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Introduction: An Overview of Campus Safety and Security Reporting

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

Summary

This report includes crime statistics for the previous three years concerning reported crimes that occurred on a campus; in certain off-campus buildings or property owned or controlled by the Pima County Community College District (the College or PCC); and on public property within, or immediately adjacent to and accessible from, a campus or building or property owned or controlled by the College. This report also includes institutional policies 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://www.pima.edu/administrative-services/college-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 possible.

- When a PCC officer is en route from one PCC location to another on 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 Memorandums of Understanding (MOU) with TPD and PCSD pertaining to disaster response and the investigation of criminal incidents. An MOU 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 does, on an intermittent basis, lease student housing from local private residence halls, which makes them subject to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. PCC Students housed at these locations are directed to call 911 regarding any emergency or crimes and to notify PCCPD dispatch.

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

Community Service Officers (CSOs)

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

The primary duty of a CSO is to be the eyes and ears of commissioned field officers, as well as perform other duties as assigned. Some of those duties may include, but not be limited to:

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

A CSO may also be assigned to roving duties where staff are not assigned to a location. The CSO assigned to the duty will utilize a college fleet vehicle to travel between college property locations. Assignments are given at the direction of the patrol shift supervisor.

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 seven campuses and the District Office:

- West Campus: 206-6643
- Downtown Campus: 206-7087
- East Campus: 206-7652
- Desert Vista Campus: 206-5052
- Northwest Campus: 206-2286
- Community Campus: 206-3960
- 29th Street Coalition: 206-3534
- District Office: 206-4855

Additional Services

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

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

**Crime and Fire Log**

PCCPD maintains a crime and fire log of on- and near-campus crimes reported to the Department and fires at PCC-controlled student residences. 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 the PCCPD Records Unit, 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, Community Campus, 29th Street Coalition Center, El Pueblo, and El Rio Neighborhood Learning Centers, or viewed online at [Crime and Fire Log](#).

**Security of and Access to Campus Facilities**

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 provides students and employees with proper identification to use appropriate College facilities. A student College ID can be obtained from any campus cashier’s office. All employee College IDs are now only obtained from Access Control.

The College is in the initial stages of implementing 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 their location.

**Security Considerations Used in the Maintenance of Campus Facilities**

Facility inspections are conducted on a continuous basis to evaluate safety and security practices, lighting conditions, emergency telephones, and alarm systems. Facilities staff, along with Community Service Officers, performs preventative maintenance checks on safety systems such as duress alarms, emergency blue phone function, and exterior lighting.
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 himself.

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

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

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

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

Medical Emergencies

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

PCCPD will:

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

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

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).

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

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property)
- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
• An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Examples of individuals who meet the criteria for being campus security authorities include:

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

• **Title IX Coordinator**
  Dr. Suzanne Desjardin, Dean of Students
  Student Affairs
  East Campus, L 215
  8181 East Irvington Road, Tucson, AZ  85709
  Email:  sdesjardin@pima.edu
  Phone:  520.206.6677
  Fax:  520.206.6677
  - The Title IX Coordinator works to ensure that the College meets its legal obligations under Title IX of the Education Amendments of 1972 and related regulations (“Title IX”). Title IX prohibits discrimination on the basis of sex, including sexual harassment.
  - The Title IX Coordinator maintains overall compliance responsibility for Title IX-related matters and Student Code of Conduct matters related to discrimination and harassment.
  - The Title IX Coordinator is responsible for 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.

• **Advance Program Manager for Student Conduct**
  Diane Deskin, Advance Program Manager
  Student Affairs
  Room LB 118
  1255 North Stone Ave, Tucson, AZ  85709
  Email: sddeskin@pima.edu
  Phone: (520) 206-7120
  Fax:  (520) 206-7266

• **Compliance Office, including EEO/ AA, Complaints, and Investigations**
  Ross Estavillo, Investigator
  Email: restavillo2@pima.edu
  Phone:  520.206.4727
PCC's Compliance Office, including Equal Employment Opportunity/Affirmative Action, Complaints, and Investigations (hereafter Compliance Office) provides centralized and consistent oversight to address complaints and grievances from all constituency groups: students, employees, and community members. It also receives and investigates (when appropriate) complaints of discrimination on the basis of race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender identity, genetic information, or other legally protected category under College Policy, Titles VI & VII of the 1964 Civil Rights Act; Title IX of the Education Amendments of 1972; Executive Order 11246; Age Discrimination in Employment Act of 1975; Rehabilitation Act of 1973, Sections 503 & 504; Americans with Disabilities Act of 1990, as Amended; Equal Pay Act of 1963; Arizona Civil Rights Act of 1965; Veterans Readjustment Act of 1974, as amended (VEVRAA); and Employment and Reemployment Rights Act of 1994 (USERRA). As it expands its responsibilities, the Office will conduct investigations related to other compliance-related complaints.

The Compliance Office is committed to addressing complaints, grievances, or concerns in an independent, fair, and objective manner.

The Compliance Office'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.

Filing a Complaint

- A complaint is a request for assistance with a problem, conflict, concern, or issue that negatively impacts students, employees, the community, and/or the college.
- If the complaint is not a violation of policy, law, or administrative procedure, the Compliance Office will assist the complainant in directing the matter to an appropriate college resource, employee, or employee group (e.g., employee relations, supervisor, campus designated contact person).
- If the complaint demonstrates a violation, or potential violation of policy or administrative procedure, the Compliance Office will begin a formal investigation. This process could include investigation and/or coordination with appropriate College contacts.
- Use one of the methods below to discuss or file a complaint.
  - Call the Compliance Office directly at 520-206-4686
  - Email the Compliance Office at resolution@pima.edu
  - Request a Complaint Form from the Compliance Office and return the completed form to the office
  - File a report on the hotline
    - go online to: www.complianceandethicshotline.ethicspoint.com
    - call toll-free at 1-855-503-8072

When using the hotline you may remain anonymous if you so choose; however, anonymous reporters should be aware that their Complaints may not be able to be investigated fully without the direct cooperation of the Complainant.
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 appropriate.
- Student Complaint Resource Liaisons at each campus are available to provide assistance.
- If a student does not agree with the initial discussion and suggested resolution, the student may file a formal complaint. A complaint is a concern that a policy or procedure of the College has been incorrectly or unfairly applied, or a charge against a person’s behavior.
- Use one of the methods below to discuss or file a formal complaint:
  - Phone: call the Compliance Office directly at 520-206-4686
  - In person: visit 4905C East Broadway, Suite C208, Tucson, Arizona 85709
  - Email: resolution@pima.edu
  - Online: use our online student complaint form
  - Go to page 36 for full process

Student Complaint Resource Liaisons

- Need assistance navigating the complaint process or have questions or a concern? Contact the Student Complaint Resource Liaison at each campus:
  - **Community Campus:**
    - Linda Cordier
    - CC-studentresource@pima.edu
    - 520.206.6516
  - **Desert Vista Campus:**
    - Mariah Young
    - DV-studentresource@pima.edu
    - 520.206.5306
  - **Downtown Campus:**
    - Hector Acosta
    - DC-studentresource@pima.edu
    - 520.206.2199
  - **East Campus:**
    - Rob Carey
    - EC-studentresource@pima.edu
    - 520.206.7880
  - **Northwest Campus:**
    - Brian Miller
    - NW-studentresource@pima.edu
    - 520.206.2251
  - **West Campus:**
    - Daisy Rodriguez Pitel
    - WC-studentresource@pima.edu
    - 520.206.3205

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 anonymous to capture the incident. The purpose of confidential reporting is to comply with a person's desire to keep the matter confidential, while taking steps to help ensure the future safety of themselves and others. Reports filed in this manner will be counted and disclosed in the institution’s Annual 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.

**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.

Emergency Notification for incidents that may pose an immediate threat to health and safety will be made unless issuing a notification will, in the professional judgment of responsible authorities and taking into account the safety of the College community, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Notification will be made by using some or all of the following methods depending on the type of emergency: PCCAert text alert system, blast email, telephone, fire alarm, VOIP phone announcement, 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.
<table>
<thead>
<tr>
<th>System to use</th>
<th>Primary Message Creator</th>
<th>Backup Message Creator</th>
<th>Authority for approving &amp; sending messages</th>
<th>Primary Message Sender</th>
<th>Backup Message Sender</th>
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<tbody>
<tr>
<td><strong>PRIMARY</strong></td>
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<tr>
<td>PCCAlert system (text message / e-mail system)</td>
<td>Chief of Police or Vice Chancellor of Facilities</td>
<td>Police Commander or Director of Facilities</td>
<td>Chief of Police or Vice Chancellor of Facilities</td>
<td>Chief of Police or Vice Chancellor of Facilities</td>
<td>Police Commander or Director of Facilities</td>
</tr>
<tr>
<td>Blast Email</td>
<td>Chief of Police or Vice Chancellor of Facilities</td>
<td>Police commander and director of facilities</td>
<td>Chief of Police or Vice Chancellor of Facilities</td>
<td>Director of web services</td>
<td>Police Commander or AVC of student development</td>
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<tr>
<td><strong>SECONDARY</strong></td>
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<tr>
<td>Telephone</td>
<td>Chief of Police or Vice Chancellor of Facilities</td>
<td>Police Commander or Director of Facilities</td>
<td>Chief of Police or Vice Chancellor of Facilities</td>
<td>Chief of Police or Vice Chancellor of Facilities</td>
<td>Police Commander or Director of Facilities</td>
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<tr>
<td>Fire Alarm</td>
<td>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</td>
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</tr>
<tr>
<td>Digital Signage</td>
<td>Chief of Police or Vice Chancellor of Facilities</td>
<td>Police Commander or Director of Facilities</td>
<td>Chief of Police or Vice Chancellor of Facilities</td>
<td>Manager of Marketing and public relations</td>
<td>Marketing and PR Coordinator</td>
</tr>
<tr>
<td>Local Media</td>
<td>Chief of Police or Vice Chancellor of Facilities</td>
<td>Police Commander or Director of Facilities</td>
<td>Chief of Police or Vice Chancellor of Facilities</td>
<td>Executive Director of Public, Government and Community Relations</td>
<td>Manager of Marketing and Public Relations</td>
</tr>
<tr>
<td>Webpages – <a href="http://pima.edu/dps">http://pima.edu/dps</a> &amp; <a href="http://www.pima.edu">http://www.pima.edu</a></td>
<td>Chief of Police or Vice Chancellor of Facilities</td>
<td>Police Commander or Director of Facilities</td>
<td>Chief of Police or Vice Chancellor of Facilities</td>
<td>Director of Web Services</td>
<td>System Architect</td>
</tr>
</tbody>
</table>

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 Mass Notification” must be activated as soon as possible. Generally, the College Police Chief, Operations Commander, Vice Chancellor of Facilities or designee, is responsible for authorizing an Emergency Mass 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, or command level officer, Vice Chancellor of Facilities, or the Environmental Health and Safety Director, may authorize.

**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. Anyone can sign up for PCCAlerts: students, parents, employees, and members of the community.

- **Text messaging**
  
  To sign up: using your cellphone, text the word “alerts” to 79516. (Ignore any hyphens that your phone
might insert in the number.) You will receive a confirmation message. You can text the word “stop” to
the same number to stop receiving messages. There is no limit to the number of cellphones that you
can register to receive messages. Note that certain cellphone providers may charge you a fee for
delivery of text messages.

- **Email**
  - All PCC e-mail addresses will automatically receive these messages.
  - You 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.

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:


**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) or the Vice Chancellor of Facilities and in consultation with other
College Administrators (when time permits), constitutes a serious or continuing threat to the community, a
campus-wide Timely Warning will be issued. Timely Warnings will be issued to the campus community via
blast email. All members of the PCC community are provided an email address to facilitate communication.
The Clery Geography is defined as: the core campus boundaries (which includes College-owned or controlled
property on campus and public property that is within or immediately adjacent to the campus) and in non-
campus properties.

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

- Murder/Non-negligent Manslaughter.
- Aggravated Assault (cases involving assaults among known parties, such as two students fighting that
results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is
believed to be an ongoing threat to the larger PCC community).
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Crime Alert, but will be assessed on a case-by-case basis).
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the PCC Police Department). Cases involving sexual assault are often reported long after the incident occurred, thus there is no ability to distribute a “timely” warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Major incidents of Arson.
- Other Clery crimes as determined necessary by the Chief of Police, or his or her designee in his or her absence.

Timely Warnings are typically written by the Chief of Police (or designee in PCC Police) or Vice Chancellor of Facilities (or his or her designee in Facilities) and are distributed via email by the Vice Chancellor of Facilities or the Chief of Police (or designee in PCC Police).

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

- Date and time or time frame 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. Where law enforcement quickly apprehended the subject(s) following the reported incident, he/she is in custody, so that the threat of a serious or continuing threat for members of the PIMA community has been mitigated. PCC will reassess 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. If a report was not filed with PCC or a local Police agency in a manner that would allow the department to post a “timely” warning for the community. A general guideline will include a report that is filed more than ten days after the date of the alleged incident, which may not allow PCC to distribute a “timely” warning to the community. This type of situation will be evaluated on a case-by-case basis.

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

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

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

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

Public Safety Advisories are typically written by the Chief of Police (or designee in PCC Police) or Vice Chancellor of Facilities (his or her designee in Facilities) and are distributed via email by the Vice Chancellor of 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 Vice Chancellor of Facilities.

Emergency Response Plan

Pima Community College has an Emergency Response Plan that is 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. This plan outlines emergency preparation, response, and recovery of College personnel and resources. The Emergency Response Plan is consistent with established practices relating to the coordination of emergency response actions and incorporates the use of National Incident Management System (NIMS) practices to facilitate cooperation between responding agencies.

In any type of emergency, the PCCPD Dispatcher is 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, the Dispatcher will communicate immediately by following the PCCPD communications structure, which outlines the communications hierarchy and the succession procedures if individuals are unavailable. PCCPD has the responsibility for responding to and summoning any immediate necessary resources. The confirmation may be made in consultation with College Administration, and outside governmental agencies, e.g., Pima County Emergency Response Center.

