



**PimaCommunityCollege**

**2024**

# **Annual Security & Fire Safety Report**

**In Compliance of the  
Jeanne Clery Disclosure of Campus Security  
Policy and Campus Crime Statistics Act  
West Campus - Downtown Campus - East Campus  
Desert Vista Campus - Northwest Campus  
Aviation Technology Center - 29th Street Coalition Center  
El Pueblo Learning Center - El Rio Learning Center  
Maintenance and Security Site - District Office**

**September 2024**

Pima Community College is an equal opportunity, affirmative action employer and educational institution committed to excellence through diversity. Upon request, reasonable accommodations will be made for individuals with disabilities. Every effort will be made to provide reasonable accommodations in a timely manner. For public and employee accommodation requests, as well as information related to the ADA complaint process, contact the College ADA Coordinator at 520-206-4539 or 4905C E. Broadway Blvd., Tucson, AZ 85709-1130. For PCC student accommodation requests, please contact Access and Disability Resources, 520-206-6688 or [admhelp@pima.edu](mailto:admhelp@pima.edu). 1807AV1D

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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 of 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 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>

## 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. PCC no longer leases student housing from local private residence halls which would make them subject to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

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 are not 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 functions, 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.

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

West Campus:	(520) 206-6643	Northwest Campus:	(520) 206-2286
Downtown Campus:	(520) 206-7087	29th Street Coalition:	(520) 206-3534
East Campus:	(520) 206-7652	District Office:	(520) 206-4855
Desert Vista Campus:	(520) 206-5052		

## 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
- PCCPD officers are available for educational programs upon request
- Provide visitor information
- First aid services
- Battery Jumps

## Security Services

The College contracts with external security services through Allied Universal Security Services, 5210 E. Williams Circle, #610, Tucson, AZ 85711. They are assigned to the El Rio Center, El Pueblo Center and Pima Community College District Office. Contracted services have no law enforcement authority, nor can they enforce College policy. Rather, they function as eyes and ears for the PCCPD. Security is limited to College owned or controlled properties.

## Crime and Fire Log

PCCPD maintains a crime and fire log of on and near-campus crimes reported to the Department and fires at PCC-controlled student residences; however, the College does not currently contract for student housing. 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 during normal business hours at PCCPD Communications, 6680 S. Country Club Road, Tucson, AZ 85709-1740. The crime and fire log is also available at the police offices at these locations: West Campus, Downtown Campus, East Campus, Desert Vista Campus, Northwest Campus, District Office, 29th Street Coalition Center, El Pueblo and El Rio Neighborhood Learning Centers, or viewed online at

[https://pima.edu/administration/police/docs/pcc\\_day\\_crime\\_log.pdf](https://pima.edu/administration/police/docs/pcc_day_crime_log.pdf).

## Security of and Access to Campus Facilities

The physical security of Pima Community College is essential to protect the assets of the College and ensure a safe environment for students, faculty and staff. The College promotes a fail-safe culture where buildings, spaces and resources are on a schedule and remain accessible Monday through Friday from 6 a.m. to 11 p.m. 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). Pima Community College's premise will be the use of 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 Pima Community College ID card typically provides students and

employees with proper identification to use appropriate College facilities. At the time of this publication, however, College ID cards are unavailable. The College is working on a system for distribution in the near future. In the interim, state ID cards are being accepted.

The College is not currently providing residential facilities. In the past, such facilities were provided for out of country students. At this time, the College may provide a list of residential opportunities throughout the District area; however, the College does not contract with any specific location, nor does the College recommend a particular hotel, motel or alternate residential facility.

The College has implemented a card access system that augments current lock and key mechanisms. 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 a specific 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, perform preventive 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 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 Pima Community College Police Department (PCCPD) at **(520) 206-2700** to report any on-campus crime, 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. Crimes should be accurately and promptly reported to the PCCPD or the appropriate police agency, when the victim of a crime elects to, or is unable to make such a report.

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 and/or primary Campus Security Authorities (CSA's), to include, but not limited to, the following...

- Campus CSO's
- Dean of Students or a Title IX Coordinator (520) 206 4135

for the purpose of assessing them to ensure when a Timely Warning Notice is warranted and for inclusion in the Annual Security 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 in most cases.

PCCPD will:

- Dispatch personnel to the scene.
- Administer first aid, if necessary.
- 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 Pima Community College Police are responsible for confirming emergencies, in conjunction with College administrators, local first responders and/or the National Weather Service that may warrant the distribution of an immediate notification to the College community. Individuals can report emergencies occurring at Pima Community College by calling (520) 206-2700 or 9-1-1.

Emergency Notification for incidents that may pose an immediate threat to health and safety will be made by the College without delay and taking into account the safety of the community, the College will determine the content of the notification and initiate the notification system. The exception to this procedure is if issuing a notification will, in the professional judgment of responsible authorities (including but not limited to the PCCPD, local law enforcement agencies and/or the local fire and emergency medical services), 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 Speaker/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.

System to use	Primary Message Creator	Backup Message Creator	Authority for approving & sending messages	Primary Message Sender	Backup Message Sender
<b>PRIMARY</b>					
PCCAlert system (text message/ email system)	On duty dispatch staff	On call facilities, EH&S or college supervisory personnel	On duty facilities, EH&S or college police supervisors	On duty dispatch staff	On call facilities, EH&S or college supervisory personnel
Blast Email	Director level staff with facilities, EH&S and college police with Pima-all capability	Designees with Pima-all capability	Director level staff with facilities, EH&S and college police with Pima-all capability	Director level staff with facilities, EH&S and college police with Pima-all capability	Designees with Pima-all capability
External public address system	On duty dispatch staff	on site facilities, EH&S or college police member	Any on duty facilities, EH&S or college police member with knowledge of the incident	on duty dispatch staff	Any on duty facilities, EH&S or college police member with knowledge of the incident



<b>SECONDARY</b>					
Telephone	Any on duty facilities, EH&S or police supervisor	Any facilities, EH&S or college police designee	Any on duty facilities, EH&S or police supervisor	Any on duty facilities, EH&S or police supervisor	Any facilities, EH&S or college police designee
Fire Alarm	Dispatch center monitors fire alarm system throughout the college district and makes notification to first responders internal and external, and notifies CAT team leaders for evacuation				
Digital Signage	Director level staff with facilities, EH&S and college police	Any facilities, EH&S or college police designee	Director level staff with facilities, EH&S and college police with	Manager of Marketing and public relations	Marketing and PR Coordinator
Local Media	Director level staff with facilities, EH&S and college police	Any facilities, EH&S or college police designee	Director level staff with facilities, EH&S and college police	Executive Director of Public, Government and Community Relations	Manager of Marketing and Public Relations
Webpages – <a href="http://pima.edu/dps">http://pima.edu/dps</a> & <a href="http://www.pima.edu">http://www.pima.edu</a>	Director level staff with facilities, EH&S and college police	Any facilities, EH&S or college police designee	Director level staff with facilities, EH&S and college police	Director of Web Services	System Architect

If any of these systems fail, or the College deems it appropriate, in-person communication may be used to communicate an emergency.

When an immediate or imminent threat to health and/or safety is identified, an “Emergency Notification” must be activated as soon as possible. Generally, any on-duty PCCPD supervisor can assess and authorize an emergency notification. Approval from a supervisor or command level officer is not required if an excessive delay will occur and life/safety will be compromised. Only a College police officer, sworn supervisor, command level officer, Assistant Vice Chancellor for Facilities, or the Environmental Health and Safety Director may authorize. The PCCPD will determine the content of the message and will use some or all of the systems described below to communicate the threat to the College community or the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

### **PCCAlert - Emergency Messaging**

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

It is highly recommended that every member of the College community sign up for the notifications.

- **Text Messaging – Employees, Students**

- **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 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 cell-phone, 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 cell-phones 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 email addresses will automatically receive these messages.
- Anyone can request to enroll a non-college email account by emailing [maintinfo@pima.edu](mailto:maintinfo@pima.edu). New enrollees will receive a confirmation email. It will contain information on how to opt out of future messages.

When might an emergency text message be sent?

- Violent activity: active shooter or immediate threat to the PCC community, including off-campus events.
- Hazards: major fires, hazardous materials leaks or spills that threaten health and safety
- Major disruptions to the College: building closures, campus closures, severe weather, Information Technology emergencies.

**Regardless, PCCAlerts will only be initiated for incidents affecting the life safety of the College community.**

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:

[PCCAlert Frequently Asked Questions](#)

## 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. Timely warnings may also be issued using some or all of the following methods of communication:

- Text messages or emails sent through the Colleges PCCAlert system
- Building postings by Campus Administrators

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 on 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).
- A string of burglaries or motor vehicle thefts that occur in reasonably close proximity to one another.
- 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. Therefore, 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 PCC Police) and are distributed via email by the Chief of Police (or designee in PCC Police).

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 his/her 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 if:**

1. 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 for 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. 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. The College is not required to issue a timely warning with respect to crimes reported to a pastoral or professional counselor

## 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 (brush 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 designee in PCC Police) or Assistant Vice

Chancellor for Facilities (his or her designee in Facilities) and are distributed via email by the Assistant Vice Chancellor for Facilities or the Chief of Police (or designee in PCC 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 PCC Police or the Assistant Vice Chancellor for Facilities.

## **Emergency Management**

Pima Community College maintains an Emergency Management Plan that includes an Emergency Operations Plan and an Emergency Response Plan that are intended to establish policies, procedures, and the 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 utilizing an all-hazards approach. These processes and procedures outline emergency preparation, response, and recovery of College personnel and resources. The Emergency Management Plan is consistent with established practices relating to the coordination of emergency response actions. The Plan incorporates the use of National Incident Management System (NIMS) practices to facilitate cooperation between responding agencies. The College has also embraced the principles supporting the Incident Command System (ICS).

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 succession procedures, if key individuals are unavailable. PCCPD has the responsibility for initial and primary response to incidents while summoning immediately necessary resources. The confirmation may be made in consultation with College Administration and outside governmental agencies, e.g., Pima County Office of Emergency Management.

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 solely with the Chancellor (or designee).

### **Campus Action Teams (CAT)**

The Campus Action Teams have been responsible for ancillary responsibilities such as assisting with evacuations and assisting law enforcement and other first responders in the event of a crisis or emergency on a campus. The Campus Action Teams are currently being reorganized to address the changing nature of the College community. Changes will be implemented in the 2024-2025 academic year.

## **Emergency Readiness Tests, Drills and Exercises**

All emergency tests, drills, and exercises shall be arranged, conducted, and supervised by the Department of Environmental Health and Safety, the Emergency Manager 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 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 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.

Per the provisions of the Higher Education Opportunity Act, the campus publicizes a summary of the emergency response and evacuation procedures to every member of the College community 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. These procedures include the process by which the campus community would be immediately notified of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus.

## Emergency Evacuations

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

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, the 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.

### **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 VOIP (some phones can be used as a speaker system) 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 an elevator) and wait until assistance arrives. In the event

of a fire, secure in a room as far from the hazard as possible ensuring first responders are aware of your location and that you are in need of assistance.

### **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 may be broadcasted through email, text alert, web, local radio, or television stations with an “all clear” message.

### **Special Assistance**

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

- Employees should discuss questions or concerns about emergencies with their supervisor and/or the ADA office at (520) 206-3228.
- Students should discuss questions or concerns about emergencies with the Access and Disability Resources (ADR) office on any campus by calling (520) 206-3228, or by email at [ADRh@pima.edu](mailto:ADRh@pima.edu).
- Plan ahead – know the areas where you work, attend class or visit on campus.
- Always identify at least two exits.
- Is there ground floor access? If 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, practice that plan.

### **Shelter-in-Place Procedures**

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to remain indoors, because leaving the area may expose you to danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

### **Basic “Shelter-in-Place” Guidance**

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest College building quickly. If police or fire department personnel are on the scene, follow their directions.

### **How you will know to “Shelter-in-Place”**

A shelter-in-place notification may come from several sources, PCCPD, other College employees, a local police

department, or other authorities utilizing the College's emergency communications tools.

### **How to "Shelter-in-Place"**

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
  - An interior room;
  - Above ground level; and
  - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (College staff will turn off the ventilation as quickly as possible.)
6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list into PCCPD so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

## **Campus Security Authorities (CSAs)**

Pima Community College 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).

A "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:

- o A dean of students who oversees student housing, student life center, or student extracurricular activities.



- o A director of athletics, a team coach, or a faculty advisor to a student group.
- o A student resident advisor or assistant, or a student who monitors access to dormitories.

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.

**Crimes and complaints could 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 District at 4905 E. Broadway Blvd., Room 216, Tucson, AZ. A Deputy Title IX Coordinator is available at the following:

<b>David Parker</b> <b>Exec Dir, Enterprise Risk Mgt &amp; Compliance</b> <b>Title IX Coordinator</b> <b>(520) 206-4852</b> <a href="mailto:dparker8@pima.edu">dparker8@pima.edu</a>	<b>Dr. Suzanne Desjardin</b> <b>Dean of Students</b> <b>Deputy Title IX Coordinator</b> <b>(520) 206-6677</b> <a href="mailto:sdesjardin@pima.edu">sdesjardin@pima.edu</a>	<b>David Rucker</b> <b>Human Resources Business Partner</b> <b>Deputy Title IX Coordinator</b> <b>(520) 206-4972</b> <a href="mailto:drucker2@pima.edu">drucker2@pima.edu</a>
	Diane Deskin Director, Student Conduct and Behavioral Assessment Deputy Title IX Coordinator (520) 206-7120 <a href="mailto:sddeskin@pima.edu">sddeskin@pima.edu</a>	
	Staci Shea Student Affairs Assistant Program Manager Deputy Title IX Coordinator (520) 206-7028 <a href="mailto:sshea@pima.edu">sshea@pima.edu</a>	

Email: [title9@pima.edu](mailto:title9@pima.edu)

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

[Student Policies & Complaints | Pima Community College, Tucson, Arizona](#)

- **Office of Dispute Resources**

PCC's Office of Dispute Resources 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 Resources

Phone 520.206.4561

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 [Title IX & Sexual Harassment | Pima Community College, Tucson, Arizona](#)
  - The 24/7 complaint hotline: 1-855-503-8072
  - Calling or emailing the Title IX coordinator
  - An in-person visit to the Title IX office

For more information on the Office of Dispute Resources, go to:

[Dispute Resources | Pima Community College, Tucson, Arizona](#)

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 follows:

**U.S. Department of Education – Office for Civil Rights**

[Office for Civil Rights | U.S. Department of Education](#)

800-421-3481

[OCR@ed.gov](mailto:OCR@ed.gov)

- **Student Complaint Processes**

Pima Community College, in its goal to provide quality instruction and service, 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 his/her supervisor if necessary.

Need assistance navigating the complaint process or have questions or a concern? Contact the [Student Complaint Resource Liaison](#) at each campus: (The list needs updating. Replace Ed with Erica Martin (Julia left the College). Mariah is on long term leave and Edgar is assigning someone else.

<b>PimaOnline:</b> <b>Linda Cordier</b> <a href="mailto:CC-studentresource@pima.edu">CC-studentresource@pima.edu</a> <b>520.206.2316</b>	<b>East Campus:</b> <b>Carolyn McKee</b> <a href="mailto:EC-studentresource@pima.edu">EC-studentresource@pima.edu</a> <b>520.206.7880</b>
<b>Desert Vista Campus:</b> <b>Donna Cohn</b> <a href="mailto:DV-studentresource@pima.edu">DV-studentresource@pima.edu</a> <b>520.206.5162</b>	<b>Northwest Campus:</b> <b>Erica Martin</b> <a href="mailto:NW-studentresource@pima.edu">NW-studentresource@pima.edu</a> <b>520.206.2245</b>
<b>Downtown Campus:</b> <b>Danielle Johnson</b> <a href="mailto:DC-studentresource@pima.edu">DC-studentresource@pima.edu</a> <b>520.206.7301</b>	<b>West Campus:</b> <b>Diane Miller</b> <a href="mailto:WC-studentresource@pima.edu">WC-studentresource@pima.edu</a> <b>520.206.6072</b>

Distance Education/Online Students outside the State of Arizona can access the support of AZ SARA at: <https://azsara.arizona.edu/complaints> 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:

[Complaint Processes | Pima Community College, Tucson, Arizona](#)

### **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) 206-2700. An officer can fill out a police report and list the reporting party as confidential 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 Crime 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 Pima Community College 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**

Domestic violence (to include dating 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 domestic/dating 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 one or more of the following:

- Pima Community College Police Department and the criminal justice system.
- 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/dating violence and stalking, and refer such incidents to the courts.
- Inform victims/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 investigations with the Title IX Coordinator.
- Refer off-campus reports to proper jurisdictions, 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 domestic/dating 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. All College employees are Mandated Reporters and must report suspected Title IX violations to a Title IX Coordinator.

A 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 domestic/dating 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.

### **Supportive Measures**

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

- The PCCPD issued a no trespass or suspension order to the respondent.
- The 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 Administrative Leave as referenced by the Employee Handbook.
- Coordinate protective measures with the PCCPD, The Title IX Coordinator and College administration to request changes to academic, living, transportation and working situations.
  - Pima Community College 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.

**It should be noted that College Administrative Procedures, Handbooks and Standard**

**Operating Procedures are updated from time to time. The Current version of the policies apply unless specifically stated in the current version (some Title IX provisions are not retroactive).**

## **Pima Community College 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 11.06

The Pima County Community College District (“College”) 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 behaviors. The College provides training, education and resources to promote a safe environment and to help prevent instances of workplace violence.

The College will not tolerate violence, threats, harassment, intimidation, and any other disruptive behaviors, including but not limited to statements in any medium which carry an expressed or implied intent to cause harm to a person or property at any College facility or College-sponsored event. It is the responsibility of every employee, student, or visitor to the College to report any occurrence of such conduct. The College will investigate all reports and deal with any violations in accordance with the applicable College policies and procedures. When appropriate, the College may also report instances of violence, threats, harassment, intimidation and/or other disruptive behavior to legal authorities, as appropriate, for criminal prosecution.

### **Sexual Violence**

Administrative Procedure Number: AP 11.02.01

#### **PURPOSE**

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

For the purpose of this AP, the definition of sexual violence is any unwanted sexual contact or attention achieved by force, threats, coercion, manipulation, pressure, tricks, or violence. Sexual violence may be physical or non-physical and includes sexual assault (including, but not limited to, rape), attempted sexual assault, and acquaintance rape.

Sexual violence may be committed by strangers, acquaintances, friends, or relatives. Anyone can become a victim of sexual violence, regardless of sex, gender, age, race, or income level. Pima Community College (“College”) shall provide an environment that, to the greatest extent possible, precludes the occurrence of, and encourages the

reporting of, sexual violence.

