

Imperial Valley College



Annual Security Report 2021

Safety • Security • Awareness • Crime Reporting



Disclosure of Crime Statistics

Imperial Community College District's annual security report is now available. This report is required by federal law and contains policy statements and crime statistics for the school which were reported to Campus Safety, Campus Security Authorities (CSAs), and local law enforcement agencies. The policy statements address the school's policies, procedures and programs concerning safety and security; for example, policies for responding to emergency situations and sexual offenses. Three years' worth of statistics are included for Clery Act crimes that were reported to have occurred on campus, in or on off-campus buildings or property owned or controlled by the school and on public property within or immediately adjacent to the campus.

Each year, an e-mail notification is made to all enrolled students, faculty and staff that provides the website link to access the Annual Security Report (ASR). All prospective students can obtain a copy by visiting the college's main website. All prospective employees can obtain a copy by visiting the college's Human Resources Department webpage. This report is also available online and you may also request a complete paper copy from the Campus Safety and Parking Control Department, Room 902, 380 East Aten Road, Imperial, CA or for more information please contact the IVC Campus Safety Office at 760- 355-6308.

<https://www.imperial.edu/about/campus-safety/clery-act-information/>

The website and the Campus Safety and Parking Control Department have information regarding campus security and personal safety including topics such as: crime prevention, College Security Officer's authority, crime reporting policies, and other matters of importance related to security and safety on campus. They also contain information about crime statistics for the three previous calendar years concerning reported crimes that occurred on campus and on public property within, or immediately adjacent to and accessible from the campus.



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Mr. James Dalske

Dean Student Affairs and Enrollment Services & Campus Safety

Campus Safety and Parking Control Department



Welcome students, faculty, staff, and guests to the Imperial Valley College Campus. The Campus Safety and Parking Control Department strives for a safe and secure campus which in turn promotes a supportive learning and working environment.

As members of the Imperial Valley College campus community, our Office staff, Campus Deputies, Campus Safety Officers, and Parking Attendants will serve you with courtesy, pride, dependability and professionalism. Our goal is to provide a safe campus that makes your experience at Imperial Valley College both positive and rewarding while we contribute to students' academic success.

Our services include: crime and accident prevention, criminal investigation, parking control enforcement, security escort services, emergency/disaster management, and overall campus and buildings safety and security. We serve as first responders for medical emergencies, in collaborative partnerships with Student Health Service providers. Our staff holds appropriate certifications to make certain that we maintain a safe and healthy campus.

We are dedicated to providing safety and security to all and look forward to serving you.

“If You See Something, Say Something”

Clery Act Requirements

In general, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires colleges and universities to:

- Publish an annual report every year by October 1st that contains three years of campus crime statistics and certain campus security policy statements;
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus properties. The statistics must be gathered from University Police, local law enforcement, and other University officials who have "significant responsibility for student and campus activities";
- Provide "Timely Warning" notices of those crimes that have occurred and pose an "ongoing threat to students and employees";
- Provide "Emergency Notifications" for dangerous or emergency situations; and
- Disclose in a public crime log any crime that occurred on campus and is reported to the university police.
- Provide survivors of sexual assault, domestic violence, dating violence, and stalking with information on reporting, interim arrangement options, resources, and University disciplinary processes.
- Outline and disclose University policies and procedures within their annual security reports, including those related to disseminating timely warnings and emergency notifications, options for survivors of sexual assault, domestic violence, dating violence, and stalking, and campus crimereporting processes.

Campus Safety is required by the Clery Act to report certain types of crimes on an annual basis. As a result, Imperial Valley College reports all Criminal Offenses, as well as Hate Crimes as required by the Clery Act, for crimes occurring on campus. These crimes include:

- Criminal Homicide
- Sexual Assault, including Rape, Fondling, Incest, and Statutory Rape
- Stalking
- Domestic Violence
- Dating Violence
- Rape
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Arrests and Disciplinary Referrals for Violations of Weapons, Drug, and Liquor Laws

The Annual Security Report (ASR) crime statistics are provided below, and are also available on the college's main website at the following link: <https://www.imperial.edu/about/campus-safety/clery-act-information/>

Campus Safety is responsible for preparing and distributing the ASR. Campus Safety works with many other departments and units within the campus community to compile this information. Because they have local jurisdiction over some locations, the Imperial County Sheriff's Office, California Highway Patrol, and the United States Customs and Border Protection, and other law enforcement agencies are asked to provide Clery Act reportable crime statistics for the required geographical locations.