The Emergency Response Plan is drafted under the authority of the Chancellor and all decisions concerning the discontinuation of College functions, cancellation of classes, or cessation of operations, rest with the Chancellor (or designee).
Campus Action Teams (CAT)

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

Each CAT member shall be knowledgeable regarding

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

CAT members will:

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

What to do during an emergency evacuation

- If a decision is made to evacuate a campus building, you will be notified by activation of the audible/visual fire alarm system, (horns and/or white strobe lights), a phone call, text alert, verbal directions, or by 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 elevator) and wait until assistance arrives.

Evacuation of the entire campus

- Once the campus is evacuated, it will be secured and no one will be allowed to reenter without proper authorization.
The campus will remain closed until the decision to reopen is made by emergency responders and College Administration. Campus re-opening will be broadcasted through email, text alert, web, local radio, and television stations.

For more information on what to do in an emergency, go to:

Special Assistance

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

- Employees should discuss questions or concerns about emergencies with their supervisor and/or the ADA office at 206-3228.
- Students should discuss questions or concerns about emergencies with the Access and Disability Resources (ADR) office on any campus, by calling 206-3228, or by email at ADRhelp@pima.edu.
- Plan ahead – know the areas where you work, attend class, or visit on campus.
- Identify at least two exits.
- If there is ground floor access? If there is not, and you normally use an elevator to enter and leave a building, you will need evacuation assistance. Do not use elevators during an emergency unless instructed by emergency responders.
- Find a friend or co-worker and ask if they would be willing to assist during an emergency. It is suggested that you find more than one friend or co-worker in the event one of those persons is unavailable. Campus Action Team Members (CAT) are also available to assist persons with disabilities during an emergency. To find out who these personnel are for your work area, please contact your supervisor or the Administrative Business Office.
- Know the location of a telephone for each area you frequent.
- Once you have a plan and practice that plan.

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 and PCCPD on a regular basis. The tests may be announced or unannounced to building occupants. In the case of an unannounced drill, only the Campus President 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.

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

**FBI's National Incident-Based Reporting System (NI BRS) Definitions:**

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

- **Rape** is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.

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

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

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

**UCR Definitions:**

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

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

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

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

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

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

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

- **Hate crimes**
  A hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender’s bias. Bias is a preformed negative opinion or attitude toward a group of persons
based on their race, gender, religion, disability, sexual orientation, or ethnicity/national origin. For Clery purposes, hate crimes include any of the above-mentioned offenses, and any of the following that were motivated by bias:

- **Larceny-Theft** is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Larceny and theft mean the same thing in the UCR.) **Constructive possession** is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.
- **Simple Assault** is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Intimidation** is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Destruction/Damage/Vandalism of Property** is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

**Arrests and Referrals for Disciplinary Action**

PCCPD is also 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
- Drug Law Violations
- Illegal Weapons Possession

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

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

**Domestic Violence:**

- A felony or misdemeanor crime of violence committed—
  - By a current or former spouse or intimate partner of the victim;
  - By a person with whom the victim shares a child in common;
  - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
  - By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
Dating Violence:

- Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
- The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- For the purposes of this definition—
  - Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - Dating violence does not include acts covered under the definition of domestic violence.

Stalking:

- Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - Fear for the person's safety or the safety of others; or
  - Suffer substantial emotional distress.
- For the purposes of this definition—
  - 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.
  - Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
  - Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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

Sexual assault (ARS 13-1406)

A. A person commits sexual assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person without consent of such person.

Stalking (ARS 13-2923)

A. A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct causes the victim to:

1. Suffer emotional distress or reasonably fear that either:
   a. The victim's property will be damaged or destroyed.
   b. Any of the following will be physically injured:
      i. The victim.
      ii. The victim's family member, domestic animal or livestock.
      iii. A person with whom the victim has or has previously had a romantic or sexual relationship.
      iv. A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.

2. Reasonably fear death or the death of any of the following:
   a. The victim's family member, domestic animal or livestock.
Without consent (ARS 13-1401.A) includes any of the following:

3. “Without consent” includes any of the following:
   a. The victim is coerced by the immediate use or threatened use of force against a person or property.
   b. The victim is incapable of consent by reason of mental disorder, mental defect, drugs, alcohol, sleep or any other similar impairment of cognition and such condition is known or should have reasonably been known to the defendant. For the purposes of this subdivision, “mental defect” means the victim is unable to comprehend the distinctively sexual nature of the conduct or is incapable of understanding or exercising the right to refuse to engage in the conduct with another.
   c. The victim is intentionally deceived as to the nature of the act.
   d. The victim is intentionally deceived to erroneously believe that the person is the victim’s spouse.

Domestic Violence (ARS 13-3601)

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

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

   □ The relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship. The following factors may be considered in determining whether the
relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship:

- The type of relationship.
- The length of the relationship.
- The frequency of the interaction between the victim and the defendant.
- If the relationship has terminated, the length of time since the termination.

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

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

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

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

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

Crime reports are requested from the Tucson Police Department, and extracted from a shared report management system with the Pima Community College Police Department, Pima County Sheriff’s Department, 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 vendor). Examples for PCC include:
   a. College buildings (e.g., Student Link and Information Center in the Downtown Campus or the Pueblo Building at Desert Vista)
   b. College-owned or leased land/property (Athletic Fields at Desert Vista)
   c. College streets, sidewalks, parking lots (Loop Road on East Campus, sidewalks around campus)
   d. Includes properties in the core campus that are owned by the College but controlled by another (Book Stores and Cafeterias)

**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.

**Examples:**

- City streets (Stone Ave. in front the Downtown Campus, Bonita Ave in front of Community Campus)
- Sidewalks in front of private businesses adjacent to campus boundaries (Sidewalk in front of Undisputed Gym across from Downtown 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.

**Examples:**

- College-owned or leased locations outside the core campus (District Office, Kino North Grandstand, hotels used to house students for overnight college-sponsored travel)

**Pima Community College Clery Geography Defined**

**West Campus, 2202 West Anklam Road, Tucson**

- West Campus Public Streets
  - North Greasewood Road from West Anklam Road to West Speedway Blvd
  - West Alklam 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
Downtown Campus, 1255 North Stone Avenue, Tucson

- Sahara Apartments, 919 North Stone Avenue, Tucson, from 8/27/16 to 12/15/16 and 8/27/17 to 12/15/17
  - Leased apartments for International Students
- Downtown Campus Public Streets
  - North Stone Avenue from West Drachman Street to West Speedway Blvd
  - West Speedway Blvd from North Stone Avenue to North Perry Avenue
  - West Helen Street from North Queen Avenue to North 11th Avenue
  - North 11th Avenue from West Helen Street to Mabel Street West
  - Mabel Street West from North 11th Avenue PCC lot entrances
  - North 10th Avenue from Northeast corner of PCC parking lot to Mabel Street West
  - West Drachman Street from the northwest corner of PCC parking lot to North Stone Avenue
  - North Stone Avenue from West 2nd Street to North Ash Avenue (from 8/27/16 to 12/15/16)

East Campus, 8181 East Irvington Rd. Tucson

- Clements Center, 8123 East Poinciana Drive, Tucson
- East Campus Public Streets
  - Fred Enke Drive East from East Irvington Road to Fred Enke Golf Course Entrance
  - Irvington Road from Fred Enke Drive East to End of property line
  - East Poinciana Drive from East Campus parking lots to road split on west side of Clements Center basketball courts
- East Campus Adjacent Parks
  - Lincoln Park, 8100 - 8224 East Escalante Road

Northwest Campus, 7600 North Shannon Road, Tucson (part of unincorporated Pima County)

- Northwest Family YMCA, 7770 North Shannon Road (Aquatic Center, and Building 200 and 300)
- Northwest Campus Public Streets
  - North Shannon Road from West Lotus Blossom Drive to North Campus Entrance
  - North Camino De La Terra from North Shannon Road to North Campus Entrance
  - West Campus Park Way from North Shannon Road to North Camino De La Terra
  - North Campus Way from North Shannon Road North Camino De La Terra
- Northwest Campus Adjacent Public Parks
  - Ann Day Community Park, 7601 N Mona Lisa Road, Tucson

Desert Visa Campus: 5901 South Calle Santa Cruz, Tucson

- 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

Community Campus: 401 North Bonita Avenue, Tucson

- Public Streets
  - North Bonita Avenue from North Commerce Park Loop to property line
  - North Commerce Park Loop from North Bonita Avenue to property line
Aviation Tech Center

- No public streets (access is on Tucson International Airport property)

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

- No public streets
- Public property includes land surrounding Building 7, and adjacent sidewalks
- Public parking north and south of Building 7

El Rio Learning Center: 1390 West Speedway Blvd.

- No public streets
- Public parking on north side of El Rio Center
- Public property includes walkways throughout El Rio Center and adjacent sidewalks

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

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

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

- Public Streets
  - South Country Club Road from East Medina Road to north property line of 6672 South Country Club Road
  - East Medina Road from South Country Club Road to west propery line of 6680 South Country Club Road

Noncampus Properties owned by Pima Community College

- District Office, 4905 East Broadway Blvd., Tucson
  - Crime statistics included in 29th Street Coalition Center
- Green Valley Learning Center, 250 West Continental Road, Green Valley
  - Crime statistics included in Maintenance and Security
Clery Act Crime Tables

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.

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<tr>
<th>Offense</th>
<th>West Campus</th>
<th>On-campus</th>
<th>Public Property</th>
<th>Noncampus</th>
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Residential Facilities: West Campus does not have any on-campus residential facilities.

Reports from Other Agencies

- 2017: Clery defined crimes reported by TPD are included in table.
- 2016: No Clery defined crimes reported from requested jurisdiction.
- 2015: No Clery defined crimes reported from requested jurisdiction.
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**Arrests**
- Weapon Violations: 0 0 0 0 0 0 0 0 0 0 0 0
- Drug Violations: 13 4 14 0 0 0 9 8 19 0 0 0
- Liquor Violations: 8 4 2 0 0 0 6 6 5 0 0 0

**Disciplinary Referrals**
- Weapon Violations: 0 0 1 0 0 0 0 0 0 0 0 0
- Drug Violations: 0 0 0 0 0 0 0 0 0 0 0 0
- Liquor Violations: 0 0 0 0 0 0 0 0 0 0 0 0

**VAWA**
- Domestic Violence: 0 1 7 0 0 0 0 0 2 0 0 0
- Dating Violence: 3 1 2 0 0 0 1 1 0 0 0 0
- Stalking: 1 1 0 0 0 0 0 0 0 0 0 0

**Hate Crimes**
- 2017: No hate crimes reported.
- 2016: No hate crimes reported.
- 2015: No hate crimes reported.

**Unfounded Crimes:**
- 2017: One unfounded crimes.
- 2016: Two unfounded crimes.
- 2015: Two unfounded crimes.

**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. Pima Community College leased units at the Sahara Apartments at 919 N. Stone Ave, Tucson, from August 27th, 2017 to December 15th, 2017. 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.

**Reports from Other Agencies**
- 2017: Clery defined crimes reported by TPD are included in table.
- 2016: No Clery defined crimes reported from requested jurisdiction.
- 2015: No Clery defined crimes reported from requested jurisdiction.
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**Hate Crimes**
- 2017: No hate crimes reported.
- 2016: No hate crimes reported.
- 2015: No hate crimes reported.

**Unfounded Crimes**
- 2016: One unfounded crime.

**Residential Facilities:** East Campus does not have any on-campus residential facilities.

**Reports from Other Agencies**
- 2017: Clery defined crimes reported by TPD are included in table.
- 2016: Clery defined crimes reported by TPD are included in table.
- 2015: No Clery defined crimes reported from requested jurisdiction.
### Hate Crimes
- 2017: No hate crimes reported.
- 2016: No hate crimes reported.
- 2015: No hate crimes reported.

### Unfounded Crimes
- 2016: One unfounded crime.

### Residential Facilities
Northwest Campus does not have any on-campus residential facilities.

### Reports from Other Agencies
- 2017: No Clery defined crimes reported from requested jurisdiction.
- 2016: No Clery defined crimes reported from requested jurisdiction.
- 2015: No Clery defined crimes reported from requested jurisdiction.
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**Hate Crimes**
- 2017: No hate crimes reported.
- 2016: No hate crimes reported.
- 2015: No hate crimes reported.

**Unfounded Crimes**
- 2016: Zero unfounded crimes.
- 2015: Two unfounded crimes.

**Residential Facilities:** Desert Vista Campus does not have any on-campus residential facilities.

**Reports from Other Agencies**
- 2017: No Clery defined crimes reported from requested jurisdiction.
- 2016: No Clery defined crimes reported from requested jurisdiction.
- 2015: No Clery defined crimes reported from requested jurisdiction.
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</table>

**Hate Crimes**
- 2017: No hate crimes reported.
- 2016: No hate crimes reported.
- 2015: No hate crimes reported.

**Unfounded Crimes**
- 2016: Zero unfounded crimes.
- 2015: Zero unfounded crimes

**Residential Facilities**: Community Campus does not have any on-campus residential facilities.

**Reports from Other Agencies**
- 2017: No Clery defined crimes reported from requested jurisdiction.
- 2016: No Clery defined crimes reported from requested jurisdiction.
- 2015: No Clery defined crimes reported from requested jurisdiction.
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**Hate Crimes**
- 2017: No hate crimes reported.
- 2016: No hate crimes reported.
- 2015: No hate crimes reported.

**Unfounded Crimes:**
- 2016: Zero unfounded crimes.

**Residential Facilities:** The Aviation Technology Center does not have any on-campus residential facilities.

**Reports from Other Agencies**
- 2017: No Clery defined crimes reported from requested jurisdiction.
- 2016: No Clery defined crimes reported from requested jurisdiction.
- 2015: No Clery defined crimes reported from requested jurisdiction.
### El Pueblo Learning Center

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**Hate Crimes**
- 2017: No hate crimes reported.
- 2016: No hate crimes reported.
- 2015: No hate crimes reported.