### **Reporting Responsibilities**

- Victims are encouraged to report acts of sexual violence to the Pima Community College Police Department (“PCCPD”) as soon as possible. PCCPD shall post 24-hour emergency telephone numbers at various locations on all campuses or otherwise provide effective means for making emergency contact with PCCPD, such as direct telephone lines in all elevators and at other locations.
- Any student, employee, or visitor who witness sexual violence or is informed about an alleged sexual offense shall, as soon as possible, contact PCCPD.
- PCCPD 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 and public in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistic Act.

### **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.

- Campus Vice Presidents/Vice Chancellor of Student Experience
  - Campus Vice Presidents or their designees will provide workshops for all employees and students. All Campus Vice Presidents or their designees will provide to the student population information on sexual violence prevention and assistance.
  - Campus Vice Presidents or their designees will provide for the display of posters, flyers, brochures, etc. that relate to sexual violence.
  - The Vice Chancellor of Student Experience or designee is responsible for providing similar information to employees at the College’s District Office and other non-campus locations.
- Vice President of Student Affairs
  - The Vice President of Student Affairs or designee will be responsible for preparing, scheduling and conducting the various workshops or other educational programs dealing with sexual violence.
  - The Vice President of Student Affairs 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.
  - The Vice President of Student Affairs or designee will ensure that all academic success counselors are provided with training in the area of sexual violence counseling.
- the Pima Community College Police Department

- o PCCPD 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.
- o PCCPD will be responsible for the acquisition of posters, flyers, brochures or other educational materials relating to sexual violence.
- o PCCPD will provide cost-free informational materials for the College community that cover various aspects of sexual violence, as well as information regarding the prevention of sexual violence and resources for survivors of sexual violence and their families.
- o PCCPD will provide to the College student newspaper (Pima Post), articles and information on the prevention of sexual violence to be published at least twice yearly, during the Spring and Fall semesters.
- o PCCPD will provide assistance and referral information electronically to the College community through the College's website.
- Human Resources
  - o Human Resources will assist in the development of sexual violence workshops by providing expert presenters on various relevant topics.
  - o Human Resources will be responsible for preparing, scheduling, and conducting workshops or other educational programs dealing with sexual violence for all College employees. These workshops should include information on receiving reports of sexual violence, reporting incidents of sexual violence to PCCPD, and where to refer victims for assistance.

## **Crisis Response**

The College has a process by which crisis events are addressed. that process is outlined below:

- Once the College Police Department becomes aware of an alleged sexual offense, the Department will implement criminal investigative procedures outlined in its Departmental Procedure Manual.
- In addition to implementing investigative procedures, the College Police Department is responsible for making notifications to all appropriate members of the Crisis Response Team, including but not limited to:
  - o Appropriate Campus Vice President or designee;
  - o The Vice Chancellor of Student Experience or designee (for incidents at District Office or other non-campus areas);
  - o The Chief Human Resources Officer or designee (when College employee is involved);
  - o Other Community Services as needed (i.e. Rape Crisis Center, Victim Witness Program, Mental Health Services, Medical Services).



## Discrimination, Harassment, and Retaliation-Prevention and Complaint Procedures

### Non-Discrimination and Anti-Harassment Policies and Processes

#### Governing Board Policy Statement (BP 5.10):

The College is dedicated to providing equal opportunities to all individuals regardless of race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender identity or other legally protected category. The college will provide all qualified individuals reasonable accommodations in the work and educational environment and ensure equal access to all College programs, activities and facilities. The College does not discriminate in admissions, educational programs, or employment on the basis of any factor outlined above or prohibited under applicable law. The College is committed to creating and maintaining an environment free of discrimination that is unlawful or prohibited by College policy. This prohibition against discrimination applies to College employees, students, contractors, or agents of the College and to anyone participating in a College-sponsored event or activity.

In keeping with its commitment to maintaining an environment that is free of unlawful discrimination, the College prohibits unlawful harassment and conduct that, while not unlawful, could reasonably be considered harassment as defined in AP 2.03.01. Discriminatory harassment of any kind is not appropriate, whether it is sexual harassment or harassment on the basis of race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender identity or other legally protected category.

Prohibited discrimination also includes retaliation for reporting discrimination or participating in the investigation of a claim of discrimination. All members of the College community are responsible for participating in creating an environment free from all forms of prohibited discrimination and for cooperating with College officials who investigate allegations of discrimination. The process for reporting a complaint is outlined in AP 2.03.01. Complaints may be made anonymously using the College's Compliance and Ethics hotline. Complaints received anonymously through the College's Compliance and Ethics hotline will be investigated to the extent of information provided.

#### Federal Discrimination Prohibition Laws:

**Title VI** of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin under any program or activity receiving federal financial assistance, such as the Pima Community College financial aid program.

Court decisions, Presidential executive orders, and federal agency guidance implementing this law have specified shared ancestry or ethnic characteristics, limited English proficiency (LEP), limited income, and religion as examples of characteristics that are protected against discrimination, harassment and retaliation.

**Title VII** of the Civil Rights Act of 1964 prohibits discrimination in employment on the basis of race, color, religion, sex, or national origin.

**Title IX** of the Education Amendments Act of 1972 prohibits discrimination based on sex in education programs and activities that receive federal financial assistance, such as the Pima Community College financial aid program. Title IX applies to students *and* employees.

“Sex,” in the context of Title IX and as defined in federal regulations, means sex assigned at birth, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

If you believe you have been subjected to prohibited discrimination, harassment, or retaliation, you may file a complaint through the Hotline, with the Office of Dispute Resources, or with a Title IX Coordinator. See: <https://www.pima.edu/administration/complaint-resources/index>

## College Discrimination, Harassment, and Retaliation - Prevention and Complaint Procedures

AP 2.03.01 applies to all prohibited discrimination, and retaliation. Additional student requirements are included in the Student Code of Conduct and Employee Handbook Code of Conduct. AP 2.03.01 also applies to contractors and visitors.

*The College updated AP 2.03.01 to conform with the 2024 Title IX regulations for all occurrences on or after August 1, 2024. This update is not retroactive to Sexual Harassment that occurred before August 1, 2024, regardless of when reported. Allegations of actions that meet the jurisdictional requirements of Sexual Harassment, if proven, that occurred before August 1, 2024, are subject to the March 13, 2024, version of AP 2.03.01.*

*If the 2024 Title IX regulations are overturned or stayed in Arizona or specifically for Pima Community College, the March 13, 2024 version of AP 2.03.01 will become the current Administrative Procedure.*

### Links:

#### Current Version:

<https://www.pima.edu/about-pima/leadership-policies/policies/administrative-procedures/docs-ap-02/ap-2-03-01-interim-effective-8-1-24.pdf>

#### March 13, 2024 Version:

<https://pima.edu/about-pima/leadership-policies/policies/administrative-procedures/docs-ap-02/ap-2-03-01-old.pdf>

Additional information about the administration of Title IX at the College can be found at

[Title IX & Sexual Harassment | Pima Community College, Tucson, Arizona.](#)

The following section covers the Clery Act notifications and requirements in reporting to the College Community. The Clery Act 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, as well as outlines 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.

**"Title IX Sex-Based Harassment"** is a form of sex discrimination and means conduct meeting the College's definition of Sex-Based Harassment on the basis of sex, including sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, or gender identity that occurs 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 sex-based conduct that based upon the totality of the circumstances is subjectively and objectively offensive, and is so severe or pervasive that it effectively limits or denies a person's ability to participate in or benefit from 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.

**“Quid Pro Quo”** (lit. “something for something”) means a form of Sex-Based Harassment that involves a College Employee conditioning a College aid, benefit, or service (e.g., grades or other academic outcomes, financial assistance, employment opportunities, decisions in College proceedings) on acquiescence to or tolerance of unwelcome sexual activity.

Reports of Discrimination, Harassment, or Retaliation may be made through the Hotline, to the Office of Dispute Resources (ODR), Human Resources, Student Conduct, through a Campus Student Complaint, Liaison, directly to a Title IX Coordinator, or by sending an email to [t9@pima.edu](mailto:t9@pima.edu).

Hotline:

ODR:

Human Resources:

Student Conduct:

Campus Liaisons:

Title IX Coordinators are listed on Page 20 of this Report.

All College Employees, including student employees, are Mandated Reporters and must notify a Title IX Coordinator of potential sex discrimination, sex-based harassment, or retaliation that they observe or is shared with them. The College does not have confidential employees for Title IX purposes. Reports made by employees through the Hotline are considered reported as long as the employee’s contact information is provided.

Supportive measures intended to restore or preserve access to the College’s Educational Programs and Activities may be offered to all parties to a discrimination, harassment, or retaliation report or complaint. *“Supportive Measures” means non-disciplinary, non-punitive, individualized services of any duration offered free of charge to members of the College Community affected by or accused of Discrimination or Harassment as reasonably necessary and appropriate to restore or preserve access to the College’s Education Programs and Activities, preserve the integrity of the College’s investigation, and/or protect the safety of the parties involved, and may include College-issued one-way or mutual no-contact orders. Supportive Measures may be requested by both Complainants and Respondents, and the College may implement Supportive Measures at its own discretion.*

All provisions of AP2.03.01 are applicable on all College Property and during all Ordinary College Operations and College Sponsored Activities, on or off campus, regardless of location, and any other location or activity where the College reserves or retains the option to extend disciplinary processes unless specified otherwise.

All investigations of allegations related to discrimination, harassment, or retaliation are investigated by the Office of Dispute Resources or another independent investigative resource determined by the Office of General Counsel.

Resolution processes related to Title IX are described in AP 2.03.01 and take precedence over other processes and procedures.

## **Hazing Prevention and Response**

### **Administrative Procedure Number: AP 11.02.04**

Hazing is prohibited by state law and College policy. Hazing is prohibited. Soliciting another to engage in Hazing or planning or organizing Hazing is prohibited. Aiding or abetting another person who is engaged in Hazing is prohibited. Students, faculty, and staff who knowingly permit, authorize, or condone Hazing are subject to disciplinary/corrective action and/or sanctions. Interfering with an investigation of Hazing or retaliating against an individual who made a good faith report of Hazing is prohibited. It is not a defense to a violation of this policy if the Hazing victim consented to or acquiesced in the Hazing activity.

Students, faculty, and staff must work to prevent Hazing within the scope of their individual authority and must report suspected Hazing incidents to College Police, the Dean of Students, Office of Dispute Resolution, or Human Resources. Reports may also be made confidentially through the EthicsPoint Hotline. Situations involving immediate danger to individuals should be reported to the Police by calling 911. Students and Organizations that engage in Hazing are subject to disciplinary action and sanctions up to and including expulsion. College employees who knowingly permit, authorize, or condone Hazing are subject to corrective action up to and including termination. Consent or acquiesce to Hazing is not a defense. College Police or other appropriate law enforcement agencies will investigate Hazing activity that appears to violate Arizona law, and may constitute misdemeanor or felony crimes.

Students, faculty, and staff shall report violations or suspected violations of this policy to the appropriate authority. Violations by Students should be reported to the Dean of Students or College Police. Dial 911 or 520-206-2700 (College Police) in an emergency. Violations by faculty or staff should be reported to College Police in an emergency or to Human Resources. Employees and students may also report confidentially through the EthicsPoint Hotline. Confidential reports should include contact information so the College can communicate confidentially through EthicsPoint. It also provides documentation that the reporting party could use later to provide evidence of timely reporting. Failure to report violations or suspected violations of this policy may constitute misconduct subject to disciplinary/corrective action.

AP 11.02.04 includes definitions and additional duties and responsibilities, along with exceptions. See:

<https://www.pima.edu/about-pima/leadership-policies/policies/administrative-procedures/docs-ap-11/ap-11-02-04.pdf>

## **Student Complaints**

### **Administrative Procedure Number: AP 3.31.01**

#### **PURPOSE**

Pima Community College (the College) is committed to the highest level of service and continuous improvement in providing students with a safe place to learn, thrive, and achieve. The purpose of this administrative procedure is to ensure the College takes appropriate action in responding to complaints from students and that

student complaints are addressed and resolved in a fair and timely manner. In the context of this Administrative Procedure, a “complaint” is any problem, conflict or issue that negatively impacts a student. Reports of code of conduct violations that are addressed in a timely manner consistent with related policies and procedures are considered “reports,” not “complaints.” In the context of this AP, a “Formal Complaint” does not include complaints resolved through Informal Resolution

### **Informal Resolution**

The College encourages the resolution of any complaint through direct, respectful communication between those involved. Anyone directly involved in a complaint may seek the assistance of an appropriate College employee (i.e. designated campus contact person, or supervisor of the respondent). If the parties involved cannot resolve the complaint through informal means, the complainant may initiate a formal complaint. Whenever possible, the complainant should submit a formal complaint within 30 calendar days of the last incident.

### **Formal Complaint Resolution Process**

To initiate the Formal Complaint process, the complainant must submit their complaint either to a Campus Student Complaint Resource Liaison or to the Office of Dispute Resources (“ODR”). Formal Complaints may be submitted in person, by phone, by email, by regular mail, or online. While complaints may be made anonymously, the ability to fully respond and bring about a resolution may be impacted. Reporting through the Hotline allows a complainant to remain anonymous to College personnel while permitting communication through the Hotline service. More information on submitting complaints can be found at:

<https://www.pima.edu/student-resources/student-policies-complaints/complaint-processes/index.html>

Upon receipt of the complaint, the Campus Student Complaint Resource Liaison or Office of Dispute Resources will assign the case to the appropriate *Reviewer* based on the Formal Complaints Matrix.

### **Formal Complaints Matrix**

Complaints against the Chancellor or a Governing Board member:

- The Governing Board will conduct the review in accordance with Governing Board Bylaws Article XII and issue a decision.
- The Governing Board’s decision is final, without further internal appeal.

Complaints against a faculty member by students, including grade complaints:

- Reviewed by the Department Head
- Appeals to the Division Dean or Vice Provost

Complaints against another student:

- Reviewed by the Division Dean or Dean of Students.
- Appeals to the VP of Student Affairs.

Complaints against a staff member or administrator (non-Chancellor):

- Reviewed by the respondent’s direct supervisor
- Appeals to the respondent’s administrative supervisor.

Complaints against a College policy, process or procedure:

- Reviewed by the unit supervisor.
- Appeals to the administrative supervisor.

Complaints alleging discrimination or retaliation based upon a disability:

- Reviewed by the Access and Disability Resources (ADR) Director
- Appeals to the Dean of Student Services and Access

Complaints alleging discrimination based upon other protected class or disability, other than Title IX Sexual Harassment:

- Reviews by the direct supervisor if the complaint is about a staff member or administrator, Division Dean if the complaint is about a faculty member, or Dean of Students if the complaint is about a student.
- Investigations conducted by ODR.
- Appeals to the Chief HR officer for an employee or VP of Student Experience for a student.

Complaints alleging discrimination or retaliation meeting the jurisdiction of Title IX Sexual Harassment:

- If any allegation includes discrimination that would, if proven, meet the definition of Title IX Sexual Harassment, a Title IX Hearing Officer is the decision maker.
- Investigations conducted by ODR.
- Appeals to a Title IX Appeal Officer or Panel.

The Administrative Procedure includes information on investigations, advisors, appeals, an absolute prohibition on retaliation, and a periodic review and continuous improvement process. The AP is available at:

<https://www.pima.edu/about-pima/leadership-policies/policies/administrative-procedures/docs-ap-03/AP-3-31-01.pdf>

## **Student Code of Conduct**

The following is a summarized version of the Student Code of Conduct that would apply to violations concerning sexual violence, domestic violence, dating violence, and stalking.

For full version of the PCC Student Code of Conduct, go to:

[STUDENT CODE OF CONDUCT | Pima Community College](#)

## **Introduction**

- Purpose and Scope
  - Pima Community College ("College") is committed to promoting an academic environment that is welcoming, safe, and well-ordered and that encourages civil discourse, Academic Integrity, and mutual respect while protecting Students' rights as members of the College Community.
  - The College has developed this Student Code of Conduct ("Code of Conduct" or "Code") to articulate clearly the College's expectations for its Students and to educate them about their rights and responsibilities as members of the College Community.

- o In the event a Student is determined to have violated this Code, the primary goal of any Responsive Action taken by the College shall be educational and corrective, focused on redressing wrongs while promoting Student growth and personal responsibility. Code of Conduct matters shall only be conducted as Disciplinary proceedings when Major Misconduct is at issue.
- o This Code applies to all Students who have applied for admission to or are currently enrolled in classes at the College.
- o This Code of Conduct applies to all Student conduct that
  - Occurs on College Property,
  - Occurs during a College class (including credit and noncredit, clock-hour, workforce-development, adult basic education, and developmental-education classes) or other College Sponsored Activity, regardless of modality or location (including online), or
  - Regardless of the location,
    - Adversely affects or is substantially likely to adversely affect Ordinary College Operations or another member of the College Community;
    - Violates College policy;
    - Violates local, state, or federal law.
- o This Code does not apply to Students who are also Employees of the College when they are acting in their capacities as College Employees.

### **Students' Rights and Responsibilities**

- Rights Common to All Students
  - o Students have the right to be informed of and have easy access to this Code of Conduct. All Students are expected to familiarize themselves with the Code. Ignorance of the Code is not a defense to any violation.
  - o Although all members of the College Community are ultimately responsible for their own actions, Students have the right to expect that the College will endeavor to provide a safe educational environment that promotes Academic Integrity, civility, and decorum.
  - o Students have the right to public notice of any proposed substantive changes to this Code of Conduct and to have a meaningful opportunity to comment on such proposed changes and to propose changes of their own.
  - o Students have the right to expect that the College will endeavor to assist them in correcting Behaviors that do not comply with the College's expectations.
- Student Rights and Responsibilities During Code of Conduct Proceedings
  - o All Students involved in Code of Conduct proceedings have the following rights and responsibilities:
    - To be treated with respect and dignity;

- To have Code of Conduct proceedings administered by objective, neutral, and knowledgeable College Employees;
- To a Code process that causes as little disruption as practicable;
- To be informed specifically of one's role in the Code process (*i.e.*, as a Complainant, Respondent, or witness) and to be informed promptly if that role changes;
- To have one's privacy and confidentiality respected to the extent possible under applicable law and College policy;
- To be free from Retaliation in any form for participating in the Code process;
- To receive information about services available through the College or in the community, such as counseling or legal assistance.

o Additional Rights of Student Complainants

- To an opportunity to request Interim Measures during the Code of Conduct process;
- To withdraw a Complaint at any time, although the College may be required to continue an investigation or remedial actions under certain circumstances, such as when the safety of the College Community may be threatened;\
- To receive any evidence shared with the Respondent;
- To an equal opportunity to identify relevant witnesses and other evidence;
- If a Complaint alleges Major Misconduct, to Confront any witnesses who testify against the accuracy of the Complaint's allegations or in favor of the Respondent;
- To be notified of relevant information provided by the Respondent and any identified witnesses and to have an opportunity to respond;
- To an opportunity to 1) have an Advisor present, or 2) be Actively Assisted by an Attorney at one's own expense during Code Resolution Meetings and appeal hearings regarding Complaints involving alleged Major Misconduct and at which the Complainant is assisted by an Attorney;
- To be notified of any defenses or Mitigating Factors asserted by a Respondent and to have an opportunity to respond to them and to offer any Aggravating Factors one believes the Code Decision-Maker should consider;
- To have a Complaint resolved in a timely manner;
- To a decision that is free from bias and prejudice and based on credible, relevant evidence;
- To receive timely written notice of the outcome of the Code process;
- To an opportunity to make any available appeals;
- To make a separate Complaint to an appropriate agency outside the College, including law enforcement, at any time.

o Additional Rights and Responsibilities of Student Respondents

- To defend oneself against any Complaint to which one is a Respondent;
- To an equal opportunity to request Interim Measures during the Code process;
- To decline to participate in or answer any question during the Code process, although the process will continue, and a decision will be made based on available information. Code Decision-Makers may infer from a Respondent's non-participation or refusal to answer questions that the Respondent engaged in the misconduct alleged a Complaint, even if the Respondent has affirmatively asserted one's Fifth Amendment right against self-incrimination;
- To be treated neutrally and to have judgment on the Complaint withheld until a final decision



is made;

- To receive any evidence shared with the Complainant;
- To an equal opportunity to identify relevant witnesses and other evidence;
- If the Respondent is alleged to have engaged in Major Misconduct, to Confront any witnesses who testify against the Respondent, including the Complainant;
- To be notified of relevant information provided by the Complainant and any witnesses and given an opportunity to respond;
- To an opportunity to have an Advisor present or be Actively Assisted by an Attorney, at one's own expense, during Code Resolution Meetings and appeal hearings regarding alleged Major Misconduct;
- To be notified of any defenses or Aggravating Factors asserted by a Complainant and to have an opportunity to respond to them and to offer any Mitigating Factors one believes should be considered when determining the College's Responsive Action;
- To have a Complaint resolved in a timely manner;
- To a decision that is free from prejudice and bias and based on credible, relevant evidence;
- To receive timely written notice of the decision, including a summary of the facts on which the decision was based;
- To an opportunity to make any available appeals.