Imperial Valley College believes each person deserves a safe environment conducive to learning. Operating with ethics, integrity, and respect, Imperial Valley College Campus Safety strives to safeguard this campus through a proactive response. Please use this report as a guide for safe practices on and off campus.

This report is available online and you may also request a complete paper copy from the Campus Safety and Parking Control Department, Room 902, 380 E. Aten Road, Imperial, CA or for more information please contact the IVC Campus Safety Office at 760-355-6308.

Reporting Criminal Activity or other Emergencies

Reference: AP 3515

Education Code Section 212, 67380, 67383 and 87014;

Penal Code Sections 245 and 422.55;

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998; 20 United States Code Section 1232g;

34 Code of Federal Regulations Parts 99.31(a) (13), (14) and 668.46;

Campus Security Act of 1990

In the event an employee is assaulted, attacked or menaced by a student, the employee shall notify his/her supervisor as soon as practical after the incident. The supervisor of any employee who is attacked, assaulted or menaced shall assist the employee to promptly report the attack or assault to the appropriate law enforcement authorities including the Campus Safety and Parking Control Office. The supervisor himself/herself shall make the report if the employee is unable or unwilling to do so. Reporting a complaint to local law enforcement will not relieve the District of its obligation to investigate all complaints of harassment.

The District shall publish warnings to the campus community about the following crimes:

- Criminal homicide – murder and non-negligent manslaughter;
- Criminal homicide – negligent manslaughter;
- Sex offenses – forcible and non-forcible sex offenses;

The District shall not be required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

The District may disclose the final results of disciplinary proceeding to a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, regardless of the outcome. The District may also disclose to anyone, the final results of a disciplinary proceeding in which it concludes that a student violated District policy with respect to a crime of violence or non-forcible sex offense. The offenses that apply to this permissible disclosure are:

- Arson;
- Assault offenses;
- Burglary;
- Criminal homicide – manslaughter by negligence;
- Criminal homicide – murder and non-negligent manslaughter;
- Destruction, damage, or vandalism of property;
- Kidnapping or abduction;
- Robbery;
- Forcible sex offenses.

The disclosure may only include the final result of the disciplinary proceeding with respect to the alleged criminal offense. The District shall not disclose the name of any other student, including a victim or witness, unless the victim or witness has waived his/her right to confidentiality.

Reporting of Crimes

When criminal activity is observed or suspected the person, Student, Employee, or Visitor who is first aware of the incident shall notify a Campus Safety Officer (CSO) by calling (760) 483-7411 or the Campus Safety and Parking Control Office at (760) 355-6308. If it is an emergency, call 911 and then afterwards inform the Campus Safety Office of the location and details of the observation by completing an incident report. Include in the incident report any losses or damaged property, along with estimated costs. If the incident was first reported to local law enforcement, be sure to include the case number and Officer's name.

The Campus Safety and Parking Control Office must be notified of all crimes occurring on campus or in conjunction with a college activity or location. If you are a Pastoral Counselor or Professional Counselor and a crime has been reported to you, you are encouraged, when appropriate, to inform the person to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

You may print an Incident Report form using this link, <http://www.imperial.edu/about/campus-safety/how-to-report-an-incident/>, from the Imperial Community College District's website and then turning in the completed report form to the Campus Safety and Parking Control Office, room 902.

Students or employees may also report criminal incidents to persons designated as a Campus Security Authority (CSA). The following people or positions have been designated by the Imperial Community College District as a CSA:

1. Vice President for Student Services
2. Dean Student Affairs and Enrollment Services
3. Campus Safety Officers
4. Athletic Director
5. Clinical Mental Health Counselor, Student Health Services
6. Athletic Coaches
7. Faculty Advisor to Student Groups
8. Club Advisors

You can remain anonymous when reporting a crime. When possible all personal/identifying information will stay confidential. For injuries or illnesses involving an employee, contact the Human Resources Office to obtain an Injury and Illness Report form. Criminal action or other emergency refers to loss/damage to college property, loss/damage to personal property, criminal activity or an injury involving a student or visitor (occurring on campus or participating in a college activity).

The college encourages all persons on campus, to practice low-risk defensive behavior, and to be especially alert at night. Students and others are advised to park in well-lit and trafficked areas and to always lock their vehicle. Students should not pickup strangers or accept rides from people they do not know.

Accurate and Prompt Crime Reporting

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to the Campus Safety and Parking Control Office in a timely manner.