**Unfounded Crimes**
- 2016: Zero unfounded crimes.

**Residential Facilities:** El Pueblo Learning Center does not have any on-campus residential facilities.

**Reports from Other Agencies**
- The address of the El Pueblo Learning Center is shared with several other Tucson City Departments.
- 2017: No Clery defined crimes reported from requested jurisdiction.
- 2016: Tucson Police Department reports 3 aggravated assaults at El Pueblo Center. Unable to determine if crime occurred within the El Pueblo on-campus or public property areas after the original reports were reviewed.
- 2015: Tucson Police Department reports 1 aggravated assault, 1 domestic violence report, and 2 drug violation arrests. A determination was made in 2017 that the Tucson reported crimes did not occur within the El Pueblo on-campus or public property areas after the original reports were reviewed.
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**Hate Crimes**
- 2017: No hate crimes reported.
- 2016: No hate crimes reported.
- 2015: No hate crimes reported.

**Unfounded Crimes**:
- 2016: Zero unfounded crimes.

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

**Reports from Other Agencies**
- 2017: No Clery defined crimes reported from requested jurisdiction.
- 2016: No Clery defined crimes reported from requested jurisdiction.
- 2015: No Clery defined crimes reported from requested jurisdiction.
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**Hate Crimes**
- 2017: No hate crimes reported
- 2016: No hate crimes reported.
- 2015: No hate crimes reported.

**Unfounded Crimes**
- 2017: One unfounded crime
- 2016: Zero unfounded crimes.

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

**Reports from Other Agencies**
- 2017: No Clery defined crimes reported from requested jurisdiction.
- 2016: No Clery defined crimes reported from requested jurisdiction.
- 2015: No Clery defined crimes reported from requested jurisdiction.
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<td>Stalking</td>
<td>0 0 0</td>
<td>0 0 0</td>
<td>0 0 0</td>
</tr>
</tbody>
</table>

**Hate Crimes**
- 2017: No hate crimes reported.
- 2016: No hate crimes reported.
- 2015: No hate crimes reported.

**Unfounded Crimes:**
- 2016: Zero unfounded crimes.

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

**Reports from Other Agencies**
- 2017: No Clery defined crimes reported from requested jurisdiction.
- 2016: No Clery defined crimes reported from requested jurisdiction.
- 2015: No Clery defined crimes reported from requested jurisdiction.
Pima Community College Response to Dating Violence, Domestic Violence, Sexual Assault, and Stalking

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

Pima Community College does not currently have separate policies, and procedures in response to dating violence, domestic violence, sexual assault, or stalking. Initial responses will depend on the circumstances at the time.

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:

- Criminal justice system
- Student Code of Conduct
- College Employees Code of Conduct/Discipline Procedure

Pima Community College Police Department Responsibility

The Pima Community College Police Department has the responsibility to:

- Conduct criminal investigations into reports of sexual violence, domestic violence, dating violence, and stalking, and refer to courts.
- Inform victim(s)/complainants about their options regarding the involvement of law enforcement authorities and campus authorities.
- Disseminate sexual assault and other sex crime statistics and, if necessary, issue emergency or timely warnings to the college community.
- Coordinate investigation with Title IX coordinator.
- Refer off-campus reports to proper jurisdiction if required.
- Refer Mandatory Reports – Abuse of a Minor to Arizona Department of Child Safety (DCS) (ARS 13-3620).
- Provide to the College community timely and appropriate notification of the presence of known Level 2 or Level 3 registered sex offenders who may be on College premises (ARS 13-3826).
- Provide victim information and assistance to victims of sexual violence (ARS 13-4405).

Title IX Coordinator and Reporting Process

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

A complaint of sexual violence, domestic violence, dating violence, and stalking may be received directly from a student, employee, visitor, or witness or referred by PCCPD, or Campus Security Authority. Complaints will be received regardless of the location, whether on- or off-campus. Off-campus criminal complaints may be referred to local law enforcement.
The Title IX Coordinator will explain what is involved in making a police report and will comply with a complainant’s request for assistance in notifying law enforcement.

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

Interim Measures

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

- The PCCPD issuing a no trespass or suspension order to the respondent.
- Title IX Investigator issuing a temporary directive to a Respondent or other person relating to conduct that may constitute discrimination, harassment, or retaliation.
- The Chief Human Resources Officer may impose on a Respondent or other person a Paid Investigatory Leave as referenced by the Personnel Policy Statement for College Employees.
- Coordinate protective measures with the PCCPD, Title IX Coordinator, and College administration to request changes to academic, living, transportation, and working situations.
  - 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.

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.
Workplace Violence Prevention

Board Policy Number: BP 1.15

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

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

Sexual Violence

Administrative Procedure Number: AP 8.05.01

PURPOSE

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

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

SECTION 1: Reporting Responsibilities

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

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

1.3 The Department of Public Safety is responsible for the dissemination of sexual assault statistics to the college community. Sexual assault statistics shall be published annually and provided to the student population in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.
SECTION 3: Crisis Response Team

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

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

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

- Appropriate Campus President or designee.
- The Vice Chancellor for Academic Affairs and Student Development or designee (for incidents at District Office, Maintenance & Security, or non-campus areas).
- The Vice Chancellor for Human Resources or designee (when college employee is involved).
- Other Community Services as needed (i.e. Rape Crisis Center, Victim Witness Program, Mental Health Services, Medical Services).

Student Complaints

Administrative Procedure Number: AP 3.31.01 (Note: For purposes of this Report, the “Office of Dispute Resolution” has been replaced with “Compliance Office,” and the reference to EEO Officer has been clarified to be the “Compliance Director,” as these changes will be reflected in revised Policies/Procedures in the future.)

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.

SECTION 1: 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.

SECTION 2: 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 [Compliance Office]. 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. More information on submitting complaints can be found at: https://www.pima.edu/current-students/complaint-processes/index.html.

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

Formal Complaints Matrix

<table>
<thead>
<tr>
<th>Type of Complaint</th>
<th>Description</th>
<th>Reviewer</th>
<th>Appeals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Against the Chancellor and/or Governing Board</td>
<td>Complaints against the Chancellor and/or the Governing Board will be addressed in accordance with Standard Practice Guide (SPG) 1501/AA (AP conversion forthcoming) and Article X11 of the Pima Community College District Board Bylaws.</td>
<td>Governing Board in consultation with General Counsel selects Reviewer</td>
<td>Governing Board</td>
</tr>
<tr>
<td>Against a Faculty Member</td>
<td>Student complaints regarding faculty and grades.</td>
<td>Department Chair/Department Head</td>
<td>Division Dean or Vice President</td>
</tr>
<tr>
<td>Against Another Student</td>
<td>Student complaints regarding other students.</td>
<td>Division Dean or Student Affairs Dean</td>
<td>Vice President of Student Engagement</td>
</tr>
<tr>
<td>Against a Staff Member or Administrator (Non-Chancellor)</td>
<td>Student complaints regarding a staff member or administrator.</td>
<td>Direct Supervisor</td>
<td>Administrative Supervisor</td>
</tr>
<tr>
<td>Against a College policy, process or procedure</td>
<td>Student complaints over a College policy, process or procedure</td>
<td>Unit Supervisor</td>
<td>Administrative Supervisor</td>
</tr>
<tr>
<td>Discrimination or retaliation based on disability</td>
<td>Any alleged discrimination based on disability.</td>
<td>Access and Disability Resources (ADR) Director</td>
<td>College Equal Employment Opportunity Officer (EEO)/Compliance Director</td>
</tr>
<tr>
<td>Discrimination or retaliation based on other protected class other than disability</td>
<td>Any alleged discrimination based on a protected class other than disability.</td>
<td>College Equal Employment Opportunity Officer (EEO)/Compliance Director</td>
<td>Designee from Chancellor</td>
</tr>
</tbody>
</table>

SECTION 3: Investigation Procedures

Complaints will be reviewed by the assigned Reviewer following procedures detailed in the Administrative Procedures (APs) or Standard Operating Procedures (SOPs) of the program or unit of the Reviewer. In some instances, it may be necessary for several College departments and/or units (e.g., Campus Administration, Finance, General Counsel, Human Resources, Public Safety, and/or the Office of the Provost) or seek external assistance to complete the investigation. The investigation will include the following steps:

1. Determine if adequate information was provided to conduct an investigation and if an investigation is necessary.
2. Develop an investigative plan (i.e. determine the scope of the investigation, interviews to be conducted, documents to be reviewed, and appropriate offices/personnel involved).
3. Inform the parties of the expected timeframe for the review and provide updates regarding any extensions to the timeline.
4. Identify any potential reporting obligations and/or the need to notify external entities using the defined checklist on the investigation form.
5. Inform all parties regarding the status of the investigation as necessary.
6. Maintain appropriate documents to effectively support the complaint investigative process, appeals, outcomes, and recommended corrective actions.

Investigations should normally be concluded within 30 days of receipt of the complaint, although the timeframe may be extended when necessary due to the complexity of the investigation, availability of witnesses, and similar factors. At the conclusion of the investigation, the Reviewer will prepare a report detailing the outcomes, findings, and any recommendations for resolution. The report will be communicated to the complainant and the respondent as appropriate. Other appropriate parties may be informed on a need to know basis.

SECTION 4: Representation

The complainant and the respondent have the right to select another person as a representative during the complaint investigation process. A representative shall not be a key witness or potential witness. If the representative has legal training or is an attorney, the representative may not act in the capacity of an attorney. The representative may act as an observer, note-taker, and advisor for the complainant or respondent. The representative may not speak for the complainant or respondent. The representative will be required to sign an acknowledgement form indicating that the representative understands and agrees to abide by confidentiality requirements.

SECTION 5: Appeals

If the complainant believes that an error was made in the review process, the complainant may make a written appeal request. The appeal must be made within 30 days of receiving the final decision and specify the error or flaw in the process justifying the appeal, such as an incomplete investigation, bias or conflict of interest of the investigator, newly discovered information, or incorrect interpretation of the applicable rule or standard.

The appeal will include the following steps:

1. Develop an appeal plan (i.e. determine the basis of the appeal, and if needed, whether interviews need to be conducted, documents reviewed, and appropriate offices/personnel involved).
2. Inform the parties of the expected timeframe for reviewing the appeal and provide updates regarding any extensions to the timeline.
3. Inform all parties regarding the status of the appeal as necessary.
4. Maintain appropriate documents to effectively support the appeal process, including a written response regarding the appeal decision.

The appeal decision is final.

SECTION 6: Retaliation

Any form of retaliation for bringing forward a complaint or being a witness in an investigation is prohibited and may result in discipline.
Student Code of Conduct

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

Student Code of Conduct

I. Introduction

A. Purpose

Pima Community College (the “College”) promotes the exchange of knowledge in an environment that encourages reasoned discourse, intellectual honesty, and respect for the rights of all persons. In support of this goal, the primary purpose of the following Student Code of Conduct ("Code of Conduct" or "Code") is to educate and guide students to understand their responsibilities in regard to appropriate behavior and respect for others in the College community.

B. Jurisdiction

This Code of Conduct governs all conduct of a College student 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.

C. Definitions

“Day” means normal College business day, not including Saturday, Sunday, any officially recognized College employee holiday, or any day the College is closed.

“VPSD” means the Vice President of Student Development at the College campus where an alleged Code of Conduct violation occurs, or a Vice President of Student Development from another College campus designated to be responsible for the matter. If an alleged Code of conduct violation occurs in relation to an off-campus course or activity, VPSD means the Vice President of Student Development responsible for the off-campus course or activity or a Vice President of Student Development from another College campus designated to be responsible for the matter.

“President” means the President at the College campus where an alleged Code of Conduct violation occurs, or a President from another College campus designated to be responsible for the matter. If an alleged Code of Conduct violation occurs in relation to an off-campus course or activity, “President” means the President at the College campus responsible for the off-campus course or activity, or a President from another College campus designated to be responsible for the matter.
“SPG” means a College Standard Practice Guide.

“Student” means a person who (1) has been charged with a Code of Conduct violation and (2) is either (a) admitted to the College as a student or (b) registered or participating in College continuing education classes.

D. Questions Concerning Interpretation or Application of Code of Conduct

Any questions that arise concerning the interpretation or application of this Code of Conduct should be addressed to the Assistant Vice Chancellor of Student Services or his/her designee.

II. Code Violations

A. Academic Ethics Violations

B. Violations Other Than Academic Ethics Violations

Disruption, Assault and Related Offenses

A student shall not:

1. Disrupt any educational activity or process including, but not limited to, interrupting, impeding, or causing the interruption or impediment of any class, lab, administrative activity, or other College activity or event.

2. Disturb the peace of the College by, among other things, fighting, causing excessive noise, or engaging in indecent or obscene behavior.

3. Initiate, cause or contribute to any false warning or false report of a fire, explosion, emergency or crime.

4. Endanger, threaten to cause physical harm to, or cause actual physical harm to (a) another person, (b) College property, or (c) the property of another person. This section is intended to include (a) a student who threatens to cause harm to himself/herself and (b) all conduct or communications that a reasonable person would interpret as a serious expression of intent to cause physical harm to a person or damage to a person’s property.

Offenses Involving College IT Systems (Computers, Networks and Telephones)

A student shall not:

11. Use a College IT system to access, view, download, create, store, send, or forward sexually inappropriate materials of the type referenced in A.R.S. §38-448(A).

12. Access, view, download, create, store, send, or forward spam, pranks, pornographic or obscene images or words, or harassing, vulgar, threatening or intimidating messages on a College IT system.

Discrimination, Harassment, and Sexual Offenses

A student shall not:

21. Engage in discriminatory conduct against a member of the College community on the basis of age, ethnicity, gender, disability, color, national origin, race, religion, sexual orientation or veteran status.

22. Engage in sexual harassment against a member of the College community, including, but not limited to, engaging in unwelcome physical and/or sexual contact or other conduct of a sexual nature that a reasonable person would know is unwelcome. Such conduct could include (a) repeated sexual advances, or propositions; (b) verbal harassment of a sexual nature, including lewd comments and/or sexual jokes.
23. Engage in harassing conduct that a reasonable person would understand to be unwelcome or offensive, including, but not limited to, stalking or bullying. Stalking means following another person or making repeated contacts with another person in a manner that would cause a reasonable person to fear for their safety or the safety of their immediate family members or acquaintances. Bullying means engaging in conduct that involves physical assaults or threats of physical assault, intimidation, and/or harassment where the purpose or effect of the conduct is to exert dominance over another person.

24. Engage in any illegal sexual offense, including, but not limited to, sexual assault, public sexual indecency, or indecent exposure.

### Offenses Involving the Violation of a Local, State or Federal Law

A student shall not:

32. Violate any local, state or federal law.

### Offenses Involving the Violation of a College or College-Related Policy, Regulation, Rule, SPG or Directive

A student shall not:

34. Violate any College policy, regulation, or SPG.

### Offenses Related to Disciplinary Sanctions and Proceedings

A student shall not:

38. Violate the terms of any disciplinary sanction imposed on him/her as a result of a Code violation.

39. Interfere with any College student or employee disciplinary process, including, but not limited to, tampering with physical evidence, providing false testimony at a disciplinary meeting or hearing, or requesting or inducing another person to provide false information or withhold information at a meeting or hearing.

### Attempted Misconduct and Conspiracy Offenses

A student shall not:

43. Attempt to engage in conduct prohibited by this Code of Conduct. A student who engages in attempted misconduct can be disciplined to the same extent as if the student completed the prohibited act.

44. Join with others in a conspiracy to engage in conduct prohibited by this Code of Conduct. A student engages in a conspiracy when the student (a) agrees with others to engage in a plan or scheme that violates the Code and (b) undertakes one or more actions in furtherance of the agreement. A student who conspires with others to engage in conduct prohibited by the Code can be disciplined to the same extent as if the student alone engaged in the prohibited conduct, regardless of whether or not the conspiracy was completed.

### III. Code Sanctions

#### A. Definition of Sanctions

Sanctions are disciplinary penalties that may be imposed on a student following a determination that the student has engaged in one or more Code violations described in section II. An exception to the above is an
immediate suspension, which is a sanction that may be imposed prior to a determination that a Code violation has occurred.

B. Sanctions Determined on a Case-by-Case Basis

The determination of what sanctions may be warranted in a given situation will be based on the specifics of that situation and the student’s prior disciplinary record.

C. Employees Authorized to Impose Sanctions

Employees authorized to impose sanctions include, and are limited to, the following:

1. An instructor may impose academic ethics sanctions for an academic ethics violation involving the instructor’s course. (See subsection III (D).)
2. A Vice President of Student Development (VPSD) may impose sanctions other than academic ethics sanctions. (See subsection III (E).) A President may impose sanctions in an appeal decision. (See subsection IV (C).)
3. A College Department of Public Safety Officer (DPS Officer) may impose an immediate suspension, provided, however, that nothing in this paragraph is intended to restrict the Officer’s traditional authority to protect the peace and/or enforce applicable criminal and traffic laws. (See section V.)

D. Academic Ethics Sanctions

E. Sanctions Other Than Academic Ethics Sanctions

Sanctions other than academic sanctions mean any one or more of the sanctions set out below. Where appropriate, a student may be subject to more than one sanction. For example a student may be on probation, have an obligation to pay restitution, and be on a behavior contract at the same time:

1. **Warning:** A warning admonishes a student for a Code of Conduct violation and warns the student not to commit further violations. A warning must be in writing but does not become part of the student’s permanent record.
2. **Agreed-Upon Behavior Contract:** In situations where a student and VPSD can agree on the consequences that should result from the student’s Code of Conduct violation, the agreed-upon consequences can be set out in a document titled “Behavior Contract.”
3. **Reprimand:** A reprimand admonishes a student for a Code of Conduct violation and warns the student not to commit further violations. A reprimand must be in writing and becomes part of the student’s permanent record.
4. **Probation:** Probation is a written directive to comply strictly with the Code of Conduct for a specified period of time. A student on probation is permitted to continue with his or her coursework and attend College events and activities, but is warned that any further Code violation may result in the imposition of more severe sanctions, including possible suspension or expulsion.
5. **Immediate Suspension:** An immediate suspension is a suspension imposed by a VPSD or College DPS Officer on a student prior to the student’s receipt of due process procedures. (See section V.)
6. **Mandated Withdrawal:** A mandated withdrawal is a sanction where the student is withdrawn from a class or classes or from a College program. Withdrawal of a student from a College program can be for a specified amount of time not to exceed eighteen (18) months or can be permanent.
7. **Suspension:** Suspension is a sanction that, for a specified period of time, (a) requires a student not to be on any College campus or property; (b) excludes the student from all College academic courses and
activities; and (c) prohibits the student from attending or participating in any College event or activity, regardless of location. A suspension shall not exceed eighteen (18) months in length. In appropriate situations, a limited suspension may be imposed. A limited suspension is one that restricts a student from some, but not all, academic classes. A suspension is a limited suspension only if it is expressly referenced as such in the decision that imposes the suspension. A student's readmission following a suspension may be conditioned on compliance with specified conditions.

8. **Expulsion**: Expulsion is the permanent exclusion of a student from (a) all College campuses and property; (b) all academic courses and activities of the College; and (c) the right to attend or participate in any College function or activity, regardless of location.

9. **Degree or Certificate Revocation**: Degree or certificate revocation is a sanction where the College revokes a degree, certificate or other academic recognition previously awarded by the College to a student. Notice of any degree revocation appears on the student's transcript. If the College previously communicated the award of a degree, certificate or other academic recognition to another person or entity, the College may provide notice of the revocation to that person or entity.

10. **Restitution**: Restitution involves the payment of monies to the College or to one or more persons, groups, or organizations to compensate the person(s), group(s), or organization(s) for damage to property or costs incurred as a result of the student's Code violation. Before requiring restitution in a Code matter that also involves separate criminal charges, a VPSD shall consult with the Chief of Police.

11. **Access Restrictions**: Access Restrictions are restrictions on a student's ability to attend or access specific services, facilities, and/or extracurricular activities or events. An access restriction shall not include prohibiting a student from attending a class or classes in which the student is enrolled.

12. **Service and Related Activities**: A student may be required to complete an educational program at the student's expense, write a paper or letter of apology, or engage in community service appropriate to a specific Code violation.

13. **Administrative Hold**: An administrative hold is a sanction that precludes a student from registering, receiving transcripts, or graduating until clearance has been received from a campus President or VPSD based on the student's completion of specified conditions, such as the return of property, completion of community service obligations, payment of restitution, etc. An administrative hold may only be imposed on a student in two circumstances. The first circumstance is when the student has received one of the following disciplinary sanctions: (a) an immediate suspension, (b) a suspension other than an immediate suspension that is scheduled to continue for more than three (3) days, (c) withdrawal of the student from a class or classes, or from a College program, (d) an expulsion, or (e) a degree or certificate revocation. The second circumstance is when a campus President or VPSD determines, in the President or VPSD's discretion based on the circumstances of a particular situation, that an administrative hold is warranted.

**IV. Due Process Procedures**

**A. Incident Reports**

1. **Reporting Alleged Code of Conduct Violations and Preparation of Incident Reports**: In the case of an emergency involving violent or threatening student conduct, including a student's threat to injure himself/herself, College employees, students, and visitors are strongly encouraged to immediately contact the College's Department of Public Safety (DPS) by dialing 206-2700 or 911. In cases that do not involve an emergency, College employees, students and visitors may report a possible Code of Conduct violation by completing a College incident report form and notifying a VPSD. An incident report form may be obtained in any VPSD's office. Also an incident report form is attached.
If allegations of misconduct are received by a VPSD in any written form other than on an incident report form, the VPSD shall transfer the relevant information to an incident report form. In addition, a VPSD may independently initiate an incident report based on his/her communications with others or on written documents such as media reports, police reports, emails, letters, or other written documents.

2. **Contents of Incident Report:** An incident report should, to the extent reasonably possible, set out specific facts, including specific names(s), date(s), location(s) and descriptions of the alleged act(s) of misconduct.

3. **Time Limit:** An incident report should be submitted as soon as reasonably possible after alleged student misconduct occurs. Although there is no strict time limit after which an incident report may not be filed, an incident report that is submitted more than five (5) days after the alleged student misconduct may or may not be reviewed or otherwise processed, at the discretion of the VPSD.

4. **Entry of an Incident Report and Resolution Thereof into the Code of Conduct Log:** Upon receipt or preparation of an incident report, the VPSD shall within twenty-four (24) hours enter the information into the Code of Conduct Log and check to see if there are any other disciplinary matters involving the student. Upon final resolution of the allegations referenced in the incident report, the VPSD shall enter into the Code of Conduct Log how the disciplinary matter was concluded.

5. **Consultation with the College’s EEO Office Concerning Certain Incident Reports:** The VPSD shall consult with the College's EEO Office following the receipt or preparation of an incident report when:
   a. the report includes allegations of discrimination, sexual harassment, or other type of harassment, or
   b. the VPSD reasonably believes that the student’s alleged misconduct may be the result of a disability.

6. **Notice to Student Behavior Assessment Committee of Certain Incident Reports:** The VPSD will provide a copy of an incident report to the Student Behavior Assessment Committee, with a copy to the President, in those matters identified in subsection VI (E) below.

**B. The Review Process**

1. **Overview of Review Process**
   In the Review Process, the VPSD determines whether a student has violated the Code, and if so, determines the sanction(s) to be imposed as a result of the violation(s).

2. **Review Process Procedures**
   The Review Process shall include the following:
   a. The VPSD shall, within five (5) days of preparing an incident report or receiving an incident report, notify the student of the alleged misconduct and set a meeting (Review Meeting) with the student to discuss the allegations. The notice shall specify a time, date, and place of the Review Meeting. The specified meeting date shall be not less than two (2) nor more than five (5) days following the date the notice is sent to the student. Additional requirements concerning the notice are provided in subsections VII (A)&(B) below.
   b. Either prior to or following the Review Meeting, the VPSD may conduct whatever additional review of the allegations of misconduct the VPSD deems necessary.
   c. The student may be accompanied at the Review Meeting by a person who is a non- lawyer provided such person's attendance will not unreasonably delay the meeting.
   d. At the Review Meeting, the student shall be offered the opportunity to discuss with and/or present to the VPSD any information the student desires concerning his/her version of the events related to the alleged misconduct.

3. **Review Decision**
   Within five (5) days following the conclusion of the Review Meeting, the VPSD shall prepare and distribute a written decision (Review Decision) as follows:
a. If the VPSD is unable to conclude that the student violated the Code, the Review Decision shall so indicate and the Review Process shall be closed. Review Decision form attached.

b. If the VPSD's determination is that the student engaged in misconduct, the Review Decision shall:
   
   i. Specify the Code violation(s) and the sanction(s) being imposed.
   
   ii. State that the student has the option of requesting an Appeal and describe how the student would file the appeal request in cases where an appeal is available to the student. Whether an appeal is available to the student is based on the type and severity of the sanctions being imposed. (See subsections IV (B)(4) & (5).) Review Decision form attached.
   
   iii. State that the Review Decision is final in cases where an appeal is not available to the student. If an appeal is not available, see Review Decision form attached.
   
   iv. State that the VPSD reserves the option to modify his/her decision based on determinations or recommendations of the Student Behavior Assessment Committee in cases that have been referred to the Committee.

c. A copy of the Review Decision shall be provided to the student, the President, the Executive Director of Financial Aid, and the Assistant Vice Chancellor of Student Services.

d. A copy of the Review Decision shall also be provided to the members of the Student Behavior Assessment Committee in cases that have been referred to the Committee.

4. Appeal of Review Decisions in Limited Situations
   Following the Review Process, a student may request and is entitled to be provided an appeal only if one or more of the following sanctions were imposed as a result of the Review: (a) a suspension for more than fifteen percent (15%) of the class sessions for a course, (b) mandated withdrawal of the student from one or more courses or a College program, (d) an expulsion, or (e) revocation of a degree or certificate previously awarded by the College. No additional appeal is available to a student if the Review Decision does not include any of the sanctions specified in this paragraph.

5. Procedure for Student to Request an Appeal
   A student who is entitled to and desires to request an Appeal must file a written request in the President’s office within five (5) days of the student’s receipt of the Review Decision. The student’s written request must include a copy of the Review Decision. Failure of the student to request an Appeal within five (5) days of the Student’s receipt of the Review Decision results in the Review Decision being final. An appeal form for student to complete may be obtained in the VPSD’s office.

6. Process in Matters that have been Referred to the Student Behavior Assessment Committee
   In cases where an Incident Report has been referred to the Student Behavior Assessment Committee, the VPSD (a) may commence and continue the Review Process or (b) if recommended by the Chair of the Student Behavior Assessment Committee, may impose brief delays in the Review Process to accommodate actions/meetings of the Committee. In addition, in his/her Review Decision, a VPSD may reserve the right to modify any sanction based on future determinations or recommendations of the Student Behavior Assessment Committee.

C. The Appeal Process
   
   1. Overview of Appeal Process
      The Appeal Process is available to a student when, and only when, a Review Decision imposes on the student one or more of the sanctions set forth in subsection IV(B)(4). In the Appeal Process, the President or his/her designee determines whether the student has violated the Code, and if so, determines the sanction(s) to be imposed as a result of the violation(s).
2. **Designation of Administrative Representative**
   Within five (5) days of the President's receipt of a student's timely request for an Appeal, the President will designate an administrator (referred to as the “Administrative Representative”) to assist in the processing of the Appeal Process. The Administrative Representative may or may not be the VPSD.

3. **Notice to Student of Appeal Meeting**
   Within five (5) days of the President’s receipt of a student’s timely request for an Appeal, the President will send written notice to the student and the Administrative Representative specifying the time, date and place of an Appeal Meeting. The specified meeting date shall be not less two (2) or more than five (5) days following the date the notice is sent to the student. Additional requirements concerning the notice are provided in subsections VII(A)&(B).

4. **Persons who May be Present at Appeal Meeting**
   The student may be accompanied at the Appeal Meeting by a non-lawyer representative if the student so desires. (See subsection VII (F).)
   The following persons may be present during the entire Appeal Meeting: (i) the President, (ii) the student and, if applicable, the student’s representative, and (iii) the Administrative Representative. Any other person may be in the Appeal Meeting only during the time that he/she is presenting information to President.

5. **Presentation of Information to the President at the Appeal Meeting**
   The President shall preside at the Appeal Meeting. At this meeting, both the Administrative Representative and the student shall be provided a reasonable opportunity to present information to the President with respect to (1) whether the student violated the Code, and (2) if a Code violation has occurred, what sanction(s) are warranted. The presentation of information to the President will occur in the following manner:
   
a. The President shall inform all persons present at the Appeal Meeting that they are expected and required to be truthful, cooperative and respectful.

b. The Administrative Representative will present information to the President first. The information may include (1) statements made by the Administrative Representative himself/herself; (2) statements of persons that the Administrative Representative chooses to bring to the meeting; and/or (3) the presentation of written documents (which may include written statements of persons who may or may not be present at the meeting). A copy of any written document provided to the President shall also be provided to the student. The student and President shall be permitted to ask clarifying questions of any person who presents information to the President during this portion of the Appeal Meeting.

c. At the conclusion of the Administrative Representative’s presentation of information, the student will then have the opportunity to present information to the President. The information may include (1) statements made by the student himself/herself; (2) statements of persons that the student chooses to bring to the meeting; and/or (3) the presentation of written documents (which may include written statements of persons who may or may not be present at the meeting). A copy of any written document provided to the President shall also be provided to the Administrative Representative. The Administrative Representative and President shall be permitted to ask clarifying questions of any person who presents information to the President during this portion of the Appeal Meeting.

d. At the conclusion of the student’s presentation of information, the Administrative Representative shall be given a brief opportunity to present additional information to respond to information provided by the student. The student and President shall be permitted to ask
clarifying questions of any person who presents information to the President during this portion of the Appeal Meeting.

e. Following the presentation of information described above, the Administrative Representative and student will each be allowed to present a brief concluding statement that summarizes the information presented and contains that person’s recommendations concerning possible sanctions.

6. **Appeal Decision**
Within five (5) days following the conclusion of the Appeal Meeting, the President shall prepare and distribute a written decision (Appeal Decision) as follows:

a. If the President is unable to determine that the student violated the Code, the Review Decision shall be rescinded and the Appeal Process shall be closed.

b. If the President determines that the student violated the Code, the Appeal Decision shall:
   
i. Specify the Code violation(s) and the disciplinary sanction(s) being imposed. Any sanction(s) being imposed may be the same as, or may be more or less severe than, the sanction(s) contained in the Review Decision.
   
ii. Indicate, if applicable, that the Appeal Decision is final. An Appeal Decision is final unless one of the sanctions being imposed is expulsion or the permanent withdrawal of the student from a College program.
   
iii. Indicate, if applicable, that the Appeal Decision will be reviewed by the Provost in the manner specified in subsection IV(C)(7). An Appeal Decision will be reviewed by the Provost if one of the sanctions being imposed is expulsion or the permanent withdrawal of the student from a College program.

A copy of the Appeal Decision shall be provided to the student, the Administrative Representative, the VPSD, the Executive Director of Financial Aid, and the Assistant Vice Chancellor for Student Development. If the discipline imposed includes expulsion or the permanent withdrawal of the student from a College program, a copy of the Appeal Decision shall also be provided to the Provost.

A copy of the Appeal Decision shall also be provided to the members of the Student Behavior Assessment Committee in cases that have been referred to the Committee.

7. **Provost Review of Decisions that Include Expulsion or Permanent Withdrawal from a College Program**
Unless the discipline imposed in an Appeal Decision includes expulsion of the student or the permanent withdrawal of the student from a College program, the President’s Appeal Decision is final. An Appeal Decision that includes expulsion or the permanent withdrawal of the student from a College program shall be reviewed by the Provost. The Provost’s review shall include a discussion with the President and, in the discretion of the Provost, a discussion with the student and Administrative Representative (either separately or at the same time). The Provost shall, within ten (10) days of his/her receipt of the President’s decision, issue a written decision either confirming or declining to confirm the portion of the Appeal Decision that involves expulsion or permanent withdrawal of the student from a College program. If the Provost declines to confirm the portion of the Appeal Decision that involves expulsion or permanent withdrawal of the student from a College program, the Provost shall refer the matter back to the President that issued the decision and indicate that the President should issue a revised Appeal Decision that does not include expulsion or permanent withdrawal of the student from a College program. A copy of the Provost’s decision shall be provided to each person who received a copy of the Appeal Decision.
V. Immediate Suspension

A. Requirements for Imposing an Immediate Suspension

A VPSD or College DPS Officer may, without prior notice to the student, impose upon the student an immediate suspension if there are reasonable indications that: (1) the student may present an unreasonable risk of danger to himself/herself or others, or (2) the student’s presence on College property poses a significant risk of disruption of educational activities.

If an immediate suspension is imposed, the employee imposing the suspension shall promptly file an incident report. The VPSD shall promptly proceed with the Review Process (see subsection IV (B)) and shall review whether the matter should be referred to the Student Behavior Assessment Committee. (See section VI.)

B. Notice to Student of Immediate Suspension

A VPSD or DPS Officer who imposes an immediate suspension shall give the student oral or written notice of the immediate suspension and the reasons therefore as soon as reasonably possible. If the initial notice is oral, written notice of the immediate suspension and the reasons therefore will be given to the student within two (2) days.

C. Discretion to Allow Continuation of Course Work

In cases involving an immediate suspension, the VPSD may, in the VPSD's discretion, allow the suspended student to continue his/her course work by means of email communications and/or independent study.

D. Duration of an Immediate Suspension

An immediate suspension will remain in effect until (1) a final decision has been made concerning the alleged Code violation(s), or (2) the VPSD determines that the reasons for imposing the immediate suspension no longer exist.

A. No Review of an Immediate Suspension

A VPSD or DPS Officer’s decision to impose an immediate suspension is not subject to review. Once an immediate suspension is imposed, however, the Review Process, and, if applicable, the Appeal Process, shall proceed promptly and no extensions of time in either such process shall occur unless the student makes a written request to the VPSD or President for an extension or extraordinary circumstances exist justifying an extension.

VI. Student Behavior Assessment Committee

A. Purpose

The College seeks to promote a safe environment where students and employees may participate in the educational process without compromising their health, safety or welfare.

B. Formation and Members of Student Behavior Assessment Committee

A Student Behavior Assessment Committee shall be formed and shall be comprised of the following members:

1. A Vice President of Student Development;
2. A licensed clinical psychologist or psychiatrist (who may or may not be a College employee);
3. A representative from the College’s Department of Public Safety;

The Chancellor shall designate generally who shall serve as the Chair of the Committee, and may modify such designation in a particular case.

If at any particular point in time one or more members of the Student Behavior Assessment Committee are not reasonably available, the Committee may operate with the remaining members that are available.
C. Referring a Matter to the Behavior Assessment Committee
Subject to section D below, a VPSD, Campus President, the Assistant Vice Chancellor for Student Development, the Chief of Police, the Provost and/or the Chancellor may refer a matter involving a student to the Student Behavior Assessment Committee. Such referral may be made at any time, including but not limited at any stage of a Review or Appeal Process involving the student.

D. Matters to be Referred to the Student Behavior Assessment Committee
The following matters shall be referred to the Student Behavior Assessment Committee:
1. Situations involving allegations of serious physical violence, threats of serious physical violence, or other threatening behaviors of a serious nature.
2. Situations involving allegations that the student has repeatedly engaged in disruptive conduct.
3. Situations where it reasonably appears that a student may present a danger to himself/herself or others.
4. Situations where it reasonably appears that a student’s behavior may be impacted by a mental health condition and the student’s behavior is either (1) disruptive, (2) clearly distressed, or (3) seriously at variance from social norms.

E. Student Behavior Assessment Committee may Consult with Others
The Student Behavior Assessment Committee may gather information about a given case and may consult and meet with such other persons as it deems appropriate. Such persons may include, but are not limited to, the College’s legal counsel and/or a representative of the College’s EEO Office.

F. Authority of Student Behavior Assessment Committee
The Student Behavior Assessment Committee is authorized to make the following recommendations and determinations and take the following actions:
1. Require a student to provide a mental health clearance to the Committee. The Committee may also restrict a student from being on campus and/or attending College events or activities pending the receipt of a mental health clearance. If a Review Process has not been initiated and the student has not received a notice of an alleged Code of Conduct violation, the Committee must consult with legal counsel and obtain the authorization of the Chancellor or the Chancellor’s designee prior to requiring the student to provide a mental health clearance to the Committee or restricting the student from campus and/or attending College events.
   A mental health clearance is an opinion issued by a mental health professional indicating whether, in the opinion of the mental health professional, the student’s presence on a College campus presents a danger to the student himself/herself or others.
2. Recommend to a VPSD or President involved in a Review or Appeal Process: (a) what sanctions may be appropriate to impose if a student is found to have engaged in a Code violation; (b) whether to allow a student to withdraw and provide a mental health clearance to the Committee as a condition of returning to the College, and/or (c) whether to require a student to comply with other conditions recommended by the Committee.
3. Make such other recommendations and determinations as authorized by the Chancellor or the Chancellor’s designee.

VII. Miscellaneous Provisions
A. Delivery of Notices and Decisions
Except for initial notice of an immediate suspension as described in subsection V (B), any notice or decision to be given to a student pursuant to these procedures shall be in writing and may either be (a) delivered personally to the student or (b) emailed to the student’s Pima.edu email account. Failure of
the student to collect his/her email from his/her Pima.edu email account does not render the notice ineffective.

If it is not reasonably possible to deliver notice to the student by one of the two methods set forth above, notice will be mailed by regular mail to the student’s home or local address as referenced in the College’s records. In such cases, unless the student agrees otherwise, the meeting will be scheduled not less than four (4) nor more than ten (10) days after the date of mailing of the notice of the meeting.

Notices intended to be hand delivered by a student to a College office or a College administrator must be delivered during the College’s normal working hours.

B. **Contents of Notices of Review and Appeal Meetings**

Notice to a student of an upcoming Review or Appeal Meeting shall include:

1. A reference to the Code provision(s) alleged to have been violated by the student.
2. A description of the alleged conduct in violation of the Code, including a summary of the specific facts, and the names(s), date(s), and location(s) that are reasonably necessary to describe the alleged conduct.
3. The time, date and place of the meeting.
4. The name and email address of the VPSD or President that will conduct the meeting.
5. A statement that a final decision will not be made concerning whether the student engaged in the alleged misconduct until the student has had an opportunity at the meeting to (a) tell his/her side of the story and (b) comment on the issue of sanctions that would be appropriate to impose if it is determined that the student violated the Code.
6. A reminder to the student that if the student is receiving financial aid, the imposition of a disciplinary sanction might adversely affect financial aid the student has already received or the student’s ability to continue to receive financial aid.
7. In cases where an immediate suspension has been imposed, a statement as to whether the VPSD has, in his/her discretion, decided to allow the student to continue his/her coursework by means of email communications and/or independent study.
8. A reference to the College website address for the Student Code of Conduct.

C. **Assistance Available to Students with Disabilities**

If a student believes he/she needs an ADA accommodation to participate in a Code of Conduct process, the student should contact the College’s ADA Coordinator.

D. **Student Who Cannot be Contacted to Schedule a Meeting, Who Fails to Cooperate in the Scheduling of a Meeting, or Who Fails to Appear at a Scheduled Meeting**

If a student (1) cannot be contacted in the manner described by subsection VII (A) to schedule a Review Meeting, (2) fails to cooperate in the scheduling of a Review Meeting, or (3) fails to appear at a scheduled Review Meeting, the VPSD can proceed with the Review Meeting and issue a Review Decision. A student who (1) cannot reasonably be contacted to schedule an Appeal Meeting (2) fails to cooperate in the scheduling of an Appeal Meeting, or (3) fails to appear at a scheduled Appeal Meeting, will be deemed to have abandoned his/her appeal and the Review Decision shall be enforced.

E. **Authority of Chancellor to Assign an Alternate Decision Maker—Situations Where a Decision Maker has an Actual or Potential Conflict of Interest**

The Chancellor may, for good cause, assign a different administrator to serve: (1) as the VPSD in a Review Process, or (2) as the President in an Appeal Process. Good cause is determined in the discretion of the Chancellor and includes situations where a VPSD or President may have an actual or potential conflict of interest in his/her role as a decision maker in a Review or Appeal Process. A VPSD or
President who may have an actual or potential conflict of interest in a student discipline matter shall inform the Chancellor of the conflict as soon as possible after the conflict arises.

F. Right of Student to be Accompanied by Someone Other than an Attorney at a Disciplinary Proceeding
In any Review or Appeal Meeting, the student may be accompanied by a non-lawyer. Such person may provide advice to the student during the proceeding but may not actively participate in the proceeding. Notwithstanding the above, if the student is less than 18 years of age, the student may be accompanied by a custodial parent or legal guardian at a Review or Appeal Meeting and the parent or guardian may assist the student by actively participating in the meeting. The fact that a parent or guardian actively participates in and assists a minor student at a Review or Appeal Meeting does not negate or limit the requirement of the student to answer questions posed to him/her at such a meeting.

G. Burden of Proof Concerning Alleged Student Misconduct
In any Review or Appeal Process, the standard to be applied is the “preponderance of the evidence” standard. Under this standard, the VPSD or President is authorized to impose discipline if the information available to the decision maker indicates that the student more likely than not committed the alleged Code violation.

H. Conduct of Review and Appeal Proceedings
The formal rules of evidence do not apply to Review and Appeal Meetings. At any such meeting, however, the VPSD or President, as applicable, may exclude irrelevant, immaterial, privileged or unduly repetitious information. In addition, the VPSD or President may impose reasonable time limits with respect to the presentation of information.

I. Recording of Review and Appeal Proceedings
Review Meetings shall not be recorded. Recording of an Appeal Meeting will only occur if (1) the President, in his/her discretion, requests that the meeting be recorded, (2) recording is determined to be an appropriate accommodation for a disabled student, or (3) the student arranges for such recording to occur at the student's own cost. If at the President's direction an Appeal Meeting is recorded, the student may request that the recording be transcribed, or that the recording be copied, but a transcript or copy of the recording shall not be prepared or provided to the student unless the student pays, in advance, the estimated cost of such transcript or copy. A student will not be required to pay for the transcription or copy of a recording that is made as a disability accommodation.

J. Minor Errors
Minor errors made in the application of this Code of Conduct, including minor procedural or timeline errors, shall not invalidate an ongoing disciplinary process or invalidate any discipline that has been imposed unless such errors are determined to be prejudicial to the legal interests of the student.

K. Modification of Timeline for Good Cause
A VPSD in any Review Process, or the President in any Appeal Process, may for good cause modify a timeline set forth in these procedures. In situations where an immediate suspension has been imposed, a delay of any timeline shall occur only if the student submits a written request to the VPSD or President, as applicable, for an extension or extraordinary circumstances exist justifying the extension.

L. Limited Consideration of a Student’s Prior Disciplinary Record
In a Review or Appeal Process, information regarding a student's prior disciplinary record may be presented to and/or reviewed by the VPSD or President, as applicable, but such information shall not be considered relevant on the issue of whether the student engaged in the alleged misconduct. The student's prior disciplinary record may be considered by the VPSD or President only with respect to the issue of determining appropriate sanctions to impose if the student is found to have committed a Code violation.
College Employees Personnel Policy Statement

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

The complete College Employees Personnel Policy Statement can be found at: https://www.pima.edu/administrative-services/human-resources/personnel-policy-statements/common-policy.html

Section V. Code of Conduct/ Discipline

A. Preamble

[all employees]

It is the policy of the College that certain rules and regulations regarding employee behavior are necessary for the efficient operation of the College and for the benefit and safety of all visitors, students and employees. All College employees are expected to contribute to a productive and cooperative effort to conduct the business of the College and to serve the students and the general public. Further, College employees have a responsibility to the College and the community to conduct themselves at the highest level of ethical standards.

Conduct that interferes with operations, discredits the College, or violates performance or ethical standards will not be tolerated. Such conduct will result in the implementation of the Corrective Action Procedure, Disciplinary Procedure, and/or other appropriate action depending upon the situation. The Corrective Action Procedure attempts to assist and encourage College employees to correct unsatisfactory personal conduct and/or improve their job performance through a series of discussions, meetings, and action plans. Disciplinary Actions, when necessary, will be recommended, authorized, and carried out as described in the Disciplinary Procedure. The employee may elect to file a grievance (Section VI) decisions made and/or actions authorized as a result of either the Corrective Action or Disciplinary Procedures if he/she believes that College policies and/or procedures were not followed in the Corrective Action or Disciplinary Procedures. However, the outcome of this grievance process will not change the contents of the Corrective Action Plan or Disciplinary Action, but may result in an independent investigation of the process used to arrive at that outcome. The employee may also elect to file an appeal (Section V., L.) if he/she believes that the outcome of a Disciplinary Procedure is not satisfactory.

B. Definitions

- **Appellant:** the person filing an appeal regarding the outcome of a Disciplinary Action
- **Respondent:** the person who determined the outcome in a Disciplinary Procedure
- **Representative:** the regular employee or member of the employee representative group supporting the appellant or respondent as per Section V., H.
- **Level one supervisor:** the person who supervises the respondent
- **Executive administrator:** the person who reports to the Chancellor and who has final supervisory over the level one supervisor (e.g., the Campus President or Vice Chancellor)
- **Outcome:** the specific action(s) identified in a Corrective Action Plan or Disciplinary Action
- **Retaliation:** an adverse action taken against an employee or student as a result of the employee’s or student’s good faith participation in a protected activity

C. Code of Conduct and Standards of Behavior for Employees

[all employees]
Pima Community College employees will show mutual respect for others, basic courtesy, reciprocity (treating others as we wish to be treated), and behaviors that create a positive environment in which to learn and to work. College Administration will set the tone for civil behavior through their professional conduct and through their leadership of the institution. All members of the college community will create a positive environment characterized by considerate and principled conduct.

1. Employees are required to comply with Federal, State, County, and Municipal laws and regulations as well as the Policies and Procedures of Pima Community College.

2. In order to assist employees in their efforts to meet the expectations of the College, supervisors shall:
   a. Be familiar with College policies and procedures that affect assigned personnel; Consult with Human Resources Employee Relations for assistance prior to initiating corrective or disciplinary action.

3. The following conduct is prohibited and any employee engaging in such conduct, attempting to engage in such conduct, or aiding another employee is subject to the Corrective Action and/or Disciplinary Procedures. The examples below are illustrative of the behavior that will not be permitted, but are not intended to be all-inclusive:
   a. 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 (see Section I., C.); disorderly or disruptive conduct;

D. Reporting Violations of Law and College Policy (Whistle-blowing) [all employees]

In accordance with Arizona Revised Statutes ’38-531 and ’38-532, it is a prohibited personnel practice for an employee who has control over personnel actions to take reprisal against an employee for a disclosure of information of a matter of public concern by the employee to a public body that the employee reasonably believes evidences:

1. A violation of any law.
2. Mismanagement, a gross waste of monies or an abuse of authority.

Every employee has the responsibility to report violations of Federal, State, County, Municipal laws or regulations, College policies or procedures, or failures to meet the standards of professionalism and ethical conduct expected by the College which the employee has reason to believe have occurred or will occur. For violations as listed above, the report should be made to the employee’s supervisor, an Executive Administrator, the College’s Internal Auditor, the College’s hotline, the College’s attorney, or the campus police as appropriate.

The disclosure by an employee to a public body alleging a violation of law, mismanagement, gross waste of monies or abuse of authority shall be in writing and shall contain the following information:

1. The date of the disclosure.
2. The name of the employee making the disclosure.
3. The nature of the alleged violation of law, mismanagement, gross waste of monies or abuse of authority.
4. If possible, the date or range of dates on which the alleged violation of law, mismanagement, gross waste of monies or abuse of authority occurred.
A finding that any employee, supervisor, or administrator has violated, is violating or intends to violate the Federal, State, County, Municipal laws or regulations, College policy or procedures, or is failing to meet the standards of professionalism and ethical conduct expected by the College will subject the employee to appropriate corrective or disciplinary action, up to and including termination.

E. **Whistle-Blowing Protection**

[all employees]

Retaliation against any employee for whistle blowing, or participating in an investigation is strictly prohibited. The College prohibits any form of retaliation against employees for bringing bona fide allegations or providing information about violations of law or College policy to the attention of the College.

Employees who, in good faith, report what they believe to be workplace violence, a violation of law or College policy, or who cooperates in any investigation will not be subject to retaliation. However, if an employee knowingly makes erroneous allegations or provides false information, then, depending on the circumstances, the employee may be subject to disciplinary action, up to and including termination.

Any employee who believes he/she has been a victim of retaliation for reporting workplace violence, a violation of law or College policy, or in an investigation should immediately contact the Chief Human Resources Officer or his/her designee or the [Compliance Office.]

Retaliation becomes a separate complaint that can be claimed even if the original discrimination complaint was not substantiated. Retaliation can involve any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoff, training, fringe benefits and any other term or condition of employment.

F. **Investigative Process**

[all employees]

It is the responsibility of all employees to comply with the College’s Code of Conduct, policies, procedures, and standards of job performance; any noncompliance must be remedied. It is the responsibility of the appropriate supervisor or administrator to assure compliance with the College’s Code of Conduct, policies, procedures, and standards of job performance and to investigate, or initiate investigation of, any allegations of non-compliance. All investigations will be conducted promptly and will provide due process for all participants in the investigation. All College investigations shall be conducted in an impartial and as confidential a manner as possible in accordance with College policy, and State and Federal laws. All employees are expected to cooperate in ongoing investigations. Tape recording of investigatory meetings will only be permitted if all parties at the meeting agree.

1. **Investigations**

Alleged violations, including the appearance of violations, of Federal, State, County, or Municipal laws shall be investigated by the appropriate College personnel who have the training and responsibility to conduct such investigations. Allegations of a violation of federal fair employment law or any type of unlawful discrimination shall be investigated according to the College Discrimination Complaint process. Violations and concerns that go beyond the scope of College administrative investigations will be referred to the appropriate law enforcement agency as needed. Alleged violations of any laws may also result in the initiation of the Corrective Action or Disciplinary Procedure as detailed in this section.

In matters pertaining to job performance, personal conduct, or observance of College policies, the appropriate College personnel will conduct the investigation.
Matters concerning a Chancellor shall be referred to the Board Chair and College legal counsel, who shall notify all Board members, conduct a review and provide notice of the resolution to the complainant, in accordance with the Board By-laws Article XII.

An employee who is required to attend an investigatory meeting will be informed of the nature and intent of the meeting when the meeting is scheduled. The employee may choose to have a representative accompany him/her to the meeting (Section V., H.). Should it become necessary, the appropriate supervisor may decide to initiate the Corrective Action or Disciplinary Procedures.

2. Administrative Leave
In order to investigate allegations of misconduct, the College, through the appropriate Executive Administrator, in consultation with the Chief Human Resources Officer or designee, may place an employee on an administrative leave (leave with pay), immediately following notification to the employee. Such an action is taken when it is deemed to be in the best interest of the College and/or the employee to do so. The notification to the employee will include a written summary of the allegations prompting the leave. Any employee placed on administrative leave will not be required to use accumulated annual or sick leave and will continue to receive his/her regular (base) salary and benefits.

While on an administrative leave, the employee is expected to be available to the College during the Employee’s normal work hours, by either home phone or cellular phone. The employee is also expected to cooperate with the College in conducting the review and in providing information and resources necessary to conduct College business. Contact and communication with College employees may be limited to those directly involved in conducting the investigation. No employee may discuss details or matters related to the investigation with College employees who are not involved in conducting the review.

G. Guidelines for Corrective Action and Disciplinary Procedures
[full-time regular employees]

Depending upon the facts and circumstances involved in each situation, including what the College believes to be the seriousness and/or repetitive nature of the improper conduct or performance, management may in its sole discretion begin corrective or disciplinary procedures at any step. The steps are defined as the procedures are identified in the following sections:

- (J.1) Corrective Action: Step 1
- (J.2) Correction Action: Step 2
- (K) Disciplinary Procedure

1. Employees and their representatives will be allowed reasonable reassigned time from their regular duties in order to meet with College management.

2. All meetings held under these procedures shall be conducted as soon as is possible but no longer than 48 hours from the time of notification and at a place that affords a fair and reasonable opportunity for all persons entitled to be present to attend.

3. All discussions held under these procedures should occur in a private office, if reasonably available, or in an area substantially removed from the immediate presence of others.

4. As the corrective action moves from one step to the next, the supervisor may not add new allegations to the action without formal notice to the employee and provision of sufficient additional response time.

5. Retaliation shall not be taken against an employee for requesting representation, or an employee representative for fulfilling his/her responsibilities.
H. **Representation**
All employees have the right and option to identify and select another regular College employee as a representative of his/her choice at any and all steps of the Corrective Action or Disciplinary Procedures. This individual should be a member of the same employee group as defined in Board Policy 4001 unless all employees involved in the matter agree that a representative from another group is acceptable. A selected representative may decline and the employee may then select another representative. A representative shall not be a key witness in the same matter.

If the representative has legal training or is an attorney, the representative may not act in the capacity of an attorney as related to this matter or any issue that may be tied to the matter.

The employee may assign any or all of the following roles to his/her representative, but is responsible for making all final decisions regarding how to pursue the matter:

- observer
- note-taker
- person who speaks in addition to the employee, but not for the employee
- assistant to read and interpret policy or provide other appropriate support
- advisor

All communications between the representative and the employee that relate to the matter shall be confidential.

I. **Time Line Exceptions**
All time requirements in the processes described below shall be met unless the parties mutually agree to an extension, an unforeseen event occurs, or an extension is granted by the Chief Human Resources Officer or designee. All extensions must be documented in writing and distributed to all parties involved.

The Chief Human Resources Officer or designee may extend any of the following timelines if it is determined that attempts to resolve the matter legitimately caused a participant to miss any of the following deadlines (e.g., if mediation efforts delay the initial filing) or if there are other extenuating circumstances.

In the case of an appeal (Section V., L.):

- If the respondent fails to meet the time requirements and has not received an extension, the appeal advances by default to the next step in the process.
- If the appellant fails to meet the time requirements, the appeal shall be considered withdrawn.

J. **Corrective Action Procedure**
[full-time regular employees]
The Corrective Action procedure is designed to aid the supervisor in assisting the employee in remedying unsatisfactory job-related conduct and/or performance. The College encourages informal resolution of initial or minor infractions whenever possible. An oral or written directive may be given outside, or in addition to, the corrective action process, but may not necessarily be a part of the corrective action process. So long as subsequent corrective action is not required, a written directive will not be filed in an employee’s official personnel file. In some cases, the alternative dispute resolution process called Mediation (Appendix D) or the Employee Assistance Program may provide suitable avenues for resolving the situation. The Employee Assistance Program may be utilized prior to or in conjunction with the corrective discussion.
In general, the Corrective Action procedure begins with the Initial Corrective Action Discussion and provides the employee sufficient time to improve his/her conduct or job performance. If the employee fails to make satisfactory progress, the Second Corrective Action Discussion communicates the urgent need for the employee to make additional improvements in a more formal manner. Should the employee fail to make satisfactory progress on the action plan developed in the Second Corrective Action Discussion, the supervisor may choose to initiate the Disciplinary Procedure.

The College reserves the right, when warranted and in consultation with Human Resources Employee Relations, to begin the Corrective Action Procedure at any intermediate step and assumes the responsibility of clearly informing the employee of this intent and the consequences associated with this intent.

The Corrective Action Procedure is intended to be used when previous informal discussions with the employee have failed to improve unsatisfactory job performance or conduct.

1. **Step One: Initial Corrective Action Discussion**
   The purpose of this discussion is to counsel and advise an employee of unsatisfactory job behaviors.
   a. The supervisor will notify the employee of the unsatisfactory job performance and/or conduct and simultaneously schedule a private meeting with the employee. At this point, the employee is informed that the meeting is for the initial corrective action discussion as set forth in policy. The meeting will be at a mutually agreed upon time within seven calendar days. The supervisor may invite a facilitator from Human Resources Employee Relations to be present but shall inform the employee of this intent.
   b. The employee may choose to have an employee representative accompany him/her to the meeting (Section V., H.).
   c. As part of the initial corrective action discussion, the employee will have an opportunity to ask questions and explain his/her behavior and conduct. Additionally, the employee will be advised of the consequences that may follow if the employee’s performance or conduct does not improve. The supervisor will provide the employee, in writing, with a description of the unsatisfactory job performance/conduct and the desired job performance/conduct. The employee and supervisor will determine a corrective plan of action with specific steps, goals, and timeframes. The Initial Corrective Action Plan shall not exceed 90 calendar days of the employee’s scheduled work time. Plan item timeframe may be extended upon mutual agreement, and will be adjusted for approved absences of one week or more. The supervisor will document this plan in writing, and both the employee and supervisor will sign the plan as set forth. This paperwork is provided for clarity and will be maintained in the supervisor’s file. This paperwork will not be placed in the employee’s official personnel file.
   d. Upon satisfactory completion of the corrective action plan, the employee shall be provided written confirmation of the satisfactory performance. One year after the satisfactory completion of the plan, the written record will be removed from the supervisor’s files and returned to the employee.
   e. Should performance/conduct not improve, or recur within one year of the completion of the corrective action plan, the written record may be used in subsequent corrective action and disciplinary steps.

2. **Step Two: Second Corrective Action Discussion**
   The second corrective action discussion is pursued if the employee fails to improve his/her unsatisfactory job performance/conduct as stated in the initial corrective plan of action or when,
in the judgment of the supervisor, the seriousness of the substandard job performance/conduct warrants skipping the initial corrective action discussion.

a. The supervisor will notify the employee, in writing, of the unsatisfactory job performance/conduct including specific information such as dates, times, places, and names.

b. The supervisor will schedule a meeting with the employee. At this point, the employee is informed that the meeting is for a second corrective action discussion as set forth in policy. The meeting will be at a mutually agreed upon time within seven calendar days of the notification. The employee shall be given sufficient time to prepare for the meeting (at least 48 hours). The supervisor may invite a facilitator from Human Resources Employee Relations but shall inform the employee of this intent.

c. The employee may choose to have an employee representative accompany him/her to the meeting.

d. The emphasis of the meeting will continue to be corrective in intent. The employee and supervisor will discuss the job performance/conduct that fails to meet expectations. The employee will have an opportunity to ask questions and explain his/her behavior and conduct. The supervisor will clearly explain both the steps required to correct the job performance/conduct as well as the consequences of failure to meet reasonable standards.

e. The supervisor will present the employee with a Second Corrective Action Plan with specific steps, goals, and timeframes. The Second Corrective Action Plan shall not exceed 90 calendar days of the employee’s scheduled work time. Plan item timeframes may be extended upon mutual agreement and will be adjusted for absences of one week or more. The supervisor and employee will sign the plan. The original will be given to the employee, a copy will be placed in the employee’s personnel file, and the supervisor shall retain a copy.

f. If an employee reaches the second corrective action discussion as a result of substandard job performance, the Second Corrective Action Plan will be written as a Performance Improvement Plan and will be managed through the appropriate employee performance evaluation process. The progress will be reviewed at the next annual performance evaluation. Failure to make satisfactory progress on the Performance Improvement Plan may result in recommendations for disciplinary actions.

g. Following satisfactory completion of the second Corrective Action plan, and at the end of one year from the date of completion, the written record will be removed from the employee’s personnel file at the request of the employee.

h. If the goals outlined in the Corrective Action Plan have not been fully met, the supervisor may amend the Corrective Action Plan for review at the next performance evaluation meeting or proceed with disciplinary action.

i. If, after the satisfactory completion of the corrective action plan, but within one year of its completion, the employee fails to maintain the satisfactory job performance/conduct that had been identified in the plan, the supervisor has the option to reinstate the corrective action plan or proceed with Disciplinary Action.

K. Disciplinary Procedure

[full-time regular employees]

Disciplinary Action recommendations are generally made when the employee has failed to satisfactorily meet the goals stated in the Second Corrective Action Plan within the stated timeframe.

If an employee, by his/her actions, has violated a law, threatened or endangered any person, violated College policies or procedures, or jeopardized the integrity of the College or its programs, the
supervisor may elect to begin the initial disciplinary procedure without following the steps of the Corrective Action Procedure.

As established by the disciplinary procedure, no employee will be disciplined, transferred for disciplinary reasons, demoted, suspended, or terminated without cause. Cause includes, but is not necessarily limited to, violations of the code of conduct, misconduct, unacceptably low activity, incompetence, and failure to follow applicable College policies and procedures, or to cooperate reasonably with other employees.

1. **Initial Disciplinary Procedure**
   a. Even if an investigation or corrective action plan has not taken place, the supervisor will schedule a meeting with the appropriate Administrator and a representative from Human Resources Employee Relations to determine an appropriate plan of action.
   b. The supervisor will schedule a fact-finding meeting with a representative from Human Resources Employee Relations and the employee. This meeting is used to provide the employee an opportunity to respond to any allegations and explain questioned behaviors. The meeting will be during a regularly scheduled workday for the employee. The employee shall be given sufficient time to prepare (at least 48 hours). In unusual circumstances where the physical or emotional safety of the employee or others is endangered, alternate means will be utilized to provide the employee an opportunity to respond.
      i. The employee may choose to have an employee representative accompany him/her to the meeting (see Section V., H.).
      ii. The supervisor will present his/her reasons for believing that disciplinary action is warranted and, if applicable, why the Corrective Action Procedure was skipped. The employee will have an opportunity to respond to the allegations.
      iii. If additional meetings with the employee are warranted, the meeting procedure as indicated in 1.b will be followed.
   c. The presiding Administrator will decide, with the assistance of Human Resources Employee Relations, if Disciplinary Action is warranted and, if so, what disciplinary action to pursue. All parties will be notified of the decision in writing. If disciplinary action is authorized, a copy of the decision is placed in the employee's personnel file. The employee will have the opportunity to provide a written response to the decision for inclusion in the employee's personnel file.
   d. When disciplinary action(s) has been authorized, the employee will be notified of the decision in writing. The written notification will be delivered to the employee in person or by registered or certified mail to the last known home address. The notification will specify the nature of the disciplinary actions, including any financial implications. The notification will also inform the employee of his/her right to grieve (Section VI) the decision, including any relevant timelines for filing an appeal. If the employee chooses to appeal the decision, the disciplinary action will be held in abeyance pending completion of the grievance.
   e. Should disciplinary action be authorized, the employee may file a grievance if he/she believes that College policies and/or procedures were not followed in the Disciplinary Procedure. The outcome of this grievance will not change the contents of the Disciplinary Action, but may result in an independent investigation of the process used to arrive at that outcome. The employee may also elect to file an appeal (Section V., L.) if he/she believes that the outcome of the Disciplinary Procedure is not satisfactory.
2. **Disciplinary Actions**

The following actions are the recognized disciplinary actions available to the College. These actions may be used in isolation or they may be used in combination. An oral or written directive may be given outside, or in addition to, the disciplinary action process, but may not necessarily be a part of the disciplinary action process.

Following any disciplinary action, other than termination, there will be a disciplinary probation period of six months. During this period of time, the supervisor will provide feedback and evaluation to the employee. During this period, the supervisor and appropriate administrator can initiate further disciplinary action if warranted.

a. **Written Reprimand**

A written reprimand is a disciplinary action to document the misconduct or failure to perform or meet job standards and warns that any future violations will result in more severe disciplinary actions, including possible suspension, demotion, and/or termination.

The employee will sign the reprimand to acknowledge receipt. A copy of the reprimand will be provided to the employee and the signed copy acknowledging receipt will be placed in the employee’s personnel file. Employees may provide a written response for inclusion with the copy of the reprimand in the personnel file.

After a period of one year, the employee, with the concurrence of his/her supervisor and administrative supervisor, may recommend to the Chief Human Resources Officer that the written reprimand be removed from the employee’s personnel file, provided there has been no other misconduct, or failure to meet job requirements, or subsequent disciplinary action. If it is the decision of the Chief Human Resources Officer to remove the written reprimand from the employee’s personnel file, the document will be removed and forwarded to the employee. If the decision by the Chief Human Resources Officer is to not remove the reprimand, the employee may again request removal after another one (1) year period has elapsed.

b. **Disciplinary Reassignment**

The College may choose, for disciplinary reasons, to reassign the employee to a different position within the same pay grade and within the current administrative unit. This action is taken when the College believes that such reassignment will benefit the College and the employee.

c. **Disciplinary Transfer**

The College may choose, for disciplinary reasons, to transfer the employee to a different position within the same pay grade in a different administrative unit. This action is taken when the College believes that such transfer will benefit the College and the employee.

d. **Suspension**

A suspension is considered to be a significant disciplinary action and may be used for what the College believes are more serious incidents or repetitions of improper job performance or conduct. Notice of suspension will be delivered to the employee personally or by certified mail to the last known address. The notice will contain the specific reason(s) for and the duration of the suspension. The employee will sign and return a copy of the suspension decision to acknowledge receipt. The signed copy acknowledging receipt will be placed in the employee’s personnel file. The employee may provide a written response within ten days for inclusion with the suspension decision in the personnel file.
i. **Notice in Lieu of Suspension**
The employee will receive notice that a suspension is warranted, but due to College operational concerns, the employee remains at work.

ii. **Administrative Leave With Pay**
The employee may be placed on administrative leave with pay, until a decision is made regarding his/her employment status with the College.

iii. **Suspension Without Pay**
The employee will not be compensated and may not use or accrue leave for any period of suspension without pay. Other benefits may be affected in accordance with College policy on leave without pay.

e. **Demotion**
A demotion is a very significant disciplinary action where the employee is assigned to a different position at a lower pay grade. Such a demotion may require moving the employee to a different administrative unit. The College considers a demotion to be the most severe form of discipline short of termination, but should be regarded as an attempt to find an alternative position within which the employee may satisfactorily meet the College's expectations.

f. **Termination of Employment**
Termination of regular employment may be used for what the College believes are most serious incidents or repetitions of improper job performance or conduct. Authority to terminate employment rests with the Governing Board.

i. **Notice of Recommendation to Terminate**
The Executive Administrator shall prepare a written notice recommending termination of employment, which shall be delivered to the employee either personally or by certified mail, return receipt requested, to the employee's last known address. The notice will contain the reasons for the proposed termination and will afford the employee an opportunity to provide a written response to the Chancellor. The employee will sign and return a copy of the notice to acknowledge receipt.

ii. **Notice of Decision**
After consideration of any additional information (including any response by the employee), the Chancellor shall issue a written notice of decision to the employee. The notice of decision will contain the reasons for the decision and, where applicable, advise the employee of the right to grieve the action. The employee will sign and return a copy of the notice to acknowledge receipt. The signed copy acknowledging receipt will be placed in the employee's personnel file.

a. If the Chancellor determines that termination is not warranted, the notice of decision will advise the employee and specify any action that will be taken in lieu of termination.

b. If the Chancellor determines that termination is warranted, the notice of decision will advise the employee that termination will be recommended to the Governing Board and that the employee will be placed on administrative leave with pay pending action by the Governing Board on the recommendation to terminate.

L. **Appeal Processes for Outcomes of Disciplinary Action Excluding Termination**
Supervisors are to investigate and discuss an appeal only with those individuals who have a need to know about it or who are needed to supply necessary information.
1. **Initial Appeal to the Level One Supervisor**
   If an employee is not satisfied with the outcome of a Disciplinary Procedure, he/she may file a formal written appeal within seven calendar days after the decision is received. This appeal must:
   a. Identify a reason why the decision is not satisfactory,
   b. Contain a statement of the facts surrounding the incidents with appropriate documentation,
   c. Contain the remedy sought.
   d. Be filed with:
      - ☐ the respondent
      - ☐ the level one supervisor(s)
   e. Be signed by the appellant or sent from the appellant’s PCC email account. Any appeal that does not include these essential elements will be rejected.

The level one supervisor will confer with the parties, Human Resources Employee Relations and any other persons he/she deems appropriate, to investigate the issues. Within seven calendar days from the date of the receipt of the appeal, the level one supervisor will provide a written decision and justification to the appellant and the respondent.

2. **Final Appeal to Executive Administrator**
   If the appellant or respondent is not satisfied with the decision received at the initial stage of the appeal process described above, the appellant may appeal the decision to the executive administrator responsible for the campus or department where the Disciplinary Procedure originated, unless the appeal is with the executive administrator, in which case, the appeal will be sent to the Chancellor or his/her designee.

   The appeal must be in writing and must include the formal appeal paperwork and decision, and the reason(s) the decision is not considered satisfactory. The appeal must be sent to all participants in the process to date. Any appeal that does not include these essential elements will be considered withdrawn. The appeal must be signed by the appellant or respondent or sent from the appellant’s or respondent’s PCC email account.

   This final appeal must be filed within seven calendar days of receipt of the initial appeal decision. The executive administrator or designee will take the steps he/she deems necessary to review and investigate the appeal and may meet with the appellant, respondent, and level one supervisor. The executive administrator or designee will document all steps taken in the investigation of the appeal. The executive administrator or designee will complete the review and investigation within seven calendar days of receipt of the appeal and will issue a written decision with justification to the participants. This decision is final.

M. **Appeal of Termination**
   Employees may promptly appeal a recommendation of termination directly to the Governing Board, within seven calendar days from the date of the Chancellor’s written notice of decision to recommend termination. The Governing Board shall hear the appeal, normally within 21 calendar days of the Board’s receipt of the appeal. Within 21 calendar days after the hearing concludes, the Governing Board will render a written decision to the appellant.

   If, upon appeal, the termination is upheld, the separation will be processed effective the date of the Board’s decision. If, upon appeal, the termination is denied or reduces to a lesser action in lieu of termination (e.g., suspension without pay), the employee will be returned to duty and provided with back pay when appropriate and benefits for any period of erroneous or unwarranted unpaid suspension.
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.

Victim Assistance Agencies and Services

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

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

For certain sexual offenses, costs for medical examinations that are done to preserve evidence may be paid for by the Prosecuting Agency. Victims should check with a victim/witness program advocate in their County for more information.

Pima County Services

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

Domestic Violence Crisis Services:

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

- 800-799-7233
- For those in relationships experiencing domestic violence seeking assistance

Other Services

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

Sexual Assault Programs

- Southern Arizona Center Against Sexual Assault (SACASA)
  - www.sacasa.org
  - 800-400-1001 (24 HR. COUNSELING & REFERRALS)
  - 520-327-7273
  - 520-327-1171 (FOR APPOINTMENT)
- Las Familias
  - www.arizonaschildren.org/index.php/lasfamilias
  - 520-837-7122
  - Counseling for children who are victims of sexual abuse and their families as well as adults molested as children

Victim Health Services

Sexually Transmitted Diseases (STD's)

- Planned Parenthood
  - www.plannedparenthood.org
  - 520.408.7526
  - Testing and treatment for all STDs; confidential HIV testing available; Offers sliding scale fees
- Southern Arizona Aids Foundation
  - saaf.org
  - 520-624-1779
- Wingspan
  - saaf.org/about-saaf/ wingspan-programs-and-affiliates/
  - 800-771-9054
  - Arizona’s Lesbian, Gay, Bisexual, & Transgender Community & Resource Center
Victim Compensation

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

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

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

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

Domestic Violence

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

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

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

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

There is no filing fee to request a protective order. There is no service fee for Orders of Protection or Injunctions Against Harassment involving dating relationship. 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 pre-disposition 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.

**Your Right To Restitution**

If someone is found guilty of the crime(s) committed against you, the court may order that person to re-pay 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.


**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**

https://www.pima.edu/programs-courses/credit-programs-degrees/syllabus-resources.html

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).

**Sex Offender Notification**

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

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

Arizona Revised Statutes 13-3821 requires persons convicted of sexual offenses as described in that code to register within 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 re-offend and assigns a risk level to the sex offender. Level 1 (low risk), Level 2, (intermediate risk), and Level 3 (high risk).
Arizona Revised Statutes 13-3826 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:
  - Students should write their names and ID numbers in several places in textbooks to help deter thieves who would attempt to resell the book.
Students should not leave their textbooks, calculators, or book-bags unattended in study rooms, hallways, libraries, cafeterias or unsecured lockers. They should record the serial numbers of calculators and computers.

Thieves know where students leave their belongings unattended and watch for opportunities to take their property. Be suspicious of persons hanging around storage areas, e.g., outside of bookstores, with no apparent purpose. If you see someone suspicious or you discover that you have been victimized, contact the PCCPD at 206-2700.

**How to Protect Personal Property**

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

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

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

• **Unity Day**
  - **Description:** The signature event of National Bullying Prevention Month, has been recognized in the United States since 2011. To participate in Unity Day, individuals, schools, communities, and businesses wear or display orange to show support for students who have been bullied. One in four school-age children will report being bullied at school.
  - **Audience:** All College community members
  - **Method:** Posters, rally
  - **Frequency:** Annually during month of October.
  - **Primary Sponsor:** Student Life
  - **Awareness and Prevention Targets:** Encourages the campus community to look out for themselves and one another.

• **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 Student Services Center. Summarizing and sharing information from the recent report on college safety and other new developments.
  - **Audience:** Student Services Staff
  - **Method:** Instructor led
- **Civilian Response to Active Shooter Events (FY18)**
  - Description: Participants will receive instruction on how to prepare and respond to being in a building during an active shooter event. There are several simple steps which those trapped can take to increase the chance of survival for themselves and others.
  - Audience: All employees
  - Method: Instructor led
  - Frequency: Available through 2018 at request of Campus Presidents or Department Leadership
  - Primary Sponsor: Organizational Effectiveness and Development
  - Awareness and Prevention Targets: Encourages the campus community to look out for themselves and one another.

- **Active Shooter - Campus**
  - Description: This course helps you prepare to respond to an active shooter situation. It begins by describing the typical character of active shooter incidents. It then explains how to determine the correct course of action in such a situation depending on the circumstances: escape, hiding in a secure location, or physically engaging with the shooter. The course then lays out the principles you should follow in relation to each of these options. Finally, you'll also learn about what to expect and how to react when law enforcement arrives.
  - Audience: Individuals in a higher education environment including faculty and administrative staff
  - Method: Web-based
  - Frequency: PCC encourages annual refresher.
  - Primary Sponsor: Organizational Effectiveness and Development
  - Awareness and Prevention Targets: Encourages the campus community to look out for themselves and one another.

- **What If... Active Shooter**
  - Description: This course focuses on active shooter events and how to better prepare for this type of situation on campus. Information is provided on what is classified as an active shooter incident, the importance of survival mindset, how to respond to an active shooter situation, and the role of law enforcement in the crises response.
  - Audience: CAT members and all employees
  - Method: Web-based
  - Frequency: PCC encourages annual refresher.
  - Primary Sponsor: Organizational Effectiveness and Development
  - Awareness and Prevention Targets: Encourages the campus community to look out for themselves and one another.
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.

Safety in Social Settings

It’s 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.

1 (Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. Sex Roles, 60, 779-792)
Procedures Students should follow if they are Victims of Sexual Violence, Domestic Violence, Dating Violence, or Stalking

Sexual violence is committed by strangers and, more often, acquaintances, friends or relatives. Anyone can become a victim of sexual violence, regardless of age, race, or income level. 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.

The 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.

- **Rape Aggression Defense Program (R.A.D.)**
  - Description: The idea of Self-defense is that, the more prepared you are, the less likely you are to need it. When you can recognize and respond to potentially dangerous situations, you are less likely to become a target of crime.
  - The class takes place over two consecutive days and both sessions are required to complete the training.
  - For further details about the R.A.D. Program, please email dps-rad@pima.edu
  - Audience: For women only.
  - Method: The course includes lecture, discussion, and self-defense techniques suitable for women of all ages and abilities.
  - Frequency: Classes are made available throughout the academic year
  - Primary Sponsor: PCCPD
  - Awareness and Prevention Targets: Encourages the campus community to look out for themselves and one another.
  - Which Prohibited Behavior Covered?: Domestic Violence, Dating Violence, Sexual Assault

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

- **Bystander Intervention**
  - Description: Information about bystander intervention and an individual’s role in intervening during difficult situations
  - Audience: All students
  - Method: In-person interactive workshops
  - Frequency: Available upon request for any college department or club.
  - Primary Sponsor: PCCPD
  - Which Prohibited Behavior Covered?: Dating Violence, Sexual Assault
• Clothesline Project
  □ Description: Increase awareness of the impact of domestic violence, to celebrate strength and survival, and to provide another avenue to courageously break the silence that often surrounds domestic violence.
  □ Audience: College Community
  □ Method: Students decorate T-shirts and display them in Courtyard throughout the week.
  □ Frequency: Annually in October
  □ Primary Sponsor: Student Life
  □ Which Prohibited Behavior Covered?: Domestic Violence

• Healthy Relationship Workshop
  □ Description: Information presented by PCC Counseling Services to raise awareness of sexual violence
  □ Audience: Method: In-person interactive workshops
  □ Frequency: Available upon request for any college department or club.
  □ Primary Sponsor: PCC Counseling Services
  □ 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.

Prevention and Awareness Programs for New Employee Orientation

These employee-related workshops include information on receiving reports of sexual violence, reporting incidents of sexual violence to the PCCPD and the Title IX coordinator, and where to refer victims for assistance.

• Understanding Harassment and Discrimination
  □ Description: Harassment at work can have a corrosive effect on an organization’s culture and can lead to low employee morale, reduced productivity, and even criminal liability. Focusing on the forms of harassment prohibited by federal law, this course provides an overview of the types of behaviors that can give rise to harassment claims, including those based on gender, race, color, national origin, religion, age, genetic information, and disability. It also discusses the benefits of and strategies for promoting a respectful work environment that is free of all forms of harassment, intimidation, retaliation, and discrimination.
  □ Audience: New employees, annual refresher encouraged for all employees
  □ Method: In-person interactive workshops
  □ Frequency: Part of onboarding process for new employees throughout the year.
  □ Primary Sponsor: Organizational Effectiveness and Development
  □ Which Prohibited Behavior Covered?: Domestic Violence, Dating Violence, Sexual Assault, and Stalking
Web-based continuing Awareness programs available through PCC Employee Development System

The following courses promote the awareness of employees, our responsibilities in addressing issues of discrimination, harassment, sexual violence, and complying with Title IX.

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

- **Bullying and Hazing on Campus**
  - Institutions of higher learning are generally perceived as communities that promote mutual respect and concern for one another. Most students and their parents expect their chosen campus to be safe, secure, and protected. But 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’s 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: Part of onboarding process for new employees throughout the year.
  - Primary Sponsor: Organizational Effectiveness and Development
  - Which Prohibited Behavior Covered?: Assault

**Instructor-led Training Webinar**

- **Webinar - Challenging Issues in Complying With Title IX on Student Sexual Assault and Harassment**
  - This webinar will help college and university employees who have responsibility for matters involving student-on-student sexual assault and harassment to comply with their obligations under Title IX. These obligations include meeting the requirements of the Dear Colleague Letter (DCL) issued in April 2011 by the Office for Civil Rights (OCR) at the U.S. Department of Education.
  - Webinar panelists address:
The major challenges higher education institutions face in interpreting and implementing the DCL
Lessons from United Educators’ nationwide data on student sexual assault claims, which demonstrates that institutions are as likely to be sued by accused students as by the accusers
Specific steps institutions should take to comply with the DCL

- Target Learners: Student Services staff, Athletic staff, Vice Presidents, Advanced Program Managers, Administrators, Public Safety staff
- Frequency: Part of onboarding process for new employees throughout the year.
- Primary Sponsor: Organizational Effectiveness and Development
- Which Prohibited Behavior Covered?: Domestic Violence, Dating Violence, Sexual Assault, and Stalking

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), 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: https://www.pima.edu/current-students/code-of-conduct/drug-free-schools/index.html
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 a 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 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).

2018 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.

2018 Fire Safety Policies at Gateway Apartments

Fire safety rules compiled from Gateway Apartments Lease agreement located at 2800 W. Broadway Blvd.

Crime or Emergency

Dial 911 or immediately call local medical emergency, fire, or police personnel in case of accident, fire, smoke, or suspected criminal activity, or other emergency involving imminent harm.

No-Smoking Addendum to the Lease Agreement for Gateway Apartments

Definition of Smoking. Smoking refers to any use or possession of a cigar, cigarette, e-cigarette, hookah, vaporizer, or pipe containing tobacco or a tobacco product while that tobacco or tobacco product is burning, lighted, vaporized, or ignited, regardless of whether the person using or possessing the product is inhaling or exhaling the smoke from such product. The term tobacco includes, but is not limited to any form, compound, or synthesis of the plant of the genus Nicotiana or the species N. tabacum that is cultivated for its leaves to be used in cigarettes, cigars, e-cigarettes, hookahs, vaporizers, or pipes. Smoking also refers to use or possession of burning, lighted, vaporized, or ignited non-tobacco products if they are noxious, offensive, unsafe, unhealthy, or irritating to other persons.
Smoking Anywhere Inside Buildings of the Apartment Community is Strictly Prohibited. All forms and use of burning, lighted, vaporized, or ignited tobacco products and smoking of tobacco products inside any dwelling, building, or interior of any portion of the apartment community is strictly prohibited. Any violation of the No Smoking Policy is a material and substantial violation of this Addendum and the Lease Contract.

The prohibition on use of any burning, lighted, vaporized, or ignited tobacco products or smoking of any tobacco products extends to all residents, their occupants, guests, invitees, and all others who are present on or in any portion of the apartment community. The No Smoking Policy and rules extend to, but are not limited to, the management and leasing offices, building interiors and hallways, building common areas, dwellings, club house, exercise or spa facility, tennis courts, all interior areas of the apartment community, commercial shops, businesses, and spaces, work areas, and all other spaces whether in the interior of the apartment community or in the enclosed spaces on the surrounding community grounds. Smoking of non-tobacco products which are harmful to the health, safety, and welfare of other residents inside any dwelling or building is also prohibited by this Addendum and other provisions of the Lease Contract.

Smoking Outside Buildings of the Apartment Community

Smoking is permitted only in specially designated areas outside the buildings of the apartment community. Smoking is only permitted at least 25 feet from the buildings in the apartment community, including administrative office buildings. The smoking-permissible areas are marked by signage. Smoking on balconies, patios, and limited common areas attached to or outside of the dwelling is not permitted.

Even though smoking may be permitted in certain limited outside areas, Gateway Apartments Management reserves the right to direct occupants, family, guests, and invitees cease and desist from smoking in those areas if smoke is entering the dwellings or buildings or if it is interfering with the health, safety, or welfare or disturbing the quiet enjoyment, or business operations of Gateway Apartments Management, other residents, or guests.

Limitations of Conduct

Occupants or guests may not anywhere in the apartment community: use candles or use kerosene lamps or kerosene heaters without Gateway Apartments Management prior written approval, or cook on balconies or outside.

Fire Hazards

In order to minimize fire hazards and comply with city ordinances, Residents shall comply with the following:

- Residents and guests will adhere to the Community rules and regulations and other Gateway Apartments Management policies concerning fire hazards, which may be revised from time to time.
- No person shall knowingly maintain a fire hazard.
- Grills, Barbeques, and any other outdoor cooking or open flame devices will not be used close to combustible materials, tall grass or weeds, on exterior walls or on roofs, indoors, on balconies or patios, or in other locations which may cause fires.
- Fireplaces: Only firewood is permitted in the fireplace. No artificial substances, such as Duraflame® logs are permitted. Ashes must be disposed of in metal containers, after ensuring the ashes are cold.
- Flammable or combustible liquids and fuels shall not be used or stored (including stock for sale) in dwellings, near exits, stairways breezeways, or areas normally used for the ingress and egress of people. This includes motorcycles and any apparatus or engine using flammable or combustible liquid as fuel.
• No person shall block or obstruct any exit, aisle, passageway, hallway or stairway leading to or from any structure.
• Resident(s) are solely responsible for fines or penalties caused by their actions in violation of local fire protection codes.

Student Housing Facility Fire Safety Systems (2017 and 2018)

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*Not required in State of Arizona for non-college/university-owned apartment building.

Fire Statistics Reporting Table for the Annual Safety Report

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<th>Resident Facility</th>
<th>Year</th>
<th># Of Fire Drills</th>
<th># Of Fire Incidents</th>
<th>Date Of Fire</th>
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<th># Fire Related Injuries</th>
<th># Fire Related Deaths</th>
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