### **Distinguishing Between "Lesser" and "Major" Misconduct**

Students accused of the most serious Code violations are entitled to more formal Disciplinary proceedings than those accused of less serious violations, because the Responsive Action from the College and the possible consequences to Students for the most serious violations are significantly greater. Accordingly, the College distinguishes between Lesser Misconduct and Major Misconduct when conducting Code proceedings.

- Code Decision-Makers have the discretion to decide whether to address alleged Code of Conduct violations as Lesser Misconduct or Major Misconduct. Such decisions shall be based on specific Aggravating Factors, Mitigating Factors, and other relevant circumstances, including, but not limited to, an accused Student's history of prior Code violations, the severity or pervasiveness of the alleged violations and their impact on other members of the College Community, whether the Student is accused of engaging in the alleged violations Knowingly, Recklessly, or Negligently, and whether the accused Student is alleged to have engaged in multiple Code violations.
- Lesser Misconduct includes violations of the Code that are appropriately responded to with Educational Measures and do not warrant Disciplinary Sanctions. Students alleged to have engaged in Lesser Misconduct may not be accompanied by an Advisor or an Attorney during Code proceedings, and neither decisions that Students engaged in Lesser Misconduct nor the Educational Measures issued to those Students can be appealed.
- Major Misconduct includes the most serious violations of the Code that could result in Disciplinary Sanctions up to and including Suspension or Expulsion from the College or the withholding of a degree or certificate. Code proceedings for alleged Major Misconduct are generally more formal and have opportunities to appeal, in addition to the following:
  - Students alleged to have engaged in Major Misconduct may be accompanied by an Advisor of their choosing or by an Attorney provided at the Student's expense. Attorneys may Actively Assist Students during Code Resolution Meetings and appeal hearings. Students may not be accompanied by Advisors or

Attorneys at any other time during the Code of Conduct process.

- o Allegations of assault, violence, Stalking, True Threats, or sexual misconduct, including Sexual Harassment, are always addressed as Major Misconduct. Whether to address any other “Specifically Prohibited Act of Misconduct” (see next Section) as Lesser Misconduct or Major Misconduct is determined on a case-by-case basis by the Code Decision-Maker.

### **Specifically Prohibited Acts of Misconduct**

The following acts and omissions constitute Student misconduct under this Code and are prohibited:

- Violent, Threatening, or Dangerous Behavior
  - o Physically assaulting or harming or making a True Threat to physically harm another member of the College Community;
  - o Engaging in any illegal sexual offense, including, but not limited to, sexual assault, public sexual indecency, and indecent exposure (see A.R.S. § 13-1401 to 1406);
  - o Engaging in Stalking, Bullying, or Hazing;
  - o Secretly or covertly viewing, photographing, or making a video recording of a member of the College Community without that individual’s express consent in a location where the individual has a reasonable expectation of privacy or in a manner that violates a reasonable expectation of privacy;
  - o Engaging in or threatening to engage in a Breach of the Peace;
  - o Harming, harassing, or endangering an animal, including, but not limited to, a Service Animal or Emotional Support Animal, on College Property or at a College Sponsored Activity;
  - o Bringing or luring a wild or diseased animal onto, or enticing one to remain on, College Property or the location of a College Sponsored Activity without express authorization from the College;
  - o Using, possessing, displaying, or storing any weapon or explosive, including but not limited to, a firearm, explosive material or device, bomb-making material, firework, or unreasonably dangerous chemical on College Property or at a College Sponsored Activity, unless one or more of the following conditions is met:
    - The Student is an Arizona Peace Officer authorized to carry a firearm or other weapon while off-duty, and the prohibited item is a legally possessed firearm or other weapon carried in accordance with all applicable laws and College policies;
    - The campus President and the Chief of Campus Police or their respective designees have authorized the Student in writing to bring an item or material otherwise prohibited under this section onto College Property or to a College Sponsored Activity for an academic, law-enforcement, or other legitimate specified purpose;
    - The prohibited item is a legally possessed firearm which the Student keeps locked in and not visible from the outside of the Student’s privately owned motor vehicle or motorcycle in compliance with A.R.S. § 12-781;
  - o Threatening to bring a weapon on to College Property or to a College Sponsored Activity;
  - o Knowingly failing to report to Campus Police a True Threat to a member of the College Community or other imminent threat to the health and safety of the College Community, including, but not limited to, the imminent arrival, or presence on College Property or at a College Sponsored Activity, of any individual who the Student knows is or has claimed to be in possession of a firearm and who is not a Campus Police Officer or other law-enforcement officer;

- Discrimination and Harassment

Engaging in discrimination against or harassment (including Sexual Harassment) of a member of the College Community on the basis of age, disability, race, color, ethnicity, national origin, religion or irreligion, sex, gender (including gender expression and gender identity), sexual orientation, or veteran status;

- Violations of Federal, State, or Local Law

- o Being arrested for, charged with, or convicted of violating any local, state, or federal law based while on College Property or during a College Sponsored Activity, or based on events which occurred on College Property or during a College Sponsored Activity;
- o Being arrested for, charged with, or convicted of a violation of any local, state, or federal law, regardless of location, that
  - Involves violence or assault, Stalking, a True Threat, sexual misconduct, harassment, or significantly dangerous, threatening, or harmful activity;

## Reporting Code of Conduct Violations

- In Emergencies

If a suspected Code of Conduct violation involves an imminent health or safety threat, such as acts of violence or True Threats, contact Campus Police (520-206-2700) or call 9-1-1 immediately.

- Submitting Complaints

- o Any member of the College Community may submit a Complaint about a suspected Code of Conduct violation as follows:
  - If the Student's suspected violation occurs during or as part of a class, by informing the course Instructor (a subsequent written Complaint may still be required);
  - By submitting a Complaint to the Dean of Students by email or letter (mailed or hand-delivered), or by using the College's Incident Report form  
  
[https://pima-advocate.symplicity.com/public\\_report/index.php/pid520857](https://pima-advocate.symplicity.com/public_report/index.php/pid520857)
  - By calling the Dean of Students' office or visiting in person (a subsequent written Complaint may still be required).
- o There is no time limit for making a Complaint about a suspected Code of Conduct violation, although a Complaint should be made as soon as possible. Code Decision-Makers may, at their discretion, decline to take action on a Complaint if the elapsed time is a significant barrier to completing a full investigation and making an adequately informed decision.
- o Complaints should contain the following information (to the extent known):
  - The name and contact information of the person submitting the Complaint;
  - The names of the Student(s) and any other person(s) involved, including any victims or witnesses;
  - The date of the alleged misconduct;
  - The location where the alleged misconduct occurred;

- A description of the alleged misconduct;
  - A list of any documents or other evidence relating to the alleged misconduct (e.g., photographs, emails, police reports).
- o Complaints may be dismissed without further action if Code Decision-Makers, in their discretion, determine the Complaint is Frivolous or Malicious.
- o Complaints Involving Pending Code of Conduct Proceedings
  - Code of Conduct proceedings will not be stayed or otherwise interrupted if an individual involved in the Code process files a separate, contemporaneous complaint of any kind against another individual involved in the same process (e.g., Respondent files a complaint against the Complainant or the Code Decision-Maker).
  - If Code Decision-Makers are the subject of an internal College complaint brought by a Student while that Student's Code of Conduct proceeding is pending, Code Decision-Makers should only recuse themselves if they believe they cannot remain impartial.
- Confidential and Anonymous Complaints
  - o Persons reporting alleged Code of Conduct violations may request that their Complaints remain confidential. The College will endeavor to honor such requests, although doing so may seriously limit the College's ability to investigate and respond to a Complaint, and the College's obligation to protect the College Community may override a Complainant's request for confidentiality.
  - o Anonymous Complaints are not accepted through the Code process. Persons wishing to remain anonymous may contact the College's Office of Dispute Resources ("ODR") hotline (1-855-503- 8072 or [www.complianceandethics.hotline.ethicspoint.com](http://www.complianceandethics.hotline.ethicspoint.com)), or call Campus Police (520-206-2700).

## Conducting Code of Conduct Proceedings

- Selecting the Code Decision-Maker
  - o Instructors as Complainants/Code Decision-Makers
    - If an Instructor believes a Student has engaged in Major Misconduct, the Instructor should submit a Complaint to the Dean of Students. If the Dean of Students determines that the violation alleged in the Complaint should not be addressed as Major Misconduct, the Dean may return it to the Instructor to be addressed as Lesser Misconduct.
- The Dean of Students as Code Decision-Maker
  - o The Dean of Students or the Dean's designee shall serve as the Code Decision-Maker for all Complaints alleging Major Misconduct.
  - o If the Dean of Students, in consultation with the College's Office of the General Counsel, determines that a significant, College-wide conflict of interest may exist for a particular Complaint, the College may retain an outside third-party to serve as the Code Decision-Maker and investigate and issue a decision in accordance with Code procedures.

- Discretion of Code Decision-Makers in Initiating, Continuing, and Terminating Code Proceedings
  - Code Decision-Makers have the discretion to determine if a Complaint sufficiently alleges a violation of the Code. If the Code Decision-Maker determines that a Complaint does not sufficiently allege a violation, the Code Decision-Maker shall notify the Complainant in writing of that decision and the reason for it.
  - If a Complaint adequately alleges a violation, but the Code Decision-Maker subsequently becomes aware of evidence indicating further proceedings are not warranted, the Code Decision-Maker may terminate the proceeding at any time by providing written notice of that termination and the reason for it to the Complainant. If Respondents have already received notice of the Complaint, they should also be notified in writing of the decision to terminate it.
  - Specific timelines and deadlines stated in this Code may be extended at the discretion of the Code Decision-Maker.
- Notice of Complaints and Delivery of Complaint-Related Information
  - If the Code Decision-Maker determines that a Complaint adequately alleges a Code violation, the Code Decision-Maker shall provide written notice of the Complaint to the Student who is the Respondent to the Complaint within five (5) Business Days. The notice shall include the following:
    - An explicit statement that the Student is a Respondent to a Code of Conduct Complaint;
    - A summary of the allegations against the Student, including any known evidence in support of those allegations;
    - The specific Code section(s) the Student is alleged to have violated;
    - Whether the Student is accused of Lesser Misconduct or Major Misconduct and the Code Decision-Maker's basis for making that decision, and if a Disciplinary Sanction (*e.g.*, Suspension) could be imposed;
    - If the Student is accused of Major Misconduct, that the Student has the right to be accompanied to the Code Resolution Meeting by an Advisor or an Attorney (at the Student's expense), and an Attorney may Actively Assist the Student during the Code Resolution Meeting and any subsequent appeal;
    - The date and time of the Complaint Resolution Meeting and the conditions under which that meeting could be rescheduled.
  - Unless approved in writing by the Code Decision-Maker, all Code of Conduct notices and Complaint-related information will be sent to Students' "*pima.edu*" accounts.
  - Notice will be considered effective and all information will be considered received on the date email is sent to Students' "*pima.edu*" accounts. If the Code Decision-Maker approves another means of delivery, notice will be considered effective and documents received on the date of hand-delivery or three (3) Business Days after the notice or document is deposited with the U.S. Postal Service or other carrier.
- Complaint Resolution Meetings
  - Lesser Misconduct Resolution Meetings

- After the Student Respondent has received notice of the Complaint, the Code Decision-Maker shall conduct a Code Resolution Meeting with the Respondent in a private setting and discuss the Lesser Misconduct the Respondent is alleged to have engaged in and the specific evidence supporting those allegations.
  - If, during the meeting, the Code Decision-Maker comes to believe that the Respondent's misconduct is more serious than previously known and may warrant a Disciplinary Sanction, the Code Decision-Maker shall inform the Student of that fact and suspend the Code Resolution Meeting. If the Code Decision-Maker is an Instructor, the Complaint shall be referred to the Dean of Students for further proceedings, a revised notice shall be issued to the Student, and the Code Resolution Meeting shall be rescheduled and conducted according to the procedures required for Major Misconduct.
- Major Misconduct Resolution Meetings
  - o After the Student Respondent has received notice of the Complaint, the Code Decision-Maker shall conduct a Code Resolution Meetings with the Respondent in a private setting and discuss the Major Misconduct the Respondent is alleged to have engaged in and the specific evidence supporting the allegation(s). Respondents shall have a full and fair opportunity to review and respond to the allegations in the Complaint and to offer any additional evidence they believe is relevant, including any Mitigating Factors.
  - o Complainants are required to attend Code Resolution Meetings for alleged Major Misconduct if they will be providing testimony against Respondents, unless Respondents waive their right to confront witnesses who testify against them. Complainants may also be required to attend Code Resolution Meetings if the Code Decision-Maker determines their presence is necessary to make a fully informed and fair decision. Otherwise, Complainants may request, but are not required, to attend Code Resolution Meetings.
  - o For Complaints involving allegations of assault, violence, Stalking, True Threats, or sexual misconduct, including Sexual Harassment, Complainants may request to attend Code Resolution Meetings remotely via videoconference or similar means, including one-way video in which Respondents can see Complainants, but not vice versa. Whether to permit remote attendance shall be at the discretion of the Code Decision-Maker. Complainants' remote attendance shall not interfere with Respondents' right to confront witnesses who testify against them.
  - o Advisors and Attorneys
    - Both Respondents and Student Complainants (if attending) may be accompanied by one(1) Advisor of their choice during Code Resolution Meetings involving Complaints of Major Misconduct. Complainants who are not Students may not be accompanied by Advisors. Advisors may be consulted by Respondents and Student Complainants during the meeting, suggest questions for them to ask, and help them clarify their responses to questions. An Advisor may not Actively Assist either the Respondent or the Student Complainant.
    - At Code Resolution Meetings involving Complaints of Major Misconduct, a Respondent may be accompanied by an Attorney (in lieu of an Advisor and at the Respondent's expense) who Actively Assists the Respondent during the meeting. If a Respondent opts to be accompanied by an Attorney, a Student Complainant shall also have an opportunity to be accompanied by an Attorney at the Complainant's expense. Complainants who are not Students are not permitted to be accompanied by Attorneys. A Student Complainant may not be accompanied by an Attorney unless the

Respondent first opts to be accompanied by an Attorney. Only Attorneys may Actively Assist either Respondents or Complainants during Code Resolution Meetings.

- Students must inform the Code Decision-Maker at least three (3) Business Days prior to the Code Resolution Meeting if they will be accompanied by an Attorney who will Actively Assist during the meeting or by an Advisor who is a Legal Professional by education or occupation. The College reserves the right to have College legal counsel present during any Code Resolution Meeting at which a Student is assisted by an Attorney or where a Student's Advisor is a Legal Professional.
- o Witnesses
  - Both Complainants and Respondents have the right to require relevant witnesses, including each other, to testify in person during a Code Resolution Meeting. That right can be waived, and the parties may rely instead on written witness statements.
  - The Code Decision-Maker shall ask witnesses questions and/or permit them to make statements. Complainants and Respondents shall have an equal opportunity to present additional questions or topics of questions for the Code Decision-Maker to ask each witness. The Code Decision-Maker may decline to ask witnesses any questions the Code Decision-Maker believes are irrelevant, repetitive, harassing, or unnecessarily embarrassing. Complainants and Respondents (or their Attorneys) may not object during witness testimony or directly question or cross-examine witnesses
- Code of Conduct Decisions
  - o Decisions on Complaints will be made by applying the Preponderance of the Evidence standard unless specified otherwise, and Code Decision-Makers shall determine if, based on the evidence, it is more likely than not the Respondent engaged in the misconduct alleged in the Complaint.
  - o If the Code Decision-Maker decides that the evidence does not support a finding that the Respondent engaged in the alleged misconduct, the matter shall be concluded and the Complaint closed, subject to any available appeal.
  - o If the Code Decision-Maker finds that the Respondent is more likely than not engaged in the misconduct alleged in the Complaint, the Code Decision-Maker shall determine an appropriate Responsive Action.
- Responsive Action by the Code Decision-Maker
  - o If Student Respondents admit to violating or are found to have violated the Code of Conduct, Code Decision-Makers have the discretion to issue or not issue one or more Responsive Actions.
  - o All Responsive Action shall be issued to Respondents in writing along with an explanation of the facts, including any Aggravating Factors and Mitigating Factors, the Code Decision-Maker took into consideration.
  - o Responsive Action may include, but is not limited to, one or more of the following:
    - Educational Measures (for both findings of Lesser Misconduct and Major Misconduct)
      - Educational assignments that foster a new or greater understanding of the Student's role in

the College Community and how the Student's conduct affects others;

- Restorative Justice requirements;
- Financial compensation for actual losses to the College or to a specific individual (*e.g.*, for theft or property damage). The College cannot award damages for pain and suffering or for other intangible injuries, or purely as punishment (*i.e.*, a fine);
- Temporary prohibition (not to exceed six (6) months or one (1) academic year, whichever is greater) from engaging in certain College Sponsored Activities, including Selective Extracurricular Activities. Decisions to impose such Sanctions shall be made in consultation with the Employees responsible for the specific activities in question.
- Temporary removal (not to exceed six (6) months or the remainder of the current academic year, whichever is greater) from specific College academic or certificate programs. Decisions to impose such Sanctions shall be made in consultation with the Employees responsible for the specific programs.
- Temporary restriction on or denial of certain College services (*e.g.*, use of a library or certain College IT Systems), not to exceed six (6) months or the remainder of the current academic year, whichever is greater;
- Temporary restriction on enrollment (*e.g.*, being permitted to take only (or barred from taking any) online classes), not to exceed six (6) months or the remainder of the current academic year, whichever is greater;
- Temporary exclusion (*i.e.*, being "trespassed") from specified College Property (*e.g.*, a particular College Campus or Learning Center), not to exceed six (6) months or the remainder of the current academic year, whichever is greater;
- A Conduct Agreement (see Section VIII below);
- A written Reprimand;
- Probation.

■ Disciplinary Sanctions (for findings of Major Misconduct only)

- Prohibition from engaging in certain College Sponsored Activities, including Selective Extracurricular Activities, for a period in excess of six (6) months or the remainder of the current academic year, whichever is greater, up to and including an indefinite or permanent prohibition. Decisions to impose such Sanctions shall be made in consultation with the Employees responsible for the specific activities in question;
- Removal from a specific College academic or certificate program, for a period in excess of six (6) months or the remainder of the current academic year, whichever is greater, up to and including indefinite or permanent removal. Decisions to impose such Sanctions shall be made in consultation with the Employees responsible for the specific programs;
- Restriction on or denial of certain College services (*e.g.*, use of a library or certain College IT Systems), for a period in excess of six (6) months or the remainder of the current academic year, whichever is greater, up to and including an indefinite or permanent restriction;
- Restriction on enrollment (*e.g.*, permitted to take only (or barred from taking any) online classes), for a period in excess of six (6) months or the remainder of the current academic year, whichever is greater, up to and including an indefinite or permanent restriction;
- Exclusion (*i.e.*, being "trespassed") from specified College Property (*e.g.*, a particular



College Campus or Learning Center), for a period in excess of six (6) months or the remainder of the current academic year, whichever is greater, up to and including indefinite or permanent exclusion;

- Suspension from the College for any length of time;
  - Expulsion from the College;
  - Withholding of a degree or certificate.
- Notice of Code of Conduct Decisions, Responsive Actions, and Right to Appeal
    - o Code Decision-Makers shall provide Respondents with written decisions in a timely manner not to exceed ten (10) Business Days stating explicitly what, if any, misconduct a Respondent was found to have engaged in, explaining the specific factual basis for that decision, and stating the specific Responsive Action issued by the Code Decision-Maker, including an explanation of any Aggravating Factors or Mitigating Factors taken into consideration.
    - o Code Decision-Makers shall inform Respondents in writing of any right they may have to appeal the decision or the Responsive Action, including the deadline to request an appeal and the College office to which or Employee to whom the appeal request should be submitted.
    - o Because the specific facts of Code of Conduct proceedings are confidential educational records, most Complainants will generally be notified when Code proceedings are concluded but not informed of specific outcomes. However, Complainants alleged to have been victims of assault, violence, Stalking, True Threats, or sexual misconduct shall be given written notice of the specific outcome of their Complaints, including any Responsive Measures issued to the Respondent, as well as information regarding Complainants' right to appeal.

## Appeals

- Who May Appeal (*i.e.*, be the "Appellant")
  - o Respondents found to have violated the Code of Conduct may appeal a Code Decision-Maker's decision and/or the Responsive Action issued to the Respondent only when a) the Respondent was found to have engaged in Major Misconduct, and b) the Respondent received a Disciplinary Sanction.
  - o Respondents found to have violated the terms of a Code Agreement or who have recanted a signed admission or acceptance of responsibility for a Code violation resulting in the Respondent receiving a Disciplinary Sanction may appeal the decision that they violated the Code Agreement and/or the Disciplinary Sanction issued to the Respondent. Such Respondents may not appeal Educational Measures or determinations that they violated the Code as stated in their signed Code Agreements
  - o Complainants whose Complaints alleged they were victims of assault, violence, Stalking, True Threats, or sexual misconduct, including Sexual Harassment, may appeal the following decisions by Code Decision-Makers: a) decisions not to proceed with a Complaint or to terminate a Complaint without making a final decision, b) a finding that the Respondent was not shown by a Preponderance of the Evidence to have

engaged in the alleged misconduct, and c) a Disciplinary Sanction issued to a Respondent found to have engaged in the alleged misconduct.

- Acceptable Bases for Appeal

A request for appeal shall only be considered if it is based on one or more of the following arguments:

- o The Code Decision-Maker's decision was Clearly Erroneous or tainted by clear bias;
- o The severity or leniency of the Responsive Measure was unjustifiably disproportionate to the seriousness of the Respondent's misconduct;
- o A Material Error in Procedure occurred that affected or reasonably could have affected the Code Decision-Maker's decision or the Responsive Measure issued to the Respondent;
- o The discovery of new information that was not known and could not reasonably have been discovered at the time of the Code Resolution Meeting that is substantially likely to have affected the outcome of the Complaint had it been presented at the Code Resolution Meeting.

- Requesting an Appeal

- o An Appellant's written request for appeal must be submitted to the Dean of Students no more than five (5) Business Days after receiving notice of the Code Decision-Maker's decision. The appeal must contain a) a copy of the Code Decision-Maker's decision, b) the Appellant's basis for bringing the appeal (see Section IX.B above), c) an argument stating why the decision or Responsive Measure should be changed, and d) if the appeal is based on new evidence, a copy or written summary of the new evidence and a statement identifying the source of the new information and explaining why it was not available at the time of the Code Resolution Meeting.
- o Upon receipt of a timely appeal, the Dean of Students shall forward the appeal documentation to the Vice President of Student Affairs for further proceedings and notify both the Code Decision-Maker and the non-appealing party (*i.e.*, the Complainant or Respondent) (collectively, the "Appellees") of the appeal and their right to respond to it (see Section IX.D below).
- o If a timely request for appeal is submitted, any Responsive Action will be stayed until the appeal is decided unless there is a clear and significant risk that the health and safety of the College Community or Ordinary College Operations would be adversely affected if the Responsive Action did not take immediate effect.

- Appellee Responses to Appeals

Within five (5) Business Days after receiving notice of an Appellant's appeal, an Appellee may, but is not required to, submit to the Dean of Students a written response in opposition to the appeal. The Dean of Students shall forward any timely responses to the Vice President of Student Affairs.

- Designating an Appeal Review Board

- o Within ten (10) Business Days of receipt of an appeal from the Dean of Students, the Vice President of Student Affairs shall designate an Appeal Review Board consisting of three (3) Employees selected by the Vice

President of Student Affairs and provide each board member with a copy of the Appellant's appeal and the Appellees' responses (if any). Any Employee may serve on an Appeal Review Board, provided the Employee has knowledge of the Code of Conduct and the appeal process, and has had no direct involvement in the matter being appealed.

- o If the Vice President of Student Affairs, in consultation with the College's Office of the General Counsel, determines that no College Employees can or should decide a particular appeal, such as in the event of a College-wide conflict, the College shall retain one or more third parties outside the College to review and decide the appeal in accordance with College procedure.
- Procedures for Appeal Review Boards
  - o Within ten (10) Business Days of being designated, the Appeal Review Board shall schedule a meeting to take place within the following thirty (30) days at which to decide the appeal. Appeal Review Board decisions will generally be based only on written submissions. Appeal Review Boards may submit questions to Appellants and/or Appellees to be answered in writing prior to the meeting.
  - o Appellants and Appellees (regardless of whether they responded to the appeal) shall be notified of the date of the Appeal Review Board's meeting but shall not be permitted to attend the meeting unless a discretionary hearing is held (see Section IX.F.3 below). Attendance at meetings shall be limited to the board members and to one (1) non-voting consultant to assist the board with procedural and technical questions about the Code of Conduct and College policy (*e.g.*, a representative from the College's General Counsel's Office, Office of Dispute Resources, or Human Resources office).
  - o Discretionary Appeal Hearings
    - Within three (3) Business Days after receiving notice of the scheduled date of the Appeal Review Board's meeting, either the Appellant or an Appellee may submit to the Vice President of Student Affairs a written request for an appeal hearing. Requests for hearings shall be decided by the Appeal Review Board and should be granted only in exceptional circumstances. The party requesting a hearing bears the burden of demonstrating that to deny the request would effectively deny the party a full and fair opportunity to be heard. Appeal Review Boards shall notify Appellants and Appellees at least ten (10) Business Days before the scheduled meeting date if an appeal hearing will be conducted.
    - If appeal hearings are conducted, Appeal Review Boards shall offer Appellants and Appellees an equal opportunity to be heard. Both Appellants and Appellees may each be accompanied to appeal hearings by one (1) Advisor or Actively Assisted by one (1) Attorney.
    - An appeal hearing is not a new Code Decision Meeting, and further witness testimony or other additional evidence will generally not be heard or considered. Additional evidence may be considered only when necessary to demonstrate the existence of new evidence that 1) could not have been discovered at the time of the Code Resolution Meeting and 2) is substantially likely to have affected the Code Decision-Maker's decision.
    - Appellants shall address the Appeal Review Board first and present any arguments why an appeal should be granted. Appellees (if attending) may then address the board and present arguments why the appeal should be denied, if they choose to do so. Board members may ask questions during

arguments, but Appellants and Appellees may not object, ask each other or the board members questions (except to seek clarification of a question from the Board that the Appellant or Appellee does not understand), or otherwise interrupt each other's arguments. The Appeal Review Board may offer each party an equal opportunity to make a rebuttal argument.

- Decisions of Appeal Review Boards
  - Appeal Review Boards should give a great deal of deference to Code Decision-Makers' decisions and only change or overturn a decision or Responsive Action if the required voting majority of board members is firmly convinced the decision was in error, even if the board members themselves might have reached a different conclusion if they had been the Code Decision-Maker.
  - When deciding appeals, Appeal Review Boards may i) deny the appeal and affirm the Code Decision-Maker's decision and/or Responsive Action, ii) affirm the decision that a Code violation occurred but reduce or increase the Responsive Action, iii) grant the appeal (entirely or in part) and remand the Complaint to the Code Decision-Maker for further proceedings and a new decision, or iv) overturn a decision entirely and vacate all Responsive Action if and only if the board concludes unanimously that the Respondent is actually Innocent.
  - Generally, appeals shall be decided by simple majority vote of the Appeal Review Board. A unanimous decision is required when the board's decision would result in i) a Student's Expulsion or the withholding of a Student's degree or certificate, or ii) entirely overturning/vacating a decision on the basis of the Student's Innocence.
  - Appeal Review Boards shall issue written decisions to the Vice President of Student Affairs within ten (10) Business Days of the board's meeting (or appeal hearing, if one is conducted) for distribution to the Appellants, Appellees, and the Dean of Students.
  - The decision of an Appeal Review Boards is final, and no further appeal or review of a Code of Conduct decision or Responsive Action is available unless the Appeal Review Board's decision would result in a Student's Expulsion or the withholding of a Student's degree or certificate.
- Automatic Review of Expulsion Decisions and Decisions to Withhold Degrees or Certificates
  - All Appeal Review Board decisions that would result in a Student's Expulsion or the withholding of a Student's degree or certificate shall be reviewed and approved by the Provost. The Provost's review shall be limited to confirming that a) proper procedures were followed, and b) the Appeal Review Board's decision was not Clearly Erroneous (*e.g.*, contradicted by the facts or tainted by clear bias). If the Provost determines proper procedures were not followed or that the board's decision was Clearly Erroneous or tainted by bias, the Provost shall either a) direct the board to reconvene in accordance with the correct procedure and/or issue a revised decision, or b) designate an entirely new board to reconsider the appeal. The Provost shall continue to review the Appeal Review Board's decisions until the Provost is satisfied that proper procedures were followed and that the Appeal Review Board's decision was reasonable in light of the facts.
  - Appellants and Appellees, or their Advisors or Attorneys, are not permitted to contact the Provost directly or indirectly regarding the Provost's review of Appeal Review Board decisions.

### **College Employee Handbook**

The following are relevant excerpts from the PCC Employee Handbook for College Employees 2016/17 that are applicable to sexual violence, domestic violence, dating violence and stalking violations.

The complete Employee Handbook can be found at:

[Employee Handbook | Pima Community College, Tucson, Arizona](#)

## **Faculty Code of Ethics**

### **Preamble**

The faculty member, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence and the nature of democratic principles. Essential to these goals are the protection of academic freedom, and the guarantee of equal educational opportunity for all. The faculty member recognizes the magnitude of the responsibility inherent in teaching and providing complementary educational services. The faculty member accepts the responsibility to adhere to the highest ethical standards and conduct.

This Code of Ethics indicates the aspiration of all faculty members and provides a standard by which to evaluate a faculty member's conduct.

### **Principle I - Commitment to the Student**

The faculty member strives to help each student realize her or his potential as a worthy and effective member of society. The faculty member therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals. In fulfillment of the obligation to the student, the faculty member:

- shall encourage and support students in independent action in the pursuit of learning;
- shall endeavor to ensure student learning, success, and retention;
- shall promote student access to varying points of view;
- shall provide faithful and opportune information relevant to students' progress;
- shall make reasonable efforts to protect students from conditions harmful to their learning, health, and safety;
- shall create and provide educational experiences so students are not intentionally exposed to embarrassment or disparagement;
- shall abide by State and Federal laws and local ordinances prohibiting discrimination and shall provide teaching and complementary educational services that respect differences in race, color, religion, sex, national origin, age, disability, veterans status, sexual orientation, gender identity and any other legally protected category, and shall work to ensure that no student experiences unlawful discrimination by exclusion from participation in any program, denial of benefits and/or granting unfair advantage;
- shall maintain professional relationships with students and not engage students for private advantage; and
- shall maintain confidentiality regarding information about students obtained in the course of professional service, unless disclosure serves a compelling professional purpose or is required by law.

### **Principle II - Commitment to the Profession**

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of

professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the faculty member shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment to achieve conditions which attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation to the profession, the faculty member:

- shall represent himself/herself accurately and honestly in any application for a professional position(s) or in any other representation of professional qualifications, and shall make full disclosure of all material facts related to competencies and qualifications;
- shall maintain confidentiality regarding information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law;
- shall refrain from false or malicious statements about colleagues or about candidates for professional positions;
- shall refuse any gratuity, gift, or favor that might impair or appear to influence professional decisions or actions;
- shall encourage persons who are qualified in respect to character, education or other relevant attribute(s) to enter into the profession; and
- shall work to ensure that only qualified faculty members engage in the practice of teaching and delivery of complementary educational services.

### **Principle III – Commitment to the College**

The faculty member, believing in the mission of the College, demonstrates and promotes organizational values in his/her teaching and other service for the College. The work of the professional faculty member includes service to students, the profession, the College, the campus and Pima County. The roles of the professional faculty member include instructor and provider of complementary educational services, departmental colleague, College and community citizen, mentor and applied researcher. Therefore, the inclusion and participation of faculty members in the life of the College is essential in creating a culture conducive for student learning.

In fulfillment of the obligation to the College, the faculty member:

- shall promote rational dialogue and debate about the standards, strengths, achievements, opportunities and challenges of the College;
- shall provide educational leadership and service to the College for institutional advancement;
- shall help create readiness for institutional change;
- shall respect, respond to, and advocate for the needs of the diverse external community; • shall exercise professional ethics and individual accountability in the discharge of all duties, assignments and service to the College;
- shall remain current in his or her discipline and curriculum by engaging in lifelong learning and in professional development activities designed to enhance his or her skills, abilities and knowledge;
- shall collaborate with other members of the College community to fulfill the College's mission; • shall use his/her professional judgment to select appropriate materials and resources and to identify and recommend delivery systems to support student success; and
- shall participate in institutional activities and processes that create an environment which makes the College an employer of choice.

### **Code of Conduct**

The College embraces and expects a level of conduct by all employees that includes mutual respect for others, basic courtesy, reciprocity and behaviors that create a positive and professional environment in which to learn and to work. Employees are required to comply with federal, state, county, and municipal laws and regulations as well as the policies and procedures of the College.

## **Conduct Expectations**

### **Open & Honest Communications**

The College values the robust exchange of ideas and different perspectives. At various times, a College employee may be speaking in a particular capacity - academic setting, employment context, or as a private citizen. Specific standards apply to these different situations. The standards in this Handbook apply when an employee communicates in the course of scope of employment or regarding topics directly related to work. The principles listed in this Handbook seek to promote truth, candid expression, and workplace civility. Academic freedom and speech as a private citizen are governed by other policies. See BP 3.02 Academic Freedom; BP 1.17 Public Access and Free Expression on College Property; AP 1.17.01 Public Access and Expression on College Property

- Tell the truth
- Communicate clearly & with civility
- Explain inconsistencies
- Share information early & often
- Ask for & listen to input
- Communicate performance expectations
- Promote employee development of communication skills (e.g., conflict resolution)

### **Fair, Reasonable & Consistent Policies, Procedures, Practices & Processes**

- Apply current policies & procedures consistently & correctly
- Try new processes & communicate them
- Help others follow policies & procedures
- Empower people to offer new ideas
- Hold people accountable but don't blame

### **Informed Decision-making & Planning**

- Communicate the decision process early & the reasons behind decisions made
- Involve those who will be affected by decisions in making the decisions
- Use data in decision-making
- Make & review decision using student success as top criterion
- Take responsibility for decisions

### **Accountability**

- Take responsibility for own & employees' work; use formal evaluation process
- Admit errors & work to fix them
- Honor commitments
- Follow & promote the College's vision, mission, values & goals
- Promote & evaluate employee development & learning
- Consistently & impartially acknowledge employee achievement

### **Leadership & Management**

- Avoid favoritism & its appearance
- Lead by example
- Build & maintain trust within area of responsibility
- Plan strategically & act to improve resource levels
- Demonstrate awareness of good practices in work area
- Maintain qualified staff at efficient levels
- Respond to crises, adversity, and challenges as opportunities to improve

### **Assumed Practices for Employees**

- Report to work ready to work at the scheduled work hour and location
- Perform assigned duties in a professional manner with quality and timeliness
- Treat students, visitor, vendors contractors and other employees with fairness, courtesy and respect
- In their capacities as employees of the College, maintain high standards of honesty, transparency, and integrity in their actions and communications in any form, including social media, to any member of the College, community, or the public.

### **Prohibited Employee Conduct**

The following conduct is prohibited. These conduct examples are illustrative of behavior that is not permitted when the individual is acting as an employee, representing that they are acting as an employee, engaging in conduct that impacts the operations of the College, or engaging in conduct that a reasonable person would conclude impacts their ability to effectively perform their duties for the College. Any employee engaging in such conduct, attempting to engage in such conduct, or aiding another employee in such conduct is subject to corrective action and/or disciplinary procedures.

- Reporting to work under the influence of alcohol and/or illegal drugs or narcotics; using, selling, dispensing or possessing alcohol and/or illegal drugs or narcotics on College premises, while conducting College business, or at any time which would interfere with the effective conduct of the employee's work for the College; using illegal drugs; or testing positive for illegal drugs.
- Fighting or assaulting a fellow employee, visitor or student; using language, actions, and/or gestures which are threatening, intimidating, abusive, obscene, or profane; engaging in any form of intimidation, bullying, harassment, sexual harassment, discrimination, or contributing to an offensive, hostile environment, disorderly or disruptive conduct.
- Violating other College policies, including the Social Media Policy and Acceptable Use of Information Technology Resources.
- Refusing to follow College policies, regulations, and procedures or management's instructions concerning a job-related matter, except in cases where the safety of the employee may be endangered or in cases where the action is illegal or unethical.
- Possessing firearms or other weapons on College property, except as required by the job.
- Stealing, destroying, defacing, misusing or using College or another person's property without authorization.
- Failing to notify the College of a felony conviction or the loss of a license or certificate required for the position.
- Failing to cooperate in a College investigation or audit.
- Abusing sick leave or having unauthorized absences from work.
- Using an employee's official position for personal gain; using confidential information for personal advantage or to further any private interest; accepting or soliciting, directly or indirectly, any gift or item of other than modest monetary value (\$20 or less) from any person or entity seeking action from, doing business with, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.
- Engaging in outside employment or activities that conflict with official College duties and responsibilities, or



that tends to impair the capacity for performance of duties and responsibilities in an acceptable manner, or that create a real or apparent conflict of interest.

- Failing to wear assigned safety equipment or failing to comply with safety rules and policies.
- Disclosing information of a confidential nature to unauthorized persons.
- Conducting personal business during work hours and/or on College premises.
- Gambling on College property. This includes the use of college hardware or internet access to facilitate gambling activities.
- Lying, making false statements, or the deliberate misrepresentation or omission of facts, with the intent to mislead. Professional, fact-based discourse including expression of diverse viewpoints is always encouraged.

## **Whistleblowing Procedures and Retaliation Prevention**

All College employees are expected to report possible violations of federal, state, county, or municipal laws or regulations, as well as College ethics standards, mismanagement, a significant waste of monies or abuse of authority by any College employee or Board member, commonly referred to as Whistleblowing. Retaliation against anyone for reporting a possible violation or participating in an investigation of a possible violation is strictly prohibited and will result in discipline, up to and including termination.

### **Reporting a possible violation**

Any employee with a good faith belief that there has been a violation of law or regulation or ethical or financial misconduct shall notify an administrator, Internal Audit, the Office of Dispute Resources, EthicsPoint or the Office of General Counsel/Legal Department as soon as possible after becoming aware of the potential violation or misconduct, preferably within 14 calendar days after becoming aware. Reports of wrongful conduct shall be in writing and shall include the following information:

- Date of the report
- Name(s) of the individual(s) making the report
- Nature of the alleged violation or misconduct, including the law, policy, procedure or standard alleged to have been violated
- Date(s) of the alleged violation or misconduct
- Name(s) of the individual(s) believed to have engaged in the violation or misconduct
- Name(s) of others who may have knowledge of the incident(s)

Allegations of misconduct will be Investigated in a timely manner. The College shall take appropriate corrective or disciplinary actions based on the findings of the investigation.

### **Retaliation prohibited**

Retaliation against any employee who reports or participates in an investigation of alleged misconduct is prohibited. "Retaliation" means taking an unwarranted adverse personnel action which may include:

- Discipline
- Significant change in duties, assignment, schedule, or position
- Refusal to promote

Concerns about retaliation should be reported using the same process described above. Retaliation claims will be investigated in a timely manner and appropriate corrective action taken.

An employee who engages in retaliation shall be subject to discipline, up to and including termination. Per A.R.S. § 38-532, the employee may also be subject to a civil fine.

An employee who knowingly makes erroneous allegations or provides false information, may be subject to disciplinary

action, up to and including termination.

## **Discipline**

For non-disciplinary conversations, see General Expectations for Supervisors.

The College's disciplinary process addresses unsatisfactory employee conduct and/or performance, ensuring such matters are dealt with in a fair, consistent, and timely manner. The process applies to all employees where an employee's conduct/performance does not meet Department or College expectations.

Many situations should be able to be resolved through discussions or coaching with the employee; however, some one-time incidents may be severe enough to merit a formal disciplinary action. The seriousness of the offense and the employee's disciplinary and performance history will be considered when determining the level of discipline to be applied.

Following coaching, there are three disciplinary levels utilized in formally addressing unsatisfactory performance/behavior.

- Written Warning
- Final Written Warning
- Termination

The disciplinary process may begin at any level, including termination, depending on the nature and severity of the issue. Should new issues occur during a disciplinary action, the supervisor may include additional performance or conduct issues to an existing disciplinary process but must provide formal notice to the employee and sufficient additional response time. The disciplinary process may also be used to address investigatory findings.

Except in cases of extremely severe disciplinary issues, the disciplinary process will typically start at the lowest level. The disciplinary process applies to all employees. Both temporary and probationary employees may have employment directly terminated at the discretion of the supervisor and the Chief Human Resources Officer.

Supervisors must consult with their Human Resources Consultant prior to starting any disciplinary actions or notifications to ensure that the disciplinary action is appropriate.

## **Coaching**

The College expects that Coaching will resolve the majority of performance and conduct issues and in many situations is sufficient. Coaching sessions are used to bring a problem to the attention of the employee before it becomes so serious that it has to be addressed with a written warning and placed in the employee's personnel file.

The purpose of Coaching is to clarify policies and expectations and assist employees by being clear and precise about performance or conduct and the consequences if concerns of the same nature or other problems of misconduct occur. Coaching alleviates misunderstandings, clarifies the direction for necessary and successful correction, and seeks to engage the employee in finding solutions.

The Supervisor must promptly document the discussion with the employee. (The Outcome-Based Coaching Plan

template may be used for this purpose.) Your HR Consultant is available to assist with the coaching plan but it is not necessary to copy Human Resources. This serves as a record of the meeting and as reference later if further discipline is needed. It is not necessary to submit a formal document (to employee personnel file) of the Coaching session as it is considered an informal step in progressive discipline.

### **Formal Disciplinary Actions**

The College expects that Coaching will resolve the majority of performance and conduct issues. However, when these approaches have been exhausted (or the severity warrants), the supervisor should utilize Formal Disciplinary Action. If the poor performance/conduct addressed by Coaching is repeated or additional concerns arise, the supervisor will follow up with a Written Warning. A Written Warning may also be appropriate if a single incident is more serious in nature.

- **Written Warning**

A Written Warning shall inform the employee of the specific concerns that must be addressed immediately and sustained indefinitely.

- The Supervisor will consult with their HR Consultant.
- Supervisor prepares a Notice of Potential Violations that:
  - Identifies specific potential violations.
  - Identifies the impact to the workplace.
  - Summarizes prior discussions, if applicable.
- Supervisor provides the Notice of Potential Violations to the employee.
  - An employee shall receive two business days advance notice in writing of a disciplinary meeting whenever possible. Any meetings should be scheduled at a fair and reasonable opportunity. The HR Consultant will also be in attendance.
  - Employee may provide a written response prior to meeting.
  - The employee may choose to bring an Employee Advisor at any step (see Employee Advisor section of Employee Handbook.)
- During the Meeting:
  - Employee is provided an opportunity to ask related questions, offer explanation(s), or provide additional context for consideration, and may offer suggestions for an action plan/solution(s).
  - Both parties may agree to schedule further time.
  - Employee may submit a written response to the Written Warning to be included in the personnel file.
- Decision
  - The Supervisor considers all input.
  - If appropriate, issues a Warning and Performance Management Plan.
  - Informs the employee in writing.
  - Employee may submit a written response to the Notice of Potential Violations to be included in the personnel file.

- Documentation is maintained in the personnel file with a copy provided to the employee and Human Resources.
- Follow up steps
  - The Supervisor will regularly communicate with the employee regarding progress on the Performance Management Plan and overall performance.
  - Documentation of progress will occur at agreed upon intervals (usually at the 3 and 6 month period) and be attached to the Discipline document in the employees' personnel file.
  - Employee's performance evaluation will reflect on identified issues and progress in meeting expectations.
  - Documentation of successful completion of the Performance Management Plan is provided to the employee with a copy to Human Resources for the personnel file.
- **Final Written Warning**

The process for Final Written Warning is the same as above.

**Optional Final Written Warning Sanctions:**

Working with their Human Resources consultant, the Supervisor may impose any combination of the following in a Final Written Warning:

- Suspension without pay. The Chief Human Resources Officer or designee must approve of any unpaid status.
- Work condition change such as :
  - Employee's workplace activity restricted/modified
  - Decision authority restricted
  - Requirement and/or limitations for professional development
  - Leave restrictions
- Job assignment change such as:
  - Disciplinary reassignment (same pay/same unit)
  - Disciplinary transfers (same pay/different unit)
  - Demotion (assigned to different position/lower pay grade, may include unit reassignment)

**Review process for Written Warning or Final Written Warning**

An employee who receives a Written Warning may request one review of the performance management plan EMPLOYEE HANDBOOK [www.pima.edu/employeehandbook](http://www.pima.edu/employeehandbook) Page 4 and/or decision. In the event discipline proceeds to a Final Written Warning, the employee may again ask for one review of the Final Written Warning decision. The request for review must be submitted in writing to the next level administrative supervisor (with specific description of the issue for review, and any information and material to be considered) and Human Resources within ten working days of receipt of the warning.

The administrator will generally complete the review within ten business days. The reviewer may request additional information or clarification from the employee or supervisor and may meet with either. The reviewer will then issue a written decision to the employee and supervisor, with a copy to Human Resources for the personnel file. The reviewer may affirm the prior decision, impose a lesser sanction, or overturn the disciplinary action.

A request for review will be considered if based on one or more of the following arguments:

- The Supervisor's discipline decision was (a) not supported by sufficient evidence or reasonable inferences such that a reasonable person could not have reached the same decision, or (b) tainted by bias;
- The severity of the discipline was unjustifiably disproportionate to the seriousness of the employee's misconduct;
- The process included a significant mistake or omission that a reasonable person could find affected or likely could have affected the final outcome of the disciplinary process or otherwise made the proceeding fundamentally unfair.
- The discovery of new information that was not known and could not reasonably have been discovered prior to the disciplinary decision and that is substantially likely to have affected the outcome of the discipline process.

## **Termination Process**

Termination of regular employment may be used for the most serious incidents or repetitions of improper job performance or conduct. Any employee terminated for cause is ineligible for rehire.

- The Supervisor will consult with their HR Consultant and their supervising Administrator
- If approved by the Supervisor's supervising Administrator and by the Chief Human Resources Officer, the Supervisor issues a Notice of Intent to Terminate to the employee with supporting evidence, and schedules a meeting with the employee.
  - An employee shall receive two business days advance notice in writing of Notice of Intent to Terminate meeting whenever possible.
  - Employee may provide a written response prior to meeting.
  - The employee may choose to bring an Employee Advisor at any step (see Employee Advisor section of Employee Handbook.)
- The Supervisor and Human Resources consultant meet with the employee to review the Notice of Intent to Terminate and receive input from the employee, such as additional evidence or circumstances to be considered.
- The Supervisor prepares a Notice of Decision in consultation with their Human Resources Consultant, generally within two business days and schedules another meeting with the employee providing at least two business days notice.
- If the decision is to proceed with termination, the Supervisor will terminate employment and collect any College property in possession of the employee.
- Once a termination decision has been issued the employee will be placed in an unpaid status for the

duration of any review process. If the termination decision is not upheld, the employee will receive applicable back pay.

### **Termination Review Process**

The employee may request in writing a review of the termination decision within ten business days to the Chief Human Resources Officer (CHRO). The request must include the specific reason the employee believes the decision is incorrect and include all supporting information and materials that should be considered. The CHRO or designee shall designate an executive administrator from a different supervisory line to conduct the review. The designated administrator will generally complete the review within ten business days. The CHRO may request additional information or clarification from the employee or supervisor and may meet with either, which may extend the time needed for the review process. The CHRO or designee will then issue a final written decision to the employee and supervisor, with a copy to the personnel file. A final decision will not be reviewed further.

### **Timelines**

The time frames specified in this section are intended as guides to balance benefits of rapid resolution with those of thoroughness. Extensions to the time specified may be appropriate based on a legitimate business reason and notice of exceptions should be provided to those involved in the specific discipline process. While excessive delay or shortening should be addressed, either alone would not serve as a basis to discontinue or overturn a discipline decision.

Disciplinary proceedings will continue if the employee takes a leave of absence during the process, absent extenuating circumstances.

## **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**

- In person
  - o Desert Vista Campus Student Services Center, 5901 S. Calle Santa Cruz, Tucson AZ 85709-6033
  - o Downtown Campus Student Services Center, 1255 N. Stone Ave., Tucson AZ 85709-3013
  - o East Campus Student Services Center, 8181 E. Irvington Rd., Tucson AZ 85709-4000
  - o Northwest Campus Student Services Center, 7600 N. Shannon Road, Tucson, AZ 85709
  - o West Campus Student Services Center, 2202 W. Anklam Rd., Tucson, AZ 85709-0195

- o Student Wellness Assistance Program [Counseling | Pima Community College, Tucson, Arizona](#)

Students may use the Student Wellness Assistance program to find online resources or connect to a counselor 24x7. The Student Wellness Assistance Program is free to PCC students for up to 6 sessions, per issue, per year. Contact 1-833-251-9941 for more information.

## **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:

- o Emergency safe homes or shelters
- o 24-hour crisis telephone lines
- o Follow-up crisis and long-term counseling
- o Advocating for victims' needs and rights
- o Accompanying victims to medical examinations
- o Transportation
- o 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**

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

- **Domestic Violence Crisis Services**

- o 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.

- o National Domestic Violence Hotline

800-799-7233

For those in relationships experiencing domestic violence seeking assistance

- **Other Services**

- o Brewster Center for Victims 520-294-4825

- o Tucson (Assistance for Victims of Abuse) 520-791-5483

- o Tucson Center for Women & Children 520-326-7135

- o Casa De Los Niños 520-624-5600

- o Gospel Rescue Mission 520-740-1501

- o Pascua Yaqui Victim Services 520-975-4064

- o Arizona Resources for Seniors 520-566-1919

- o Project Safe Place 520-795-0300 (Counseling services for victims of crime)

- **Sexual Assault Programs**

- o 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)

- o Arizona's Children Association

<https://www.arizonaschildren.org/>

520-622-7611

800-944-7611

Counseling for children who are victims of sexual abuse and their families as well as adults molested as children

- **Victim Health Services**

- o Sexually Transmitted Diseases (STD's)

Planned Parenthood



[Planned Parenthood](#)

800-230-7526

Testing and treatment for all STDs; confidential HIV testing available; Offers sliding scale fees

- o Southern Arizona Aids Foundation

<https://saaf.org/>

800-553-9387

- o Anti-Violence Project

[Anti-Violence Project - Southern Arizona AIDS Foundation](#)[Southern Arizona AIDS Foundation](#)

800-553-9387

Southern Arizona AIDS Foundation

- o EON

[EON Youth - Tucson](#)

520-628-7223

Southern Arizona AIDS Foundation

## **Victim Compensation**

The victim compensation program provides financial assistance to victims of crime or others who may have experienced a financial loss as a direct result of a crime. The program covers expenses of physical harm, mental distress and economic loss directly resulting from victimization. Eligibility to receive benefits from the program does not require the apprehension or conviction of an offender and the compensation program is always the payer of last resort. All other sources of economic recovery must be exhausted before compensation benefits can be paid.

While the Arizona Criminal Justice Commission is responsible for administering the program at the state level, claims are processed at the county level. Each county program has a compensation coordinator, who is responsible for investigating claims and collecting supporting documentation. This begins with a completed application, police reports and any bills or invoices that victims or claimants are requesting to be paid by the program.

After the background work is completed, the county coordinator prepares for and conducts compensation board meetings. Compensation board meetings are where decisions are made on whether or not to pay out compensation funds to victims of crime. The compensation coordinator serves as a point of contact for victims, claimants, members of the community, or victim services personnel that would like more information about the victim compensation program.

For further information or specific questions relating to claim submission contact should be made with the Crime Victim Compensation Program in the county where the crime occurred. Submissions online can be filed at the following link:

[Victim Compensation Application Portal](#)

Completed Victim Compensation applications can also be mailed to the following address for Pima County:

Pima County Attorney's Office  
Pima County Crime Victim Compensation Program  
32 N. Stone Ave., 14th Floor  
Tucson, AZ 85701  
(520) 724-5525

[Website](#)

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 violence 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 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**

Pima Community College 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 Pima Community 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 victim services and victims' rights, go to

<https://www.pcao.pima.gov/pcao-divisions/victim-services/>

## **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.

## **Mandatory Reporting**

[\(Additional Student Policies and Resources | Pima Community College, Tucson, Arizona\)](#)

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 Department of Public Safety (Pima Community College Police Department).

## **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as Amended by the Violence Against Women Reauthorization Act of 2013**

Pima CC prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the College community. Toward that end, Pima CC issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a College official.

## **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
  - Murder and Non-negligent Manslaughter, and
  - Manslaughter by Negligence
- Sex Offenses
  - Forcible Sex Offenses: rape and fondling
  - Non-forcible Sex Offenses: incest and statutory rape
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson

### 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.

- o **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.
- o **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.
- o **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.

## Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

### A. Domestic Violence

1. A Felony or misdemeanor crime of violence committed—
  - a. By a current or former spouse or intimate partner of the victim;
  - b. By a person with whom the victim shares a child in common;
  - c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - d. 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
  - e. 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.
2. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### B. 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.

1. 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.
2. For the purposes of this definition—
  - a. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - b. Dating violence does not include acts covered under the definition of domestic violence.
3. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### C. Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

1. Rape is defined as 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.



2. Fondling is defined as the touching of the private parts of another person for the purposes 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.
3. Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
4. Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.