To report a crime, an emergency, a public safety matter, or a medical emergency occurring on Campus, call Campus Safety and Parking Control Office at extension 1111 or call extension 6306/6308 or call the IVC Campus Safety Officer cellular telephone at 760-483-7411. Campus Safety and Parking Control incident reports are forwarded to the Dean of Student Affairs for review and potential action.

For emergency assistance with a life threatening incident call 911 to be directly connected to the Sheriff's Office Dispatch Center.

Crime reports can also be made to a Campus Security Authority (CSA). Imperial Community College District has designated the following officials and positions as being Campus Security Authorities';

1. Vice President for Student Services
2. Dean Student Affairs and Enrollment Services
3. Campus Safety Officers
4. Athletic Director
5. Clinical Mental Health Counselor, Student Health
6. Athletic Coaches
7. Faculty Advisor to Student Groups
8. Club Advisors

If assistance is required from the Imperial County Sheriff's Office or the Imperial County Fire Department the Campus Safety and Parking Control Office will contact the appropriate agency. If a sexual assault or rape should occur, staff on the scene, including Campus Safety and Parking Control Office, will offer the victim a wide variety of services.

The Imperial County Sheriff's Office has a Sexual Assault Crisis Team that has trained members who are available to assist a victim 24 hours a day.

Crimes should be reported to the Campus Safety and Parking Control Office to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community. Crimes reported to an outside law enforcement agency should also be reported to Campus Safety and Parking Control Office to ensure inclusion in the Annual Security Report and for evaluation of the need to issue a Timely Warning to the Campus community.

Any report of criminal violations committed on or off campus, that is received by a campus security authority and made by the victim for the purposes of notifying the institution or law enforcement must be

immediately, or as soon as practicably possible, disclosed to the Imperial County Sheriff's Office. The report shall not identify the victim, unless the victim consents to being identified after the victim has been informed of his/her right to have his/her personally identifying information withheld. If the victim does not consent to being identified, the alleged assailant shall not be identified in the information disclosed to the local law enforcement agency.

See BP 3515

Timely Warnings and Emergency Notifications

In the event that a situation arises, either on or off campus, that, in the judgment of the Campus Safety and Parking Control Department constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The warning will be issued through the college notification program, Regroup, which will send e-mail, voice mail, and text notifications to students, faculty, staff and Social Media.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Campus Safety and Parking Control Department may also post a notice on the Student Affairs' electronic bulletin boards and on the Imperial Community College District's (District's) website at <https://www.imperial.edu/>, providing the Campus Community with more immediate notification. In such instances, a copy of the notice will be posted throughout the Campus and in the College Center. The website is immediately accessible via computer by all faculty, staff, students, and the general public. Anyone with information warranting a timely warning should report the circumstances to the Campus Safety and Parking Control Department, by phone (760-483-7411) or in person at the Campus Safety and Parking Control Department, Room 902.

Notification to the Campus Community about an Immediate Threat

The Campus Safety and Parking Control Department receives information from various offices/departments on campus. If the Campus Safety and Parking Control Department confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Campus Community, the Campus Safety and Parking Control Department will determine the content of the message and will use some or all of the systems described below to communicate the threat to the Campus Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. The Campus Safety and Parking Control Department, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (possibly including, but not limited to: the Campus Safety and Parking Control Department, On Campus Deputy Sheriff's, Imperial County Sheriff's Office, Imperial County Fire Department, and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In the event of a serious incident that poses an immediate threat to members of the Campus Community, the College has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the Campus Community. These methods of communication include network emails, emergency text or voice messages that can be sent to a phone or PDA.

Students/Employees/Faculty can sign-up for the Regroup emergency alerts program by going to <https://imperial.reggroup.com/signup> and entering their information. In order to receive Emergency Notifications via Text or Voice messaging, Students/Employees/Faculty must designate either or both choices.

The College will post updates during a critical incident on the District's website at <http://www.imperial.edu/>. Individuals can call the Campus Safety and Parking Control Department telephone line at (760) 355-6308 for updates. Members of the larger community who are interested in receiving information about emergencies on campus should sign up for the Regroup emergency text message system and/or should use the IVC website for obtaining updates in the event of an emergency on campus.



Preparation of Disclosure of Crime Statistics

The Campus Safety and Parking Control Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on the Imperial Community College District's website:

<https://www.imperial.edu/about/campus-safety/clery-act-information/>

This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus. Each entity provides updated information on their efforts and programs to comply with the Act.

Campus crime, arrest and referral statistics include those reported to the Campus Safety and Parking Control Department, designated campus officials (including but not limited to directors, deans, department heads, designated Human Relations Office staff, judicial affairs, advisors to student's/student organizations, athletic coaches), and local law enforcement agencies. California law (11160 of the California Penal Code) requires prompt, mandatory reporting to the local law enforcement agency by health care practitioners (such as those at Student Health Services) when they provide medical services to a person they know or reasonably suspects is suffering from wounds inflicted by a firearm or is a result of assaultive or abusive conduct. Student Health Center staff will inform their clients of the procedures to report crime to the Campus Safety and Parking Control Department on a voluntary or confidential basis, should they feel it is in the best interest of the client. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.

Complete copies of the report may also be obtained at the Campus Safety and Parking Control Department located at Office 902 or by calling (760) 355-6308. All prospective employees may obtain a copy from Human Resources or by calling (760) 355-6212 and the website address will be attached to IVC employment applications.

Student/Employee/Faculty E-Mail, Text and Voice Messaging Sign-up for Timely Warnings and Emergency Notifications

In the event of an actual emergency the campus community will be notified Via the Campus's Regroup program that will provide phone voice messages, text messages, and e-mail messages, and also by notices placed on the Imperial Community College District Website. In order to receive campus wide e-mail announcements, students/faculty/staff must have a College e-mail account. Such accounts are assigned upon registration as a student or employment as a faculty/staff member.

Students/Faculty/Staff can sign-up for the Regroup emergency alerts program by going to <https://imperial.regroup.com/signup> and entering their information. In order to receive Emergency Notifications via Text or Voice messaging, students/faculty/staff must designate either or both choices. It is recommended that the students/faculty/staff choose all notification methods available.

Automatic forwarding of e-mail messages from a College account to another account are available by the student accessing their Outlook account in Office 365. Students/faculty/staff should take responsibility for regularly checking their e-mail.

Campus Security and Access

Reference: AP3501
34 Code of Federal Regulations Section 668.46(b)(3)
ACCJC Accreditation Standard III.B.I

During business hours, the District will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours, access to all District facilities is by key, if issued, or by admittance via Maintenance staff. In the case of periods of extended closing, the District will admit only those with prior approval to all facilities.

Some Campus buildings may have individual hours, which may vary at different times of the year. Examples are the Gymnasium, athletic fields, and the College Center. In these cases, the buildings will be secured according to schedules developed by the department responsible for the facility and the Maintenance Department.

Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic will have periodic security surveys conducted of them. Administrators from Student Affairs, Maintenance, Campus Safety and Parking Control and other concerned Departments review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications. Additionally, during the academic year, the District Facilities Maintenance Director and Campus Safety and Parking Control Office, Maintenance staff and others shall meet to discuss security and access issues of pressing concern.

Imperial Valley College does not currently have on-campus housing, and therefore does not maintain a policy on missing student information or fire safety requirements for those facilities. In addition, these statistics are submitted to Department of Education each October 1st.

Campus Law Enforcement Authority

Imperial Community College District, On-Campus Deputy Sheriffs, have full peace officer powers including the power of arrest. They exercise their powers in conjunction with the direction of the Dean of Student Affairs and Enrollment Services. All actions taken by the On Campus Deputy Sheriff's will be according to the Policies of the Imperial Community College District, California State Law, and U.S. Federal law specifically as directed by the U.S. Department of Education.

Campus Safety Officers (CSO's) have the authority to ask persons for identification and to determine whether individuals have lawful business at Imperial Community College District (IVC) and to detain individuals, whether students or not for arrest by the Imperial County Sheriff's Office. Campus Safety Officers have the authority to issue parking tickets, which are billed to financial accounts of students, faculty, and staff. Unpaid parking citations are referred to the California Department of Motor Vehicles for a hold to be placed on the registration of the vehicle until the parking citation is resolved. Campus Safety Officers do not possess arrest power. Criminal incidents that are submitted for criminal prosecution are referred to the Imperial County Sheriff's Office who has jurisdiction on the campus. The Campus Safety and Parking Control Department at IVC maintains a highly professional working relationship with the Imperial County Sheriff's Office and the California Highway Patrol. All crime victims and witnesses are strongly encouraged to immediately report the crime to the Campus Safety and Parking Control Department and/or the Imperial County Sheriff's Office. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

Imperial County Sheriff's Office MOU

AP 3520 Local Law Enforcement

References:

Education Code Section 67381;

34 Code of Federal Regulations Part 668.46

The College recognizes that laws and rules are necessary for society to function and supports the enforcement of law by governmental agencies and rules by officials of the College. All persons on the Campus are subject to these laws and rules at all times. While the College is private property, and Constitutional protections apply, law enforcement officers may enter the campus to conduct business as needed. All law enforcement agencies are expected to check in with the Campus Safety and Parking Control Office when on campus.

The Campus Safety and Parking Control Office enjoys an especially good relationship with the Imperial County Sheriff's Office (ICSO). The response time of the ICSO to campus is prompt for emergency calls. The exercise of authority is described in a "memorandum of understanding" (MOU) between ICSO and the Imperial Community College District that outlines the jurisdiction over which types of offenses will be turned over to the ICSO for arrest and prosecution. Campus Safety Officers have no arrest authority beyond that of an ordinary citizen. These Campus Safety Officers may make an arrest in the event a felony is committed in his or her presence. However, as a matter of course, the arrest and prosecution of individuals accused of crimes occurring on campus is the responsibility of the ICSO.

Campus Safety Officers are expected to render all possible assistance provided such assistance can be given without significantly endangering the officer or others not involved in the crime.

As noted in the introduction and the emergency policies, the ICSO is notified of all prosecutable crime on campus, and is immediately notified of crimes via the telephone. The College also relies on the telephone to contact the county emergency dispatch center for fire and emergency medical needs. All victims are offered an opportunity to report crimes to ICSO where appropriate under the MOU.

Annually, the ICSO is provided with a summary of all crime occurring on campus. Frequent meetings or telephone conversations between the Sheriff (and/or his designee) and the director of campus safety allow for exchanges of routine information on a timely basis. Additionally, special needs are communicated between agencies as they occur.

See BP 3520

Counselors and Confidential Crime Reporting

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be Campus Security Authorities.

Campus "Pastoral Counselors" and Campus "Professional Counselors", when acting as such, are not considered to be a Campus Security Authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

The rulemaking committee defines counselors as:

Pastoral Counselor

An employee of an institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

Professional Counselor

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certificate.

Crime Prevention Programs for Students, Employees, and Faculty

Crime Prevention Programs on personal safety and theft prevention for students and employees are sponsored by various campus organizations throughout the year. The Campus Safety and Parking Control Department personnel facilitate programs for student, employee, parent, faculty, and new employee orientations, student organizations, community organizations providing a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes.

Crime Prevention programs for Students, employees, and faculty will be advertised via the Regroup system which will leave email, voice, and text messages as well as the information being posted on the Imperial Valley Campus website.

To enhance personal safety and the safety of others especially after an evening class, walk with friends or someone from class that you know well, or call the Campus Safety and Parking Control, at extension 1111 or call the On Campus Deputy Sheriff's cell (760) 483-7411, for an escort.

Students, employees, and faculty are responsible for their own safety and the safety of others. The Deputy Sheriff's and the Campus Safety Officers are present on Campus to assist in and maintain this safety.

Security Awareness Programs for Students and Employees

During orientation students are informed of services offered by the Campus Safety and Parking Control. Presentations outline ways to maintain personal safety. Students are told about crime on-campus and in surrounding public places. Similar information is presented to new employees. Crime Prevention Programs and Sexual Assault Prevention Programs are offered on an annual basis.

Periodically during the academic year, the Campus Safety and Parking Control, in cooperation with other College organizations, departments, and local agencies present crime prevention awareness programs on sexual assault (rape and acquaintance rape), dating violence, domestic violence, stalking, theft, and vandalism, as well as educational sessions on personal safety.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

In addition to presentations, information is disseminated to students and employees through crime prevention awareness packets, security alert posters, displays, and articles.

When time is of the essence, information is released to the College community through security alerts posted prominently throughout campus and by posting the information on the electronic marquee attached to building 1000. Additionally, students and employees will be notified through notices via the Regroup system sending; text message, voice message, email messages as well as posting the information in various locations throughout the College Cam

Criminal Activity Off-Campus

Campus Safety and Parking Control Department members do not provide law enforcement service to off-campus locations. Student Affairs and the Campus Safety and Parking Control Department enjoys a close working relationship with the Imperial County Sheriff's Office when violations of federal, state, or local laws surface. This cooperative team approach addresses situations as they arise as well as future concerns.

Alcoholic Beverages

References: AP 3560

Business and Professions Code Sections 24045.4, 24045.6, and 25658

34 Code of Federal Regulations Section 668.46(b)

The possession, sale or the furnishing of alcohol on campus is governed by California state law and these procedures. The possession, sale, consumption or furnishing of alcohol is controlled by the California Department of Alcohol and Beverage Control. However, the enforcement of alcohol laws on-campus is the primary responsibility of the Campus Safety and Parking Control. The campus has been designated "Drug free" and only under certain circumstances is the consumption of alcohol permitted.

The unlawful possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Campus Safety Manager. Violators are subject to disciplinary action under the Student Code of Conduct, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal.

It is also a violation of this policy for anyone to consume or possess alcohol in any public or private area of campus without prior District approval. Organizations or groups violating alcohol or substance policies or laws may be subject to sanctions by the District.

Alcoholic beverages on campus are permitted if:

- The alcoholic beverage is beer or wine for use in connection with a course of instruction, sponsored dinner, or meal demonstration given as part of a culinary arts program at this community college campus, and the instructor or individual has been authorized to acquire, possess, use, sell, or consume it by the CEO.
- The alcoholic beverage is for use during a non-college event at the College Center, 2700 building, room 2131, or the art center which is built on District property and leased to a nonprofit public benefit corporation.
- The alcoholic beverage is wine produced by a bonded winery owned or operated as part of an instructional program in viticulture and enology.

- The alcoholic beverage is wine that is for use during an event sponsored by the District or an organization operated for the benefit of the District, in connection with the District's instructional program in viticulture or the District's instructional program in enology, or an event that has been approved through the facilities use agreement.
- The alcoholic beverage is possessed, consumed, or sold, pursuant to a license or permit obtained under this division for special events held at the facilities of a public community college during the special event. "Special event" means events that are held with the permission of the governing board of the community college district that are festivals, shows, private parties, concerts, theatrical productions, and other events held on the premises of the public community college and for which the principal attendees are members of the general public or invited guests and not students of the public community college.
- The alcoholic beverage is acquired, possessed, or used during an event sponsored by the District or an organization operated for the benefit of the District at a community college-owned facility in which any grade from kindergarten to grade 12, inclusive, is taught, if the event is held at a time when students in any grades from kindergarten to grade 12, inclusive, are not present at the facility
- The alcoholic beverage is for use during a fundraiser or community event and the organizer has obtained a license under the Business and Professions Code.
- Alcoholic beverages will not be served or sold to anyone under the age of 21. The organizers of events involving alcoholic beverages will exercise due diligence in ensuring that personal safety and conduct issues are addressed, including providing security personnel at the discretion of the District.
- No alcoholic beverage can be acquired, possessed, or used at an athletic event sponsored by the District or any other organizer.

It shall be the policy of the Board that, in accordance with Board Policy BP 3550 Drug Free Environment and Drug Prevention Program, alcoholic beverages may not be possessed, sold, and/or consumed on District owned or operated properties except under the following circumstances:

When, with approval of the CEO, the alcoholic beverage is acquired, possessed, or used in connection with a course of credit, non-credit, or not for credit instruction.

When, with the approval of the CEO, the District recognizes the opportunities for the District to host events on campus and authorizes approval of alcoholic beverages on campus.

When, with the approval of the CEO, the alcoholic beverage is acquired, possessed, or used during fundraisers held to benefit a nonprofit corporation that has obtained an appropriate license. Such events shall, through appropriate administrative procedures, be approved in accordance with BP 6700 Civic Center and Other Facilities Use.

All activities and programs shall be conducted in a manner consistent with public peace and safety. Any person under the influence of intoxicating liquor shall be denied access to District owned or operated property and/or subject to enforcement of applicable laws.

Alcoholic beverages shall not be served on campus except in accordance with these administrative procedures. See BP 3560

Illegal Drug Possession

AP 3550 Drug Free Environment and Drug Prevention

Reference:

Drug Free Schools and Communities Act Amendment of 1989;

20 U.S. Code Section 1145g;

34 Code of Federal Regulations 86.1 et seq.;

Federal Drug-Free Workplace Act of 1988;

41 U.S. Code Section 702

The District is committed to providing its employees and students with a drug-free workplace and campus environment. It emphasizes prevention and intervention through education and assistance.

Health Risks of Drug and Alcohol Abuse

Drug addiction is a brain disease. Although initial drug use might be voluntary, drug abuse has been shown to alter gene expression and brain circuitry, which in turn affect human behavior. Once addiction develops, these brain changes interfere with an individual's ability to make voluntary decisions, leading to compulsive drug craving, seeking and use. The impact of addiction can be far reaching.

Cardiovascular disease, stroke, gastrointestinal, musculoskeletal effects, kidney and liver damage, cancer, HIV/ AIDS, hepatitis, and lung disease can all be affected by drug abuse. Some of these effects occur when drugs are used at high doses or after prolonged use, however, some may occur after just one use (NIH).

Alcohol affects every organ in the drinker's body and can damage a developing fetus. Intoxication can impair brain function and motor skills; heavy use can increase risk of certain cancers, stroke, and liver disease.

Counseling, Treatment, Rehabilitation

The District provides a Student Health Center which offers Mental Health Counseling and Basic First Aid and care for minor illnesses. It also provides access to wellness information via the online resource Student Health 101. Assistance is available to employees through Holman Professional Counseling Center, Employee Assistance Program.

Prohibition of Drugs

The unlawful manufacture, distribution, dispensing, possession or use of alcohol or any unlawful controlled substance is prohibited on District property, during District-sponsored field trips, activities or workshops, and in any facility or vehicle operated by the District. The unlawful possession, sale, manufacture or distribution of any controlled substance is not only prohibited by District policy but is also illegal under both state and federal laws, and may result in criminal prosecution, fine and imprisonment.

Violation of this prohibition will result in appropriate action up to and including termination of employment, expulsion, and referral for prosecution, or, as permitted by law, may require satisfactory participation in an alcohol or drug abuse assistance or rehabilitation program.

As a condition of employment, employees must notify the District within days of any conviction for violating a criminal drug statute while in the workplace.

See BP 3550

Substance Abuse Education

PREVENTION PROGRAMS

The College has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including dissemination of informational materials, educational programs, counseling services, referrals and college disciplinary actions.

Students requiring assistance or services will contact the Student Health Center to receive assistance from the following;

- Alcohol and Drug Education: College Health Services, College Health Class.
- Counseling Services: Student Development Counselors, College Nurse.
- Referral Services: Student Development Counselors, College Nurse.
- College Disciplinary Actions: Faculty/Student Judicial Review Committee. Dean of Student Affairs.

Employees requiring assistance or services will contact the Department of Human Resources to receive assistance from the following;

- Alcohol and Drug Education: Employee Assistance Program.
- Counseling Services: Employee Assistance Program.
- Referral Services: Employee Assistance Program. LOCAL and STATE LEGAL SANCTIONS
Legal Sanctions - Laws Governing Alcohol

The State of California sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated, are available from the California Highway Patrol.

A violation of any law regarding alcohol is also a violation of the College's Student Code of Conduct and will be treated as a separate disciplinary matter by the College.

Counseling, Treatment, Rehabilitation

The Imperial Community College District's (District) Employee Assistance Program treats each employee as an individual client and strictly adheres to the confidentiality rights of clients in accordance with federal and state laws and District Policies.

The Employee Assistance Program (EAP) through Beacon Health Options is available to those employees who participate in the District health insurance program. When employees call for assistance they must say they are included in the "Imperial County School Voluntary Employee Benefits Association" (ICSVEBA) and are listed under the IVC group to avoid any delays in receiving assistance.

All District Employees can reach the Beacon Health Options by calling 866-533-4278 or a <https://icsveba.mybeaconwellbeing.com/>

WHERE TO GET HELP:

- Student Health Center Nurse: 760-355-6310

- Mental Health Counseling Counselor: 760-355-6196
- For 24-hour mental health emergencies, contact the Imperial County Crisis Line at 1-800-817-5292
- Student Health 101 <https://imperial.campuswell.com>

Disclosures to Alleged Victims of Crimes of Violence or Non- Forcible Sex Offenses

Imperial Community College District will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Imperial Community College District will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Sexual and Other Assaults on Campus

Reference: AP 3540
 Education Code Section 67385; 20 U.S.C. § 1092(f);
 34 C.F.R. § 668.46(b) (11)

Any sexual assault or physical abuse, including, but not limited to, rape, as defined by California law, whether committed by an employee, student, or member of the public, occurring on District property, or on an off-campus site or facility maintained by the District, or on grounds or facilities maintained by a student organization, is a violation of District policies and regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. A student found guilty of violating the College sexual misconduct policy could be criminally prosecuted in the state courts and may be suspended or expelled from the College for the first offense. (See also AP 5500, Standards of Student Conduct.)

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

- A. **Forcible Rape**
 The carnal knowledge of a person, forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
- B. **Forcible Sodomy**
 Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- C. **Sexual Assault with an Object**

The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

D. Forcible Fondling

The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Sex Offenses-Non-forcible / Unlawful, non-forcible sexual intercourse.

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

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

Sex Offenses Definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program.

All students, faculty members staff members, or visitors who allege they are the victims of a sexual assault on District property shall be provided with information regarding options and assistance available to them. Information shall be available from the Campus Safety and Parking Control Office, which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the Campus Safety and Parking Control Office is authorized to release such information.

The Human Resource Office shall be notified of all serious criminal events that have been reported to the Campus Safety and Parking Control.

The Director of Campus Safety and Parking Control shall provide all alleged victims of sexual assault with the following, upon request:

- A copy of the District's policy and procedure regarding sexual assault;
- A description of available services, and the persons on campus available to provide those services if requested.
- Referral to the Imperial County Sheriff's Office, with the consent of the victim, for collection of evidence and/or the criminal prosecution of responsible persons.
- transportation to a hospital, if necessary; counseling or referral to a counseling;
- A description of each of the following procedures:
 - ◊ criminal prosecution;
 - ◊ District disciplinary procedures, both student and employee;
 - ◊ modification of class schedules;

All alleged victims of sexual assault shall be kept informed, through the Campus Safety and Parking Control Office of any ongoing investigation. Information shall include the status of any student or employee disciplinary proceedings or appeal; alleged victims of sexual assault are required to maintain any such information in confidence, unless the alleged assailant has waived rights to confidentiality.

The District shall maintain the identity of any alleged victim or witness of sexual assault as defined above, in confidence unless the alleged victim or witness specifically waives that right to confidentiality. All inquiries from reporters or other media representatives about alleged sexual assaults shall be referred to President's Office, which shall work with District Legal Advisor to assure that all confidentiality rights are maintained.

Education and Prevention Information

The Campus Safety and Parking Control Office and the Student Affairs Office shall:

- Provide, as part of each campus' established on-campus orientation program, education and prevention information about sexual assault. The information shall be developed in collaboration with campus-based and community-based victim advocacy organizations.
- Post sexual violence prevention and education information on the campus internet website.
- The Campus Safety and Parking Control Office educates the student community about rape, acquaintance rape, and other forcible and non-forcible sex offenses through mandatory freshman orientation each fall. The Campus Safety and Parking Control Office offers sexual assault education and information programs to students and employees upon request. Literature on date rape education, risk reduction, and the College's response is available through the Campus Safety and Parking Control Office.

If you are a victim of a sexual assault, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. The Campus Safety and Parking Control Office strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to a Campus Safety Officer or to the Imperial County Sheriff's Office (ICSO). Filing a report with the Campus Safety and Parking Control Office or the ICSO will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will:

- ensure that you receive the necessary medical treatment and tests, at no expense to you
- the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally the victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam)
- ensure you have access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention

When a sexual assault victim contacts the Campus Safety and Parking Control Office, the ICSO will be notified as well. A representative from the Student Affairs Office will also be notified although no identifying information of the victim will be released. The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system and the Campus Safety and Parking Control Office, or only the latter. A Campus Safety Officer will guide the victim through the available options and support the victim in his or her decision. Various counseling options are available from the College through the Student Health Center, Employee Assistance, and the Psychological and Counseling Center. Counseling and support services outside the College system can be obtained by referral from the ICSO.

College disciplinary proceedings, as well as special guidelines for cases involving sexual misconduct, are detailed in the Student Handbook. The Handbook provides, in part, that the accused and the victim will each be allowed to choose one person to accompany them throughout the hearing. Both the victim and accused will be informed of the outcome of the hearing. A student found guilty of violating the College sexual misconduct policy could be criminally prosecuted in the state courts and may be suspended or expelled from the College for the first offense.

The Student Handbook may be found by visiting the link below:

<https://www.imperial.edu/docs/associated-students/handbook-for-student-leaders/9736-2018-2019->

Student victims have the option to change their academic situations after an alleged sexual assault, if such changes are reasonably available.

For additional information and resources on sexual assault, domestic violence, dating violence, and stalking in the educational/campus environment, the Department of Justice has established a clearing-house of resources geared towards colleges and universities, which can be accessed at the California Attorney General's website.

See BP 3540

Definitions

“Consent” means an affirmative decision to engage in an activity given by clear action or words. It is an informed decision made freely, willingly, and actively by all parties. Behavior will be considered “without consent” if no clear consent, verbal or nonverbal, is given. Consent cannot be procured by physical force, compelling threats, intimidating behavior, or coercion. A person cannot give consent if they are incapacitated as a result of alcohol or drug consumption (voluntary or otherwise), is unconscious, unaware or asleep during the act, is under the legal age to provide consent, or otherwise lacks the capacity to consent. In determining whether a person is incapacitated, