; Harassment; Aggravated harassment; Stalking; Surreptitious photographing, videotaping, filming or digitally recording or viewing; Aggravated domestic violence; Abuse of a child or vulnerable adult if any of the following applies:

The relationship between the victim and the defendant is one of marriage or former marriage or of persons residing or having resided in the same household.

- The victim and the defendant have a child in common.
- The victim or the defendant is pregnant by the other party.
- The victim is related to the defendant or the defendant’s spouse by blood or court order as a parent, grandparent, child, grandchild, brother or sister or by marriage as a parent-in-law, grandparent-in-law, stepparent, step grandparent, stepchild, step-grandchild, brother-in-law or sister-in-law.
● The victim is a child who resides or has resided in the same household as the defendant and is related
by blood to a former spouse of the defendant or to a person who resides or who has resided in the same household as the defendant.

● The relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship. The following factors may be considered in determining whether the relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship:
  ○ The type of relationship.
  ○ The length of the relationship.
  ○ The frequency of the interaction between the victim and the defendant.
  ○ If the relationship has terminated, the length of time since the termination.

**Dating Violence**: The State of Arizona does not have a dating violence statute. Each case should be evaluated for criminal offenses that would be applicable to this dynamic. These might include harassment, disorderly conduct, and threats.

**Consent**: Pima Community College does not have a policy on consent. PCC online course “Student Rights Overview” course instructs that consent has several attributes:

● it’s freely and actively given; it’s not the result of coercion, force, threats, intimidation, or pressure
● it’s revocable – a person, after giving consent, can change his or her mind at any time. Consent to one form of sexual activity does not imply consent to other forms
● it cannot be inferred or assumed from the absence of a “no” or from silence – a clear “yes” word or action is necessary - and an existing dating relationship does not, in and of itself, imply consent, and
● consent cannot be given by someone who is under the influence of drugs or alcohol, asleep, or otherwise incapacitated; a person must be capable of making informed, rational decisions in order to consent to sexual activity.

**Policies for Preparing the Annual Disclosure of Crime Statistics**

The annual disclosure of crime statistics is prepared by the Clery Compliance Officer. The Clery Compliance Officer gathers campus crime arrest and referral statistics and collaborates with the lead Code of Conduct Officer (Vice President of Student Affairs and Engagement) to ensure non-duplication in the reporting of drug, alcohol, and weapon referrals. All Campus Security Authorities are also surveyed for any crimes reported to them.

Crime reports are requested from the Tucson Police Department, and extracted from a shared report management system with the Pima Community College Police Department, Pima County Sheriff's Department, Arizona Department of Public Safety, and the Tucson International Airport Police for incidents occurring at College locations during the reportable times. The law enforcement agencies covering non-campus locations controlled by PCC are also contacted for crime incident information. These statistics are then verified for accuracy and the appropriate classification prior to being included in the final crime statistics reported.

For the purpose of reporting statistics, the Clery Act requires Pima Community College to disclose statistics for reported crimes based on:
- **Where** the crimes occurred,
- **To whom** the crimes were reported,
- The **types** of crimes that were reported, and
- **The year** in which the crimes were reported.

PCC must disclose statistics for reported Clery crimes that occur: (1) on campus, (2) on public property within or immediately adjacent to the campus, and (3) in or on non-campus buildings or property that the institution owns or controls. The definitions for these geographic categories are Clery Act-specific and are the same for every institution regardless of its physical size or configuration. Geographic locations are defined as follows:

**On-Campus:**

Any building or property owned or controlled by an institution within the core campus (same reasonably contiguous geographic area) and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as food or retail vendors).

**Residential Facilities:** The Clery Act requires colleges and universities that lease or control private residential facilities for student use within a mile of a campus to include crime statistics at that location as a subset of on-campus property of that campus. PCC does not have plans to lease housing for students for the 2020-2021 Academic year. Clery Act crimes that occur in PCC leased units, common areas, and parking lots will be included in the on-campus category and as a subset under Residential Facilities. PCC does not currently have and does not have plans to lease or control private residential facilities for student use for the 2020-2021 academic year.

**Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the core campus, or immediately adjacent to and accessible from the core campus, or other Residential Facilities designated as on-campus.

**Non-campus:** For PCC purposes: any building or property owned or controlled by PCC that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

**Pima Community College Clery Geography**

**West Campus, 2202 West Anklam Rd., Tucson**

- **Residential Facilities:** Leased apartments for International Students
  - Gateway Apartments, 2800 West Broadway Blvd. from 8/18/18 to 12/31/18, 6/30/19 to 7/31/19.
  - The Ranch at Star Pass, 41 South Shannon Road from 6/9/19 to 7/7/19.

- **West Campus Public Streets**
  - North Greasewood Rd from West Anklam Road to West Speedway Blvd
  - West Anklam Road from North La Cholla Blvd to North Greasewood Road
- West Speedway Blvd from West Greasewood Road to North Camino Santiago
- North Camino Santiago from Speedway Blvd to 751 North Camino Santiago
- North La Cholla Road from West Anklam Road to West Calle Niagara.
- North property line of 2800 West Broadway Blvd. on North Shannon Road to south property line of 41 South Shannon Road
- West Broadway Blvd. from North/South Shannon Road to east property line of 2800 West Broadway Blvd.

**Downtown Campus, 1255 North Stone Ave., Tucson**

- Residential Facilities: Leased apartments for International Students
- Downtown Campus Public Streets
  - North Stone Avenue from West Drachman Street to West Speedway Blvd
  - West Speedway Blvd from North Stone Ave to North Perry Avenue
  - West Helen Street from North Queen Avenue to North Eleventh Avenue.
  - North Eleventh Avenue from West Helen Street to Mabel Street West
  - Mabel Street West from North Eleventh Avenue PCC lot entrances
  - North Tenth Avenue from Northeast corner of PCC parking lot to Mabel Street West
  - West Drachman Street from the northwest corner of PCC parking lot to North Stone Avenue
  - North Stone Ave from West 2nd Street to North Ash Ave (from 8/27/17 to 12/15/17)

**East Campus, 8181 East Irvington Rd. Tucson**

- Clements Center, 8123 E. Poinciana Drive, Tucson
- Residential Facilities: East Campus does not have any on-campus residential facilities.
- East Campus Public Streets
  - Fred Enke Drive East from East Irvington Road to Fred Enke Golf Course Entrance
  - Irvington Road from Fred Enke Drive East to End of property line
  - East Poinciana Drive from East Campus parking lots to road split on west side of Clements Center basketball courts.
- East Campus Adjacent Parks
  - Lincoln Park, 8100 - 8224 East Escalante Road.
Northwest Campus, 7600 North Shannon Road, Tucson (part of unincorporated Pima County)

- Northwest Family YMCA, 7770 North Shannon Road (Aquatic Center, and Building 200 and 300)
- Residential Facilities: Northwest Campus does not have any on-campus residential facilities.
- Northwest Campus Public Streets
  - North Shannon Road from West Lotus Blossom Drive to North Campus Entrance
  - North Camino De La Terra from North Shannon Road to North Campus Entrance
  - West Campus Park Way from North Shannon Road to North Camino De La Terra
  - North Campus Way from North Shannon Road North Camino De La Terra
- Northwest Campus Adjacent Public Parks
  - Ann Day Community Park, 7601 N Mona Lisa Rd, Tucson

Desert Vista Campus: 5901 South Calle Santa Cruz, Tucson

- Residential Facilities: Desert Vista Campus does not have any on-campus residential facilities.
- Public Streets
  - Calle Santa Cruz from West Drexel Road to southern property line
  - West Drexel Road from Calle Santa Cruz to the end of the campus property line fence.

Community Campus: 401 North Bonita Avenue, Tucson

- Location no longer a campus as of July 31st, 2019.
- Residential Facilities: Community Campus did not have any on-campus residential facilities.
- Public Streets
  - North Bonita Avenue from North Commerce Park Loop to property line.
  - North Commerce Park Loop from North Bonita Avenue to property line.

Aviation Tech Center, 7211 South Park Ave, Tucson

- Residential Facilities: The Aviation Technology Center does not have any on-campus residential facilities.
- No public streets (access is on Tucson International Airport property)

El Pueblo Learning Center: 101 West Irvington Rd. Building 7, Tucson

- Residential Facilities: El Pueblo Learning Center does not have any on-campus residential facilities.
● No public streets

● Public property includes land surrounding Building 7, and adjacent sidewalks.

● Public parking north and south of Building 7.

El Rio Learning Center: 1390 West Speedway Blvd. Tucson

● Residential Facilities: El Rio Learning Center does not have any on-campus residential faculties.

● No public streets

● Public parking on the north side of El Rio Center.

● Public property includes walkways throughout El Rio Center and adjacent sidewalks.

29th Street Coalition Center: 4355 East Calle Aurora, Tucson

● Residential Facilities: PCC 29th Street Coalition Center does not have any on-campus residential facilities.

● Public Streets
  ○ East Calle Aurora from South Columbus Boulevard to South Erin Avenue
  ○ South Erin Avenue from East Calle Aurora to East 29th Street
  ○ East 29th Street from South Erin Avenue to South Columbus Avenue (includes bus stops)
  ○ South Columbus Avenue from north side of west entrance to East Calle Aurora

Maintenance & Security/Truck Driving Range: 6680 and 6672 South Country Club Road, Tucson

● Residential Facilities: Maintenance & Security does not have any on-campus residential facilities.

● Public Streets
  ○ South Country Club Road from East Medina Road to north property line of 6672 South Country Club Road.
  ○ East Medina Road from South Country Club Road to west property line of 6680 South Country Club Road.

Pima Community College Non-campus Properties

● District Office, 4905 East Broadway Blvd., Tucson
  ○ Crime statistics included in 29th Street Coalition Center.

● Santa Cruz Center, 2021 North Grand Ave., Nogales
  ○ Crime statistics included in Desert Vista Campus.

● Properties and hotel rooms leased or rented off campus for PCC sponsored educational, athletics, or travel purposes
The following tables disclose the number of incidents known to the PCCPD reported on College property or within the above-described Clery geography for the previous three calendar years. In some instances, the involvement was not the sole violation but a contributing factor to other crimes or violations.
## Clery Act Crime Tables

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<th>West Campus</th>
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<th>Residential Facilities*</th>
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### Arrests

| Weapon Violations | 0 0 0 | 0 0 | 0 0 0 | 0 0 0 |
| Drug Violations | 1 3 0 | 2 0 | 4 1 2 | 0 0 0 |
| Liquor Violations | 0 0 2 | 0 0 | 0 1 2 | 0 0 0 |

### Disciplinary Referrals

| Weapon Violations | 0 0 0 | 0 0 | 0 0 0 | 0 0 0 |
| Drug Violations | 0 1 0 | 0 0 | 0 0 0 | 3 0 0 |
| Liquor Violations | 0 0 0 | 0 0 | 0 0 0 | 0 0 0 |

### VAWA

| Domestic Violence | 0 2 1 | 0 0 | 0 0 0 | 0 0 0 |
| Dating Violence | 0 2 0 | 2 0 | 0 0 0 | 0 0 0 |
| Stalking | 1 0 0 | 0 0 | 0 0 0 | 0 0 0 |

*Subset of On-campus

### Clery Act Hate Crimes

- 2019: No hate crimes reported.
- 2018: No hate crimes reported.
- 2017: No hate crimes reported.

### Unfounded Crimes

- 2019: Three unfounded crimes.
- 2017: One unfounded crime.

### Reports from Other Agencies

- 2019: Clery defined crimes reported by TPD are included in the table.
- 2018: Clery defined crimes reported by TPD are included in the table.
- 2017: Clery defined crimes reported by TPD are included in the table.
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*Subset of On-campus

**Clergy Act Hate Crimes**
- 2019: No hate crimes reported
- 2018: One on-campus vandalism incident characterized by Sexual Orientation bias, one on-campus vandalism incident characterized by racial bias.
- 2017: No hate crimes reported.

**Unfounded Crimes:**
- 2019: One unfounded crime.
- 2018: Two unfounded crimes.
- 2017: One unfounded crime.

**Reports from Other Agencies**
- 2019: Clergy defined crimes reported by TPD are included in the table.
- 2018: Clergy defined crimes reported by TPD are included in the table.
- 2017: Clergy defined crimes reported by TPD are included in the table.
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**Disciplinary Referrals**

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</table>

**Clery Act Defined Hate Crimes**

- 2019: No hate crimes reported.
- 2018: No hate crimes reported.
- 2017: No hate crimes reported.

**Unfounded Crimes**

- 2017: One unfounded crime.

**Reports from Other Agencies**

- 2019: Clery defined crimes reported by TPD are included in the table.
- 2018: Clery defined crimes reported by TPD are included in the table.
- 2017: Clery defined crimes reported by TPD are included in the table.
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### Arrests

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### Disciplinary Referrals

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### VAWA

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### Clery Act Defined Hate Crimes

- 2019: No hate crimes reported.
- 2018: No hate crimes reported.
- 2017: No hate crimes reported.

### Unfounded Crimes

- 2019: Two unfounded crimes.
- 2017: One unfounded crime.

### Reports from Other Agencies

- 2018: Clery defined crimes reported by the Pima County Sheriff’s Department are included in the table.
- 2017: No Clery defined crimes reported from requested jurisdiction.
- 2016: No Clery defined crimes reported from requested jurisdiction.
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**Clergy Act Hate Crimes**
- 2019: No hate crimes reported.
- 2018: No hate crimes reported.
- 2017: No hate crimes reported.

**Unfounded Crimes**

**Reports from Other Agencies**
- 2019: No Clery defined crimes reported from requested jurisdiction.
- 2018: No Clery defined crimes reported from requested jurisdiction.
- 2017: No Clery defined crimes reported from requested jurisdiction.
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**Arrests**

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**Disciplinary Referrals**

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**VAWA**

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**Clergy Act Hate Crimes**

- 2019: No hate crimes reported.
- 2018: No hate crimes reported.
- 2017: No hate crimes reported.

**Unfounded Crimes**


**Reports from Other Agencies**

- 2019: No Clery defined crimes reported from requested jurisdiction.
- 2018: No Clery defined crimes reported from requested jurisdiction.
- 2017: No Clery defined crimes reported from requested jurisdiction.
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**Clery Act Hate Crimes**
- 2019: No hate crimes reported.
- 2018: No hate crimes reported.
- 2017: No hate crimes reported.

**Unfounded Crimes:**

**Reports from Other Agencies**
- 2019: No Clery defined crimes reported from requested jurisdiction.
- 2018: No Clery defined crimes reported from requested jurisdiction.
- 2017: No Clery defined crimes reported from requested jurisdiction.
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**Clery Act Hate Crimes**
- 2019: No hate crimes reported.
- 2018: No hate crimes reported.
- 2017: No hate crimes reported.

**Unfounded Crimes**

**Reports from Other Agencies**
- 2019: Clery defined crimes reported by TPD are included in the table.
- 2018: Clery defined crimes reported by TPD are included in the table.
- 2017: No Clery defined crimes reported from requested jurisdiction.
### El Rio Learning Center

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</tr>
<tr>
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#### Arrests

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#### Disciplinary Referrals

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</tr>
<tr>
<td>Drug Violations</td>
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#### VAWA

<table>
<thead>
<tr>
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<th></th>
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<td>0</td>
<td>0</td>
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</tbody>
</table>

### Clery Act Hate Crimes
- 2019: No hate crimes reported.
- 2018: No hate crimes reported.
- 2017: No hate crimes reported.

### Unfounded Crimes:

### Reports from Other Agencies
- 2019: No Clery defined crimes reported from requested jurisdiction.
- 2018: No Clery defined crimes reported from requested jurisdiction.
- 2017: No Clery defined crimes reported from requested jurisdiction.
### 29th Street Coalition Center

<table>
<thead>
<tr>
<th>Offense</th>
<th>On-campus</th>
<th>Public Property</th>
<th>Noncampus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/Non-negligent Manslaughter</td>
<td>0</td>
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<td>0</td>
</tr>
<tr>
<td>Manslaughter by Negligence</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Rape</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Fondling</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Incest</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Statutory Rape</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Robbery</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Aggravated Assault</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Burglary</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Motor Vehicle Theft</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Arson</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Arrests</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Weapon Violations</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Drug Violations</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Liquor Violations</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Disciplinary Referrals</td>
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</tr>
<tr>
<td>Weapon Violations</td>
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<td>0</td>
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</tr>
<tr>
<td>Drug Violations</td>
<td>0</td>
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<td>0</td>
</tr>
<tr>
<td>Liquor Violations</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>VAWA</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Domestic Violence</td>
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</tr>
<tr>
<td>Dating Violence</td>
<td>1</td>
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</tr>
<tr>
<td>Stalking</td>
<td>0</td>
<td>0</td>
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</tr>
</tbody>
</table>

### Clery Act Hate Crimes

- **2019**: No hate crimes reported.
- **2018**: No hate crimes reported.
- **2017**: No hate crimes reported.

### Unfounded Crimes

- **2019**: Zero unfounded crimes.
- **2018**: Zero unfounded crimes.
- **2017**: One unfounded crime.

### Reports from Other Agencies

- **2019**: Clery defined crimes reported by TPD are included in the table.
- **2018**: Clery defined crimes reported by TPD are included in the table.
- **2017**: No Clery defined crimes reported from requested jurisdiction.
<table>
<thead>
<tr>
<th>Maintenance &amp; Security</th>
<th>Offense</th>
<th>On-campus</th>
<th>Public Property</th>
<th>Noncampus</th>
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</thead>
<tbody>
<tr>
<td>Murder/Non-negligent</td>
<td>0</td>
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<td>0</td>
<td>0</td>
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<tr>
<td>Manslaughter by Negligence</td>
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<tr>
<td>Rape</td>
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<td>0</td>
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<td>0</td>
</tr>
<tr>
<td>Fondling</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Incest</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Statutory Rape</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Robbery</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Aggravated Assault</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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<td>Burglary</td>
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<td>0</td>
</tr>
<tr>
<td>Arson</td>
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<td>Arrests</td>
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<td>Drug Violations</td>
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<tr>
<td>Liquor Violations</td>
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<td>Drug Violations</td>
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<tr>
<td>Liquor Violations</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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</tbody>
</table>

**VAWA**

| Domestic Violence      | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dating Violence        | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking               | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**Clery Act Hate Crimes**

- 2019: No hate crimes reported.
- 2018: No hate crimes reported.
- 2017: No hate crimes reported.

**Unfounded Crimes:**


**Reports from Other Agencies**

- 2019: No Clery defined crimes reported from requested jurisdiction.
- 2018: No Clery defined crimes reported from requested jurisdiction.
- 2017: No Clery defined crimes reported from requested jurisdiction.
2020 Annual Fire Safety Report

The Higher Education Opportunity Act enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. For the purposes of the Clery Act, any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus (within one mile) is considered an on-campus student housing facility.

Fire and life safety features of leased facilities shall be in compliance with all applicable standards of the National Fire Protection Association (NFPA) and adopted codes by the State of Arizona. Facilities are inspected by the PCC Environmental Health and Safety Department members before occupancy.

Resident Students are required to report any fires to the sponsoring department director. PCC does not provide housing evacuation procedures for privately-owned student housing.

As of the publication of this document, Pima Community College does not have and has no plans to lease student housing facilities for the academic year 2020-2021.

Fire Statistics Reporting Table for the Annual Safety Report 2017, 2018 and 2019

<table>
<thead>
<tr>
<th>Residential Facility</th>
<th># Of Fire Incidents</th>
<th>Fire #</th>
<th>Cause of Fire</th>
<th># Fire Related Injuries</th>
<th># Fire Related Deaths</th>
<th>Estimated Value Of Property Damage Caused By Fire ($)</th>
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<tbody>
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<td>2017</td>
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<tr>
<td>Sahara Apartments</td>
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<tr>
<td>919 N. Stone Ave</td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>2018</td>
<td></td>
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<tr>
<td>Gateway Apartments</td>
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<td>Unintentional/stove fire</td>
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<td>Intentional arson/motor vehicle</td>
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<td>$1,000 - $9,999</td>
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<td>$10,000 – $24,999</td>
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