**D. Stalking:**

1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - a. Fear for the person's safety or the safety of others; or
  - b. Suffer substantial emotional distress.
2. For the purposes of this definition—
  - a. 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.
  - b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
  - c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
3. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Arizona Jurisdictional Definitions of Domestic Violence, Sexual Assault and Stalking**

**A. Domestic Violence:** Any act that is Defined under Arizona Revised Statutes as a Dangerous Crime Against Children, Negligent Homicide, Manslaughter, Second Degree Murder, First Degree Murder, Endangerment, Threatening or Intimidating, Assault, Aggravated Assault, Custodial Interference, Unlawful Imprisonment, Kidnapping, Unlawfully Obtaining Labor or Services, Unlawful Disclosure of Images Depicting States of Nudity or Specific Sexual Activities, Criminal Trespass in the Third Degree, Criminal Trespass in the Second Degree, Criminal Trespass in the First Degree, Criminal Damage, Interfering with Judicial Proceedings, Disorderly Conduct (subsection A, paragraph 1, 2, 3 or 6), Cruelty to Animals (subsection A, paragraph 8 or 9), Preventing use of Telephone in Emergency (subsection A, paragraph 3), Use of an Electronic Communication to Terrify, Intimidate, Threaten or Harass, Harassment, Aggravated Harassment, Stalking, Surreptitious Photographing, Videotaping, Filming or Viewing, Aggravated Domestic Violence, or Child or Vulnerable Adult Abuse, if any of the following applies:

1. 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.
2. The victim and the defendant have a child in common.
3. The victim or the defendant is pregnant by the other party.
4. 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.
5. 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.
6. 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:

- a. The type of relationship.
  - b. The length of the relationship.
  - c. The frequency of the interaction between the victim and the defendant.
  - d. If the relationship has terminated, the length of time since the termination.
- B. Dating Violence:** There is no “Dating Violence” specific statute in the State of Arizona. The Description of Dating Violence provided by the Clery Statute is included in the Domestic Violence Statute for the State.
- C. Sexual Assault (ARS 13-1406):** 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.
- D. Sexual Abuse [Clery - Fondling (ARS 13-1404)]:** A person commits sexual abuse by intentionally or knowingly engaging in sexual contact with any person who is fifteen or more years of age without consent of that person or with any person who is under fifteen years of age if the sexual contact involves only the female breast.
- E. Incest (ARS 13-3608):** Persons who are eighteen or more years of age and are within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who knowingly intermarry with each other, or who knowingly commit fornication or adultery with each other.
- F. Sexual Conduct with a Minor [Clery - Statutory Rape (ARS 13-3405)] :** A person commits sexual conduct with a minor by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person who is under eighteen years of age.
- G. Stalking (ARS 13-2923):** 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.
    - c. Reasonably fear death or the death of any of the following:
      - i. The victim's family member, domestic animal or livestock.
      - ii. (b) A person with whom the victim has or has previously had a romantic or sexual relationship.
      - iii. 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.
- H. Consent:** The Arizona age of consent is 18 years old. This means that a person under the age of 18 cannot legally consent to sexual contact with an adult, and technically a juvenile for that matter. Even though the accused may not have had forceful sexual contact with the minor, the offense is still considered a sex crime. When does a person lack consent?
  - The victim is coerced by reason of a mental disorder, defect, drugs, alcohol or any type of impairment; and that impairment/condition is known or should have reasonably been known to the person accused of the crime.
  - The victim is intentionally deceived as to the nature of the act;

- The victim is intentionally deceived to erroneously believe that the person is the victim's spouse.

### **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.

### **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:

[Sex Offender Notification | Pima Community College, Tucson, Arizona](#)

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 72 hours 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 reoffend 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 13-3826 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](#) web site.

## Security Awareness and Crime Prevention Tips

### Contact the Police

- Dial 911 for all life-threatening emergencies
- 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:

- o Students should write their names and ID numbers in several places in textbooks to help deter thieves who would attempt to resell the book.
- o 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.
- o 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 (520) 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, briefcases, 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.
  - o Never lend equipment or keys to strangers.
- 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 Vice-President of Student Affairs, the Assistant Vice Chancellor for 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.

- **Campus Safety: New Student Orientation**
  - Description: Topics include PCC Annual Security Report, Text alerts, PCC Police Department
  - Audience: New students
  - Method: In-person presentation
  - Frequency: Beginning of every semester
  - Primary Sponsor: First Year Experience Program Developer and Peer Mentors
  - Awareness and Prevention Targets: Security procedures and practices
- **Campus Safety International: International Student Orientation**
  - Description: Topics include Role of Campus Police, Campus Safety, Alcohol and Drugs, Sex, and Dating
  - Local areas of influence, (parks, etc.)
  - Audience: International Students
  - Method: In-person presentation by PCCPD
  - Frequency: Beginning of Fall semester or when requested.
  - Primary Sponsor: International Development, PCC Police Department
  - 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)**
  - Description: Get to know PCC's Department of Public Safety/PCC Police Department.
  - 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
  - Primary Sponsor: Pima Community College 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
- **Spring Safety Fair**
  - Description: Encourage students to know how to be safe and protect themselves 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 work area. Summarizing and sharing

information from the recent report on college safety and other new developments.

- o Audience: Pima Community College Staff
  - o Method: Instructor led
  - o Frequency: Available on request
  - o Primary Sponsor: PCCPD
  - o Awareness and Prevention Targets: Encourages the campus community to look out for themselves and one another.
- **Active Threat Training**
    - o Description: Participants will receive instruction on how to prepare and respond to being in a building during a threat event. There are several simple steps which those trapped can take to increase the chance of survival for themselves and others.
    - o Audience: All employees
    - o Method: Instructor led
    - o Frequency: Available upon request
    - o Primary Sponsor: Pima Community College Office of Emergency Management
    - o Awareness and Prevention Targets: Encourages the campus community to look out for themselves and one another.
  - **Run/Hide/Fight and STOP THE BLEED Training**
    - o Description: Presented in coordination with the Pima County Sheriff's Department and other law enforcement jurisdictional partners of the Pima Community College Police Department to provide scenario based training relevant to active threats on a voluntary basis to all employees of the College.
    - o Audience: All employees
    - o Method: Instructor led, scenario based
    - o Frequency: Yearly, in June of each year.
    - o Primary Sponsor: Pima County Sheriff's Department
    - o Awareness and Prevention Targets: Provides specific strategies for survival during an active threat situation.

## **Dating Violence, Domestic Violence, Sexual Assault, and Stalking Awareness and Prevention Tips and Programs**

### **How to be an Active Bystander**

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.

## **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))

1. 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.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don't know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cash money.
7. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. 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.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. 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.
12. 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.
13. 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.
14. 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).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a. 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.

- b. 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.
  - c. 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.
  - d. 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.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. 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.

### **Safety in social settings**

It is possible to relax and have a good time while still making safety a priority. Consider these tips for staying safe and looking out for your friends in social settings.

- **Make a plan.** If you're going to a party, go with people you trust. Agree to watch out for each other and plan to leave together. If your plans change, make sure to touch base with the other people in your group. Don't leave someone stranded in an unfamiliar or unsafe situation.
- **Protect your drink.** Don't leave your drink unattended and watch out for your friends' drinks if you can. If you go to the bathroom or step outside, take the drink with you or toss it out. Drink from unopened containers or drinks you watched being made and poured. It's not always possible to know if something has been added to someone's drink. In drug-facilitated sexual assault, a perpetrator could use a substance that has no color, taste, or odor.
- **Know your limits.** Keep track of how many drinks you've had and be aware of your friends' behavior. If one of you feels extremely tired or drunk, you may have been drugged. Leave the party or situation and find help immediately.
- **It's okay to lie.** If you want to exit a situation immediately and are concerned about frightening or upsetting someone, it's okay to lie. You are never obligated to remain in a situation that makes you feel uncomfortable, pressured, or threatened. You can also lie to help a friend leave a situation that you think may be dangerous. Some excuses you could use are needing to take care of another friend or family member, an urgent phone call, not feeling good and having to be somewhere else by a certain time.
- **Be a good friend.** Trust your instincts. If you notice something that doesn't feel right, it probably isn't.

### **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. 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.

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. Even if the victim is unsure 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.
4. 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.
5. 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.
6. 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

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.

Pima Community College 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.

Pima Community College 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.

- **Bystander Intervention**

- o 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
- **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
    - 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**
  - o 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.
  - o 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.
  - o Frequency: Part of the onboarding process for new employees throughout the year

- Primary Sponsor: Organizational Effectiveness and Development
- Which Prohibited Behavior Covered?: Sexual Assault
- **Harassment Short: LGBTQ+ Protections against Discrimination and Harassment**
  - The US Supreme Court's 2020 decision in the case of Bostock v. Clayton County amended Title VII of the Civil Rights Act of 1964 to prohibit employment discrimination on the basis of sexual orientation and gender identity. The court's ruling affirmed a policy that had for some time been adopted by many employers – that members of the LGBTQ+ community are entitled to the same protections against discrimination and harassment as other workers. This course is designed to help build awareness of the legal protections afforded LGBTQ+ employees and the benefits to the organization of avoiding discrimination and harassment.
  - 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 the onboarding process for new employees throughout the year
  - Primary Sponsor: Organizational Effectiveness and Development
  - Which Prohibited Behavior Covered?: Harassment and discrimination
- **Harassment Short: Elements of Unlawful Harassment & Benefits of a Harassment-free Workplace**
  - This Harassment Short course presents one person's experience with workplace harassment in his own words, and demonstrates the elements of illegal workplace harassment as set by the Equal Employment Opportunity Commission (EEOC). In addition, it describes the benefits of a workplace that is based on respect and free from harassment.
  - 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 the onboarding process for new employees throughout the year
  - Primary Sponsor: Organizational Effectiveness and Development
  - Which Prohibited Behavior Covered?: Harassment and discrimination
- **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

## **PCC Statement on Drug-Free Schools & Communities Act**

Pima Community College 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, Pima Community 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.

Pima Community College 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:

1. 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
2. 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, or used recreationally off campus), 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.

The Pima Community College Drug- and Alcohol Free Disclosure can be reviewed at:

[Drug-Free Schools & Communities Act | Pima Community College, Tucson, Arizona](#)

## Resident Student Housing

According to the Clery Act, any private student resident hall that PCC leases apartments from, and is within one mile of a PCC campus is considered an on-campus student housing facility and subject to Clery Act crime, fire safety and missing persons reporting requirements.

When apartments are leased for student occupancy and are reasonably contiguous to one of the PCC campuses, they are considered on-campus housing as per the Clery Act. Students under this arrangement will be subject to the PCC Student Code of Conduct policies and any rules and regulations of the private student resident hall leased by PCC.

For purposes of this policy, a Resident Student is a student who resides in on-campus housing under a Pima Community College (PCC) housing contract and is currently enrolled at PCC for the purpose of obtaining a degree, certificate, or other recognized educational credential offered by PCC.

### Confidential Contact

All students provide an emergency contact at enrollment. Every Resident Student shall also be given a designated confidential contact form on move-in day strictly for missing Resident Student purposes. Resident Students are encouraged to designate as a confidential contact, a roommate, friend, significant other, or any other person or persons who are likely to know of the Resident Student's whereabouts while he or she is living away from home.

Confidential contacts must be at least eighteen (18) years old and may be someone other than the person listed as the Resident Student's "emergency contact." Resident Students may change the designated contact at any time by contacting the office of the Vice President of International Development.

Resident Students' confidential contact information will be accessible only to authorized campus officials, and may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

Resident Students can fill out a "Student Information Release Form" in accordance with the Family Education Rights and Privacy Act (FERPA), specifying who and under what circumstances contact may be made.

## Missing Resident Student Procedure

If a member of the College community has reason to believe that a student who resides in on-campus housing is missing, he or she should **immediately** notify the PCCPD. The PCCPD will contact the sponsoring PCC department to determine if the student has withdrawn from the College. The PCCPD will generate a missing person report and initiate an investigation.

If the Resident Student's absence is verified, all possible efforts are made to locate the student to determine his or her state of health and well-being through the collaboration of the PCCPD, Provost Office, sponsoring department administrators and any other department as necessary.

If a Resident Student is determined to be missing by the PCCPD, required notification procedures and investigations will be initiated with other local, state, and federal law enforcement authorities as necessary.

If the missing Resident Student has designated an emergency contact person, a representative of the PCC sponsoring department will contact that person as soon as reasonable and practicable but no later than 24

hours after the Resident Student has been reported missing.

If a missing Resident Student is under 18 years of age and not emancipated, PCC must notify a custodial parent or guardian within 24 hours of the determination that the student is missing in addition to notifying any additional contact person designated by the student.

If the student reported missing is between 18 and 21 and is missing under circumstances indicating the disappearance was not voluntary, "Suzanne's Law" requires the local law enforcement agency to notify the National Crime Information Center (NCIC).

**It should be noted that there is no on-campus housing at this time.**

## 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, Marana Police Department, Sahuarita Police Department 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:**

1. 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;
2. 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. 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.

### **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.

### **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 (It should be noted there has no student housing since 2020).
  - **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.

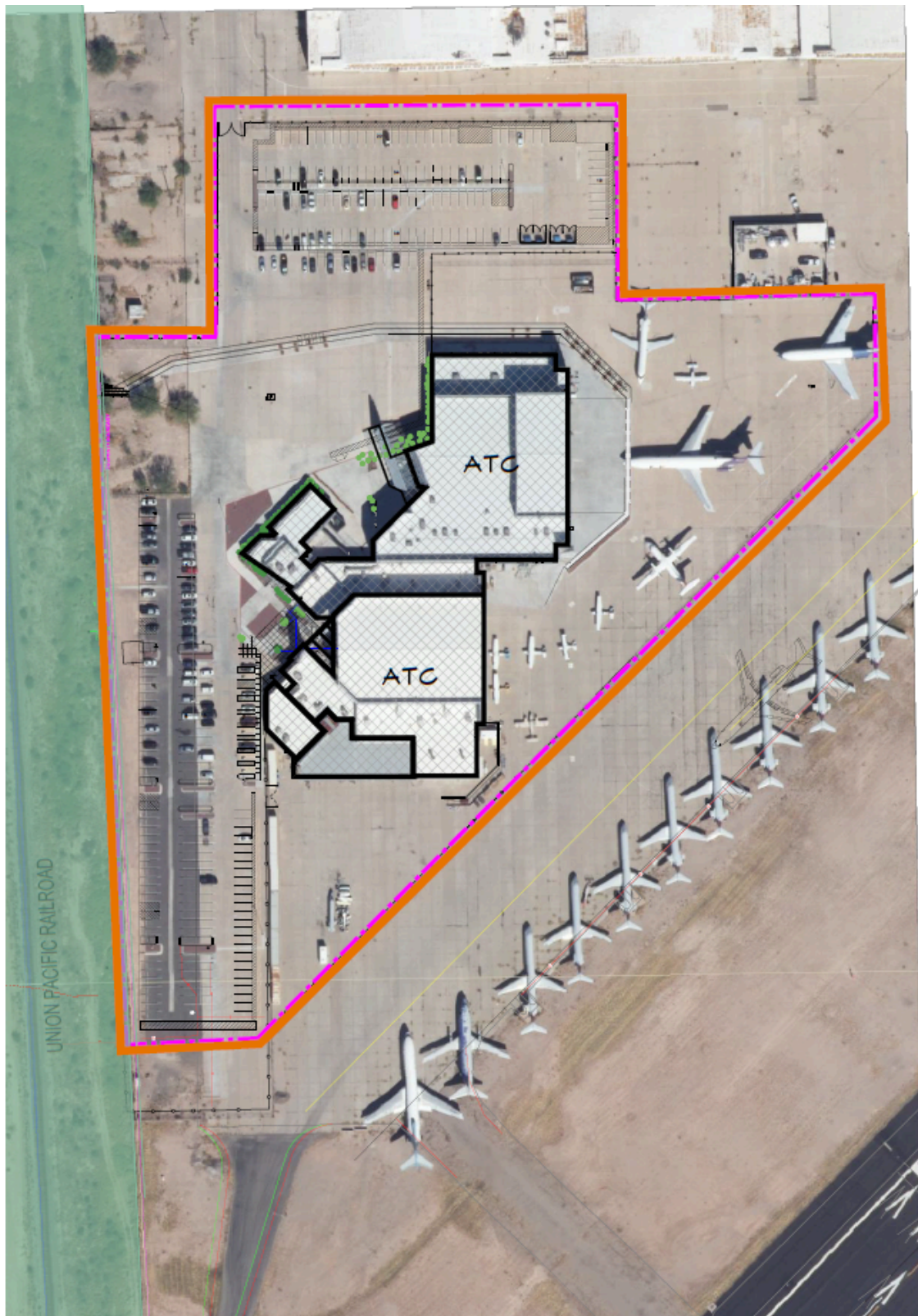
- **Downtown Campus, 1255 North Stone Ave., Tucson**
  - **Residential Facilities:** Downtown Campus does not have any on-campus residential facilities.
  - **Downtown Campus Public Streets**
    - West Drachman Street, North Alder Ave to North Stone Ave.
    - North Stone Ave., West Drachman Street to West Speedway Blvd
    - West Speedway Blvd., North Stone Ave. to North Perry Ave.  
**Effective August 17, 2022 Speedway is extended West to the 200 block**
    - West Helen Street, North Adler Ave. to Southeast Corner of Queen Ave.  
**Effective August 17, 2022, West Helen Street North Alder Ave to North Queen Ave**
    - North Alder Ave., West Helen Street to West Drachman Street
    - North Queen Ave. from West Helen Street to the property line adjacent to 1200 North Queen Ave.  
**Effective August 17, 2023 North Queen Ave. from Speedway Blvd. to Helen Street**
- **East Campus, 8181 East Irvington Rd. Tucson**
  - **Clements Center, 8123 East 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 the 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 Parkway 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 end of campus property line fence.
- **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 on 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 facilities.
  - No public streets
  - Public parking on the north side of El Rio Center.
  - Public property includes walkways throughout El Rio Center and adjacent sidewalks.
- **29<sup>th</sup> 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 29<sup>th</sup> Street
  - East 29<sup>th</sup> 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 the 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 29<sup>th</sup> Street Coalition Center.
  - **Santa Cruz Center, 2021 North Grand Ave., Nogales**
    - Crime statistics included in Desert Vista Campus.
  - **Gospel Rescue Mission, 4550 S. Palo Verde (Effective May 31, 2023)**
    - Crime statistics included in Maintenance and Security.

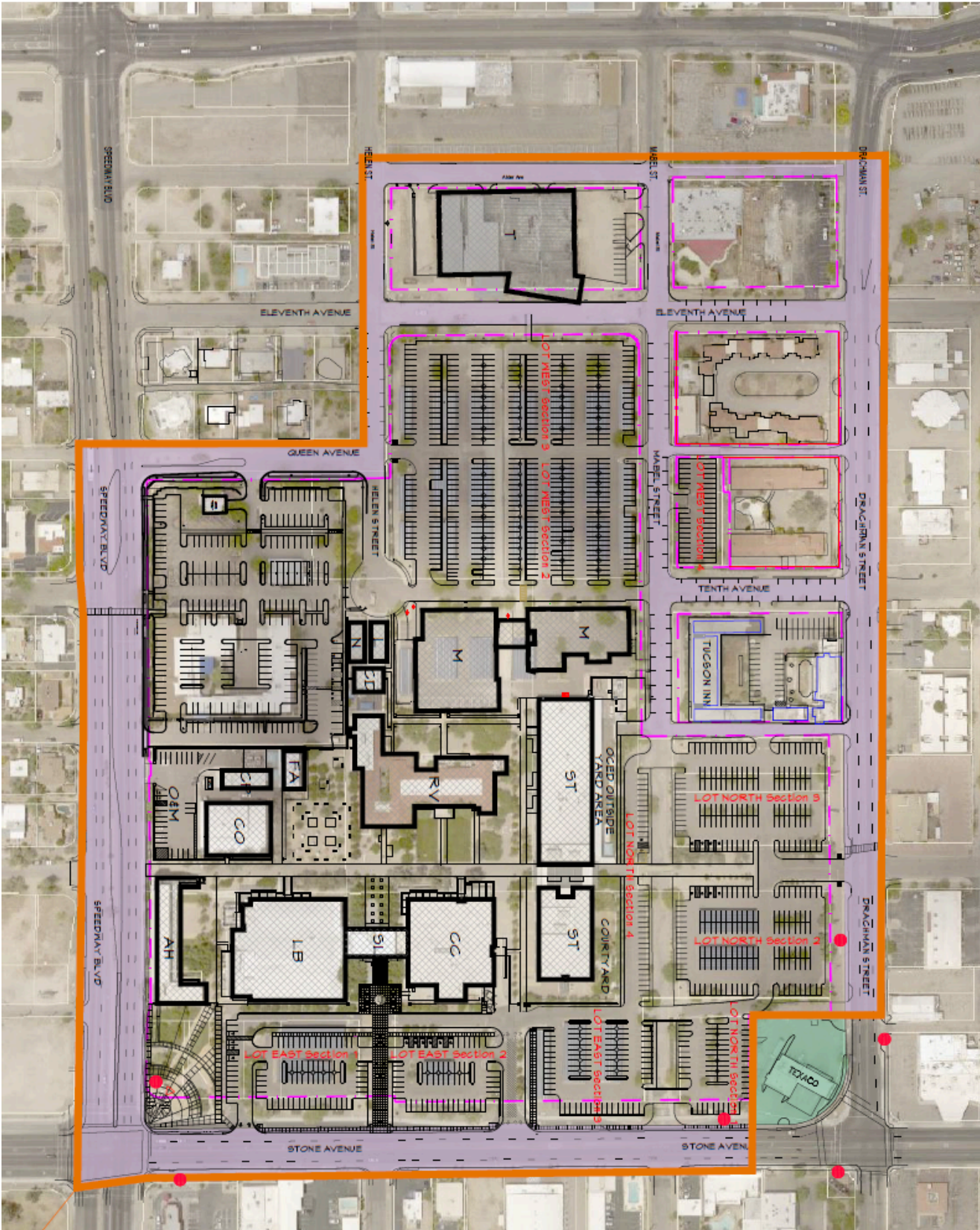
# APPENDIX D-COLLEGE MAPS

## Aviation



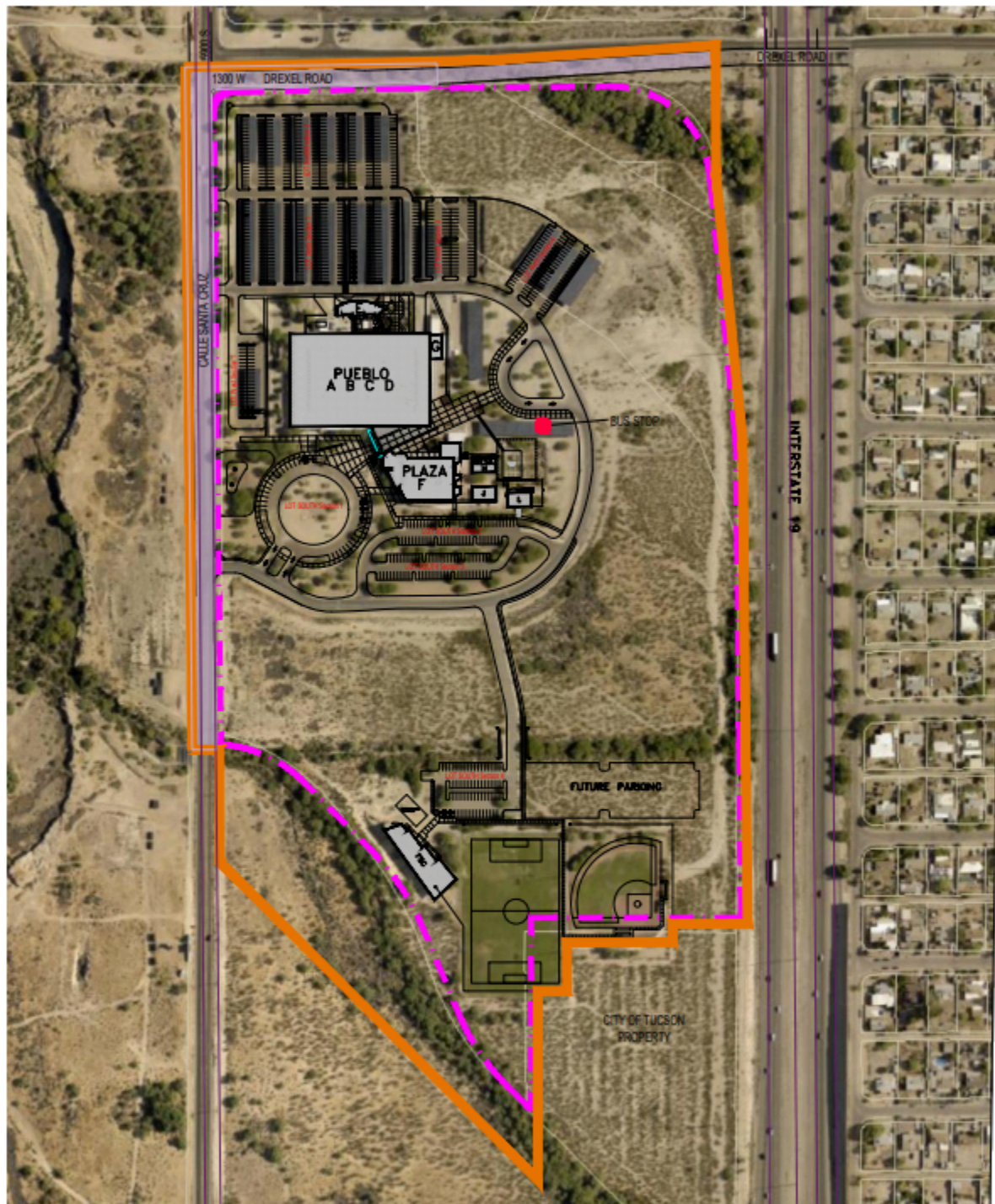


# Downtown Campus





# Desert Vista Campus



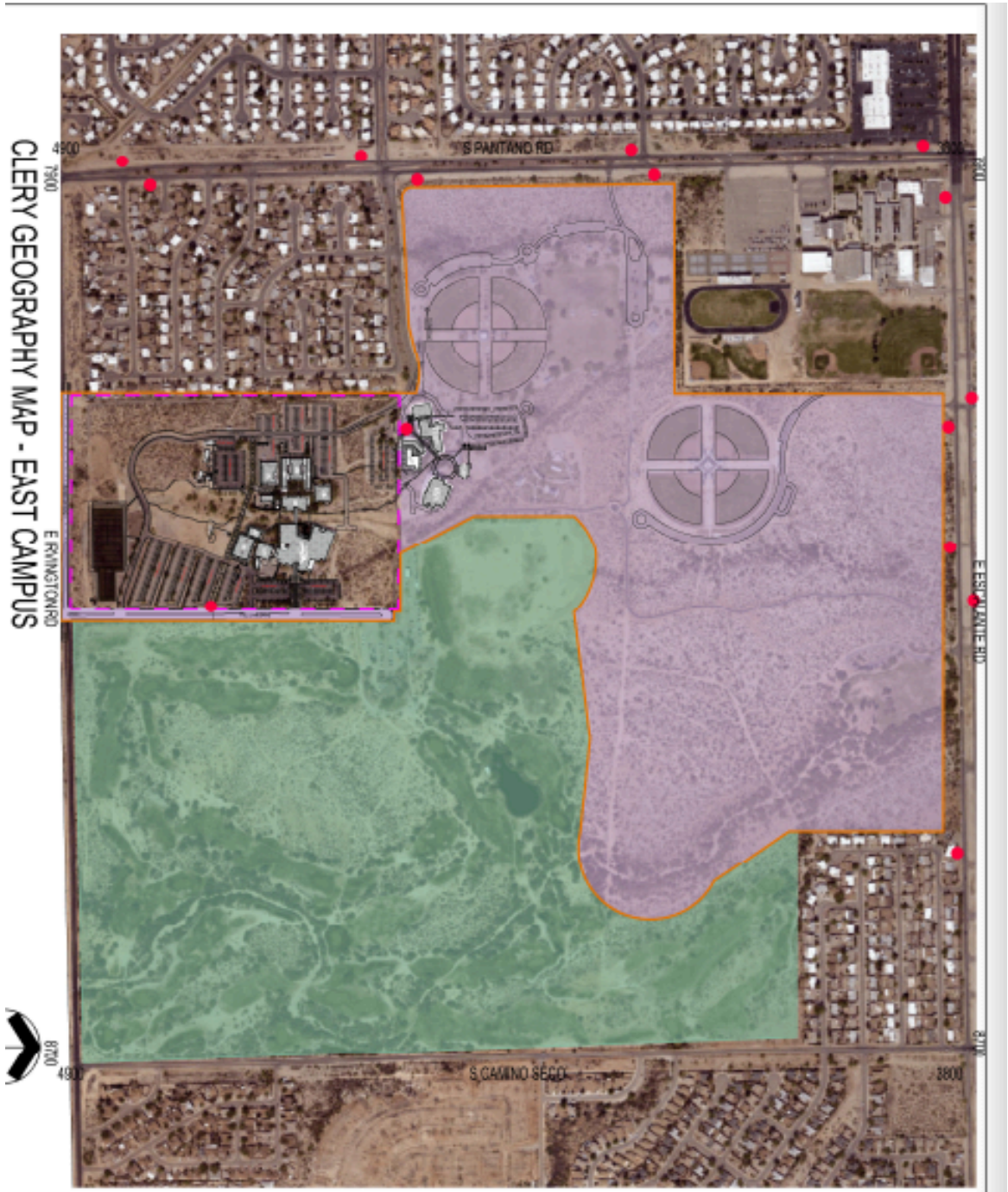
CLERY GEOGRAPHY MAP - DESERT VISTA CAMPUS

SCALE: NTS



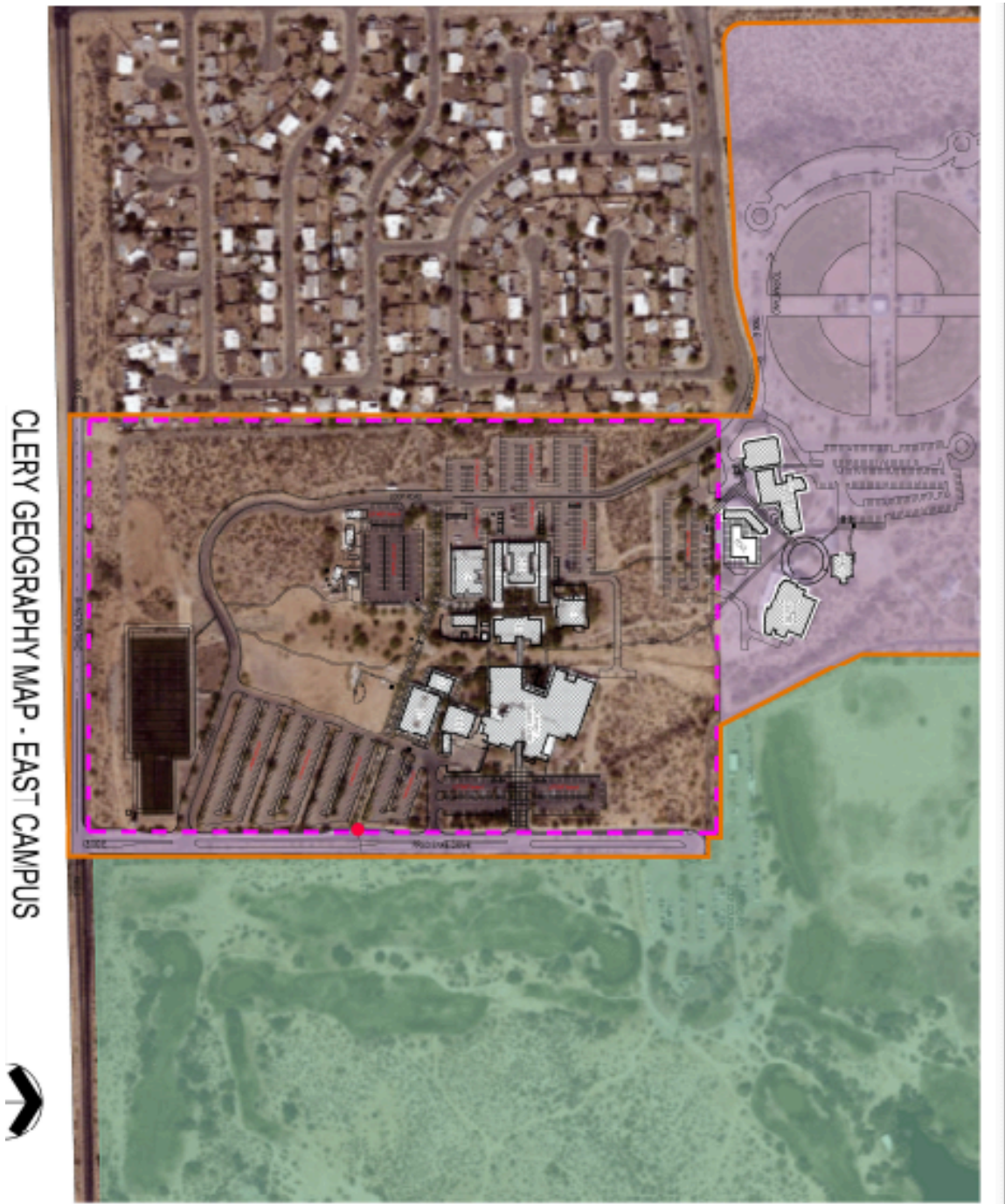


East Campus





East Campus (Cont.)



# Maintenance and Security

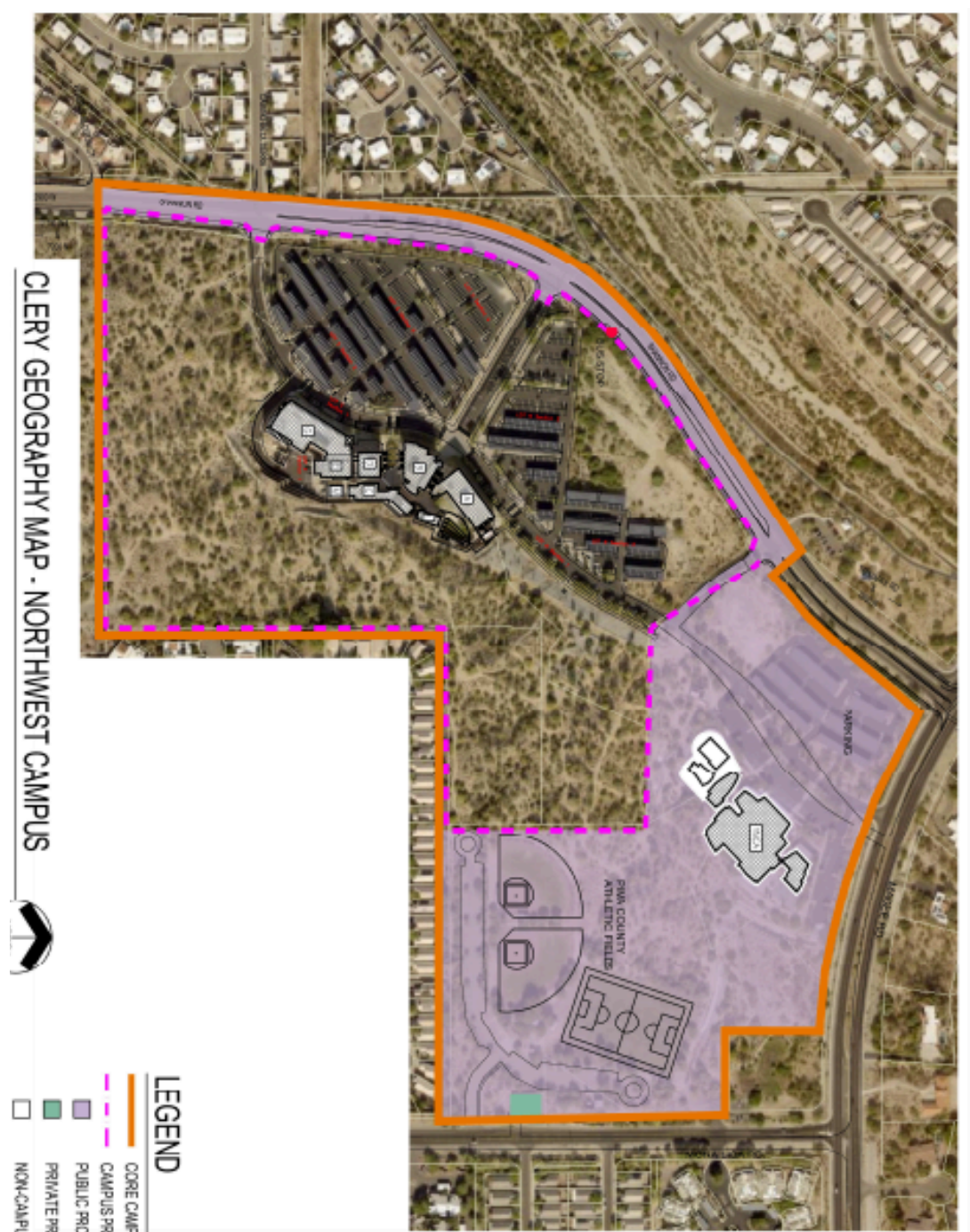


CLERY GEOGRAPHY MAP - MAINTENANCE & SECURITY

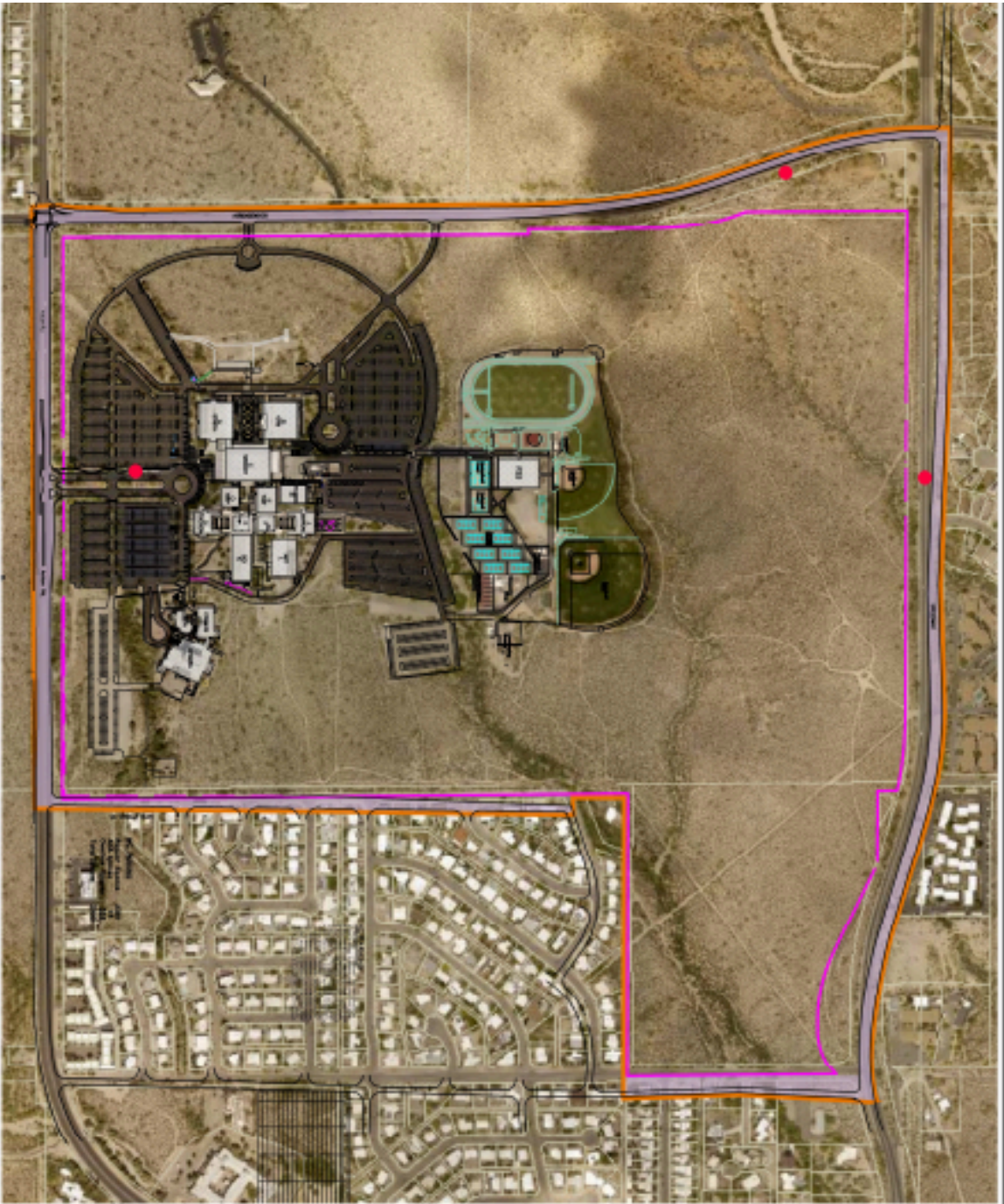




## Northwest Campus



West Campus

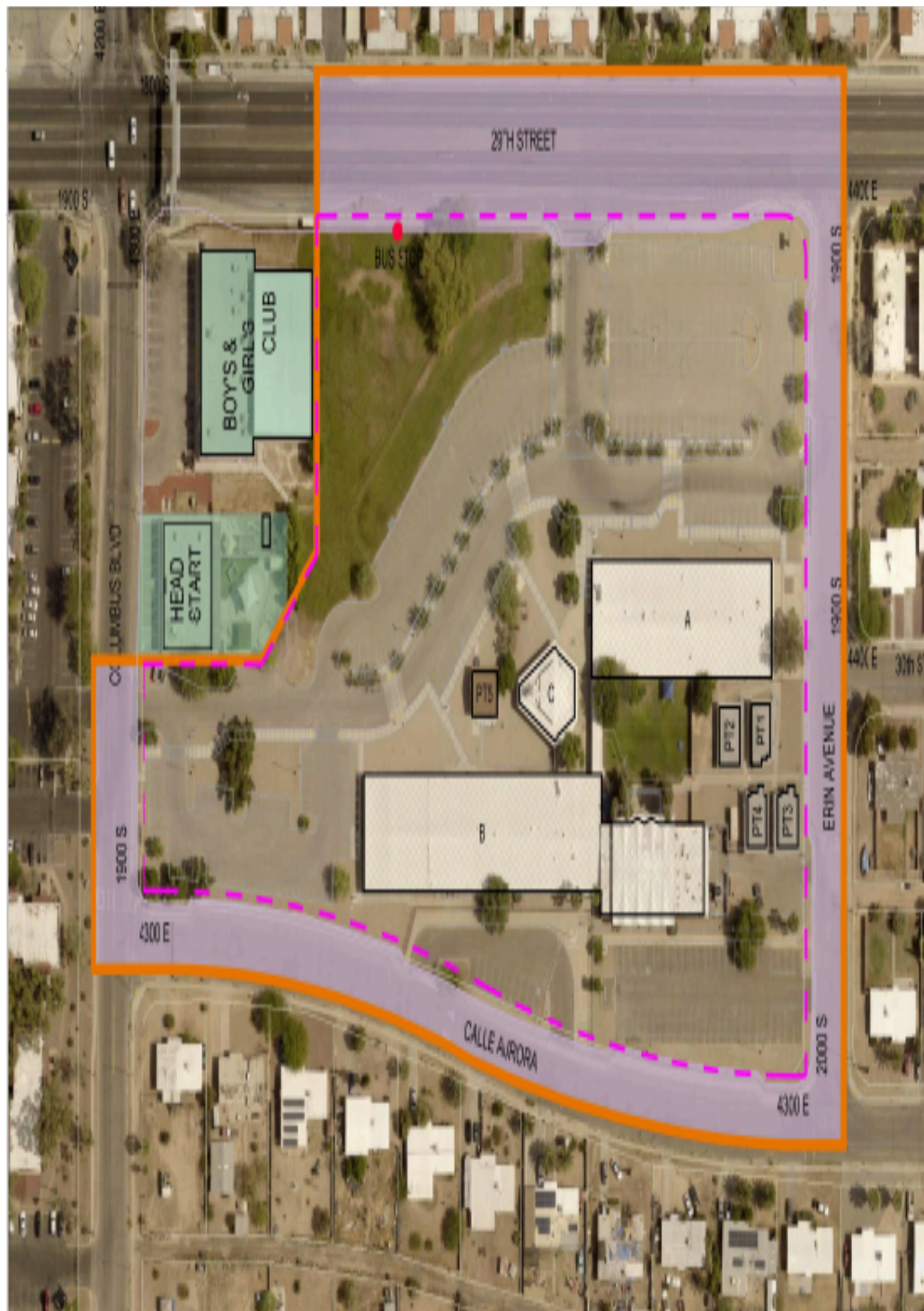


CLERY GEOGRAPHY MAP - WEST CAMPUS





## 29th Street



CLERY GEOGRAPHY MAP - 29th ST. COALITION CTR. 

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

West Campus	On-Campus			Residential Facilities	Public Property			Non Campus		
Offense	2021	2022	2023	N/A	2021	2022	2023	2021	2022	2023
Murder/Non-Negligent Manslaughter	0	0	0		0	0	0	0	0	0
Manslaughter by Negligence	0	0	0		0	0	0	0	0	0
Rape	0	0	0		0	0	0	0	0	0
Fondling	0	0	0		0	0	0	0	0	0
Incest	0	0	0		0	0	0	0	0	0
Statutory Rape	0	0	0		0	0	0	0	0	0
Robbery	0	0	0		0	0	0	0	0	0
Aggravated Assault	0	0	0		0	0	0	0	0	0
Burglary	1	0	1		0	0	0	0	0	0
Motor Vehicle Theft	0	1	0		0	0	0	0	0	0
Arson	0	0	0		0	0	0	0	0	0
<b>Arrests</b>										
Weapon Violations	0	0	0		0	0	0	0	0	0
Drug Violations	4	0	0		0	0	0	0	0	0
Liquor Violations	0	1	0		0	0	0	0	0	0
<b>Disciplinary Referrals</b>										
Weapon Violations	0	0	0		0	0	0	0	0	0
Drug Violations	0	0	3		0	0	1	0	0	0
Liquor Violations	0	0	1		0	0	0	0	0	0
<b>VAWA</b>										
Domestic Violence	1	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

- 2023: No hate crime reported
- 2022: No hate crime reported
- 2021: No hate crime reported

### Unfounded Crimes

- 2023: No unfounded crimes
- 2022: No unfounded crimes
- 2021: No unfounded crimes

### Reports from Other Agencies

- 2023: No Clery defined crimes reported from requested jurisdictions.
- 2022: No Clery defined crimes reported from requested jurisdictions.
- 2021: TPD failed to respond to requests for crime statistics

Downtown Campus	On-Campus			Residential Facilities	Public Property			Non Campus		
Offense	2021	2022	2023	N/A	2021	2022	2023	2021	2022	2023
Murder/Non-Negligent Manslaughter	0	0	0		0	0	0	0	0	0
Manslaughter by Negligence	0	0	0		0	0	0	0	0	0
Rape	0	0	0		0	0	0	0	0	0
Fondling	0	0	0		0	0	0	0	0	0
Incest	0	0	0		0	0	0	0	0	0
Statutory Rape	0	0	0		0	0	0	0	0	0
Robbery	0	0	0		0	0	0	0	0	0
Aggravated Assault	0	0	0		0	0	0	0	0	0
Burglary	0	0	1		0	0	0	0	0	0
Motor Vehicle Theft	1	2	0		0	0	0	0	0	0
Arson	0	0	0		0	0	0	0	0	0
<b>Arrests</b>										
Weapon Violations	0	0	0		0	0	1	0	0	0
Drug Violations	4	4	22		2	3	5	0	0	0
Liquor Violations	1	3	0		9	5	3	0	0	0
<b>Disciplinary Referrals</b>										
Weapon Violations	0	0	0		0	0	0	0	0	0
Drug Violations	0	0	0		0	0	0	0	0	0
Liquor Violations	0	0	0		0	0	0	0	0	0
<b>VAWA</b>										
Domestic Violence	2	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

\*Subset of On-Campus

#### Clery Act Hate Crimes

- 2023: No hate crimes reported.
- 2022: No hate crimes reported.
- 2021: One (1) hate crime reported

#### Unfounded Crimes:

- 2023: No unfounded crimes.
- 2022: No unfounded crimes.
- 2021: No unfounded crimes.

#### Reports from Other Agencies

- 2023: Tucson Police Department statistics included
- 2022: No Clery defined crimes reported from requested jurisdiction.
- 2021: TPD failed to respond to requests for crime statistics
- 2021: Wichita, Kansas PD-No Clery reportable crimes.

East Campus	On-Campus			Public Property			Non Campus		
Offense	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	1	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	1	0	0	0
Burglary	2	0	1	0	0	0	0	0	0
Motor Vehicle Theft	1	2	0	0	0	1	0	0	0
Arson	0	0	0	0	0	0	0	0	0
<b>Arrests</b>									
Weapon Violations	0	0	1	0	0	0	0	0	0
Drug Violations	1	1	2	0	0	0	0	0	0
Liquor Violations	1	0	0	0	0	0	0	0	0
<b>Disciplinary Referrals</b>									
Weapon Violations	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0
Liquor Violations	0	0	0	0	0	0	0	0	0
<b>VAWA</b>									
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 Defined Hate Crimes

- 2023: No hate crimes reported.
- 2022: No hate crimes reported.
- 2021: One (1) hate crime reported.

#### Unfounded Crimes

- 2023: No unfounded crimes
- 2022: No unfounded crimes
- 2021: No unfounded crimes

#### Reports from Other Agencies

- 2023: Tucson Police Department Statistics included
- 2022: No Clery defined crimes reported from requested jurisdiction.
- 2021: TPD failed to respond to requests for crime statistics



Northwest Campus	On-Campus			Public Property			Non Campus		
Offense	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	1	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
<b>Arrests</b>									
Weapon Violations	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	1	0	0	0	0	0	0
Liquor Violations	0	0	0	0	0	0	0	0	0
<b>Disciplinary Referrals</b>									
Weapon Violations	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0
Liquor Violations	0	0	0	0	0	0	0	0	0
<b>VAWA</b>									
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 Defined Hate Crimes

- 2023: No hate crimes reported.
- 2022: No hate crimes reported.
- 2021: No hate crimes reported.

#### Unfounded Crimes

- 2023: No unfounded crime
- 2022: No unfounded crime
- 2021: No unfounded crime

#### Reports from Other Agencies

- 2023: Tucson Police Department Statistics Included
- 2022: No Clery defined crimes reported from included jurisdiction.
- 2021: Clery defined crimes reported by the Pima County Sheriff's Department are included in the table.

<b>Desert Vista Campus</b>	<b>On-Campus</b>			<b>Public Property</b>			<b>Non Campus</b>		
<b>Offense</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	1	0	1	0	0	0	0	0	0
Motor Vehicle Theft	1	1	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
<b>Arrests</b>									
Weapon Violations	0	0	0	0	0	0	0	0	0
Drug Violations	0	3	2	0	0	0	1	0	0
Liquor Violations	0	0	0	0	0	0	0	0	0
<b>Disciplinary Referrals</b>									
Weapon Violations	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0
Liquor Violations	0	0	0	0	0	0	0	0	0
<b>VAWA</b>									
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

- 2023: No hate crimes reported.
- 2022: No hate crimes reported.
- 2021: No hate crimes reported.

#### Unfounded Crimes

- 2023: No unfounded crimes.
- 2022: No unfounded crimes.
- 2021: No unfounded crimes.

#### Reports from Other Agencies

- 2023: No Clery defined crimes reported from requested jurisdictions.
- 2022: No Clery defined crimes reported from requested jurisdictions.
- 2021: TPD failed to respond to requests for crime statistics
- 2021: Clery defined crimes reported by Nogales PD are included in the table.
- 2021: Santa Cruz County Sheriff's Department Failed to respond to requests for crime statistics

Aviation Technology Center	On-Campus			Public Property			Non Campus		
Offense	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
<b>Arrests</b>									
Weapon Violations	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0
Liquor Violations	0	0	0	0	0	0	0	0	0
<b>Disciplinary Referrals</b>									
Weapon Violations	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0
Liquor Violations	0	0	0	0	0	0	0	0	0
<b>VAWA</b>									
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

- 2023: No hate crimes reported.
- 2022: No hate crimes reported.
- 2021: No hate crimes reported.

#### Unfounded Crimes:

- 2023: No unfounded crimes.
- 2022: No unfounded crimes.
- 2021: No unfounded crimes.

#### Reports from Other Agencies

- 2023: No Clery defined crimes reported from requested jurisdiction.
- 2022: No Clery defined crimes reported from requested jurisdiction.
- 2021: TPD failed to respond to requests for crime statistics

El Pueblo Learning Center	On-Campus			Public Property			Non Campus		
Offense	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	1	0	0	0	0	0	0	0	0
Motor Vehicle Theft	1	1	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
<b>Arrests</b>									
Weapon Violations	0	0	0	0	0	0	0	0	0
Drug Violations	2	13	1	0	0	0	0	0	0
Liquor Violations	0	0	0	0	0	0	0	0	0
<b>Disciplinary Referrals</b>									
Weapon Violations	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0
Liquor Violations	0	0	0	0	0	0	0	0	0
<b>VAWA</b>									
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

- 2023: No hate crimes reported.
- 2022: No hate crimes reported.
- 2022: No hate crimes reported.
- 2021: No hate crimes reported.

#### Unfounded Crimes

- 2023: No unfounded crimes.
- 2022: No unfounded crimes.
- 2022: No unfounded crimes.
- 2021: No unfounded crimes.

#### Reports from Other Agencies

- 2023: No Clery defined crimes reported from requested jurisdiction.
- 2022: No Clery defined crimes reported from requested jurisdiction.
- 2021: TPD failed to respond to requests for crime statistics

El Rio Learning Center	On-Campus			Public Property			Non Campus		
Offense	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
<b>Arrests</b>									
Weapon Violations	0	0	0	0	0	0	0	0	0
Drug Violations	4	9	1	0	0	0	0	0	0
Liquor Violations	0	0	0	0	0	0	0	0	0
<b>Disciplinary Referrals</b>									
Weapon Violations	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0
Liquor Violations	0	0	0	0	0	0	0	0	0
<b>VAWA</b>									
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

- 2023: No hate crimes reported.
- 2022: No hate crimes reported.
- 2021: No hate crimes reported.

#### Unfounded Crimes:

- 2023: No unfounded crimes.
- 2022: No unfounded crimes.
- 2021: No unfounded crimes.

#### Reports from Other Agencies

- 2023: No Clery defined crimes reported from requested jurisdiction.
- 2022: No Clery defined crimes reported from requested jurisdiction.
- 2021: TPD failed to respond to requests for crime statistics

29th Street Coalition Center	On-Campus			Public Property			Non Campus		
Offense	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	1	1	0	0	0	0	0	0	0
<b>Arrests</b>									
Weapon Violations	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	1	0	0	0	1	1	0
Liquor Violations	0	0	0	0	0	0	0	0	0
<b>Disciplinary Referrals</b>									
Weapon Violations	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0
Liquor Violations	0	0	0	0	0	0	0	0	0
<b>VAWA</b>									
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

- 2023: No hate crimes reported
- 2022: No hate crimes reported
- 2021: No hate crimes reported.

#### Unfounded Crimes

- 2023: No unfounded crimes
- 2022: No unfounded crimes
- 2021: No unfounded crimes.

#### Reports from Other Agencies

- 2023: No Clery defined crimes reported from requested jurisdiction
- 2022: No Clery defined crimes reported from requested jurisdiction.
- 2021: TPD failed to respond to requests for crime statistics

Maintenance & Security	On-Campus			Public Property			Non Campus		
Offense	2021	2022		2021	2022		2021	2022	
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	1	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	1
Arson	0	0	0	0	0	0	0	0	0
<b>Arrests</b>									
Weapon Violations	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0
Liquor Violations	0	0	0	0	0	0	0	0	0
<b>Disciplinary Referrals</b>									
Weapon Violations	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0
Liquor Violations	0	0	0	0	0	0	0	0	0
<b>VAWA</b>									
Domestic Violence	0	2	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

- 2023: No hate crimes reported
- 2022: No hate crimes reported
- 2021: No hate crimes reported.

#### Unfounded Crimes:

- 2023: No unfounded crimes
- 2022: No unfounded crimes.
- 2021: No unfounded crimes.

#### Reports from Other Agencies

- 2023: Plma County Sheriff's Department statistics included.
- 2022: No Clery defined crimes reported from requested jurisdictions.
- 2021: TPD failed to respond to requests for crime statistics

## 2024 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.

### Current Housing Practices

The College has not provided student housing in any way shape or form for the last several years. The College does not negotiate with housing facilities or apartment complexes to achieve discounted rates and does not provide services to housing locations where students may be staying while attending classes with the College. There are international students who attend the College at various times; however, the College does not make recommendations for which housing options to choose.

Fire Statistics Reporting Table for the Annual Safety Report 2021, 2022 and 2023

Year	Residential Facility	# of Fire Incidents	Cause of Fire (Intentional, Unintentional, Undetermined)	# Fire Related Injuries	# Fire Related Deaths	Estimated Value Of Property Damage Caused By Fire (\$)
0	0	0	0	0	0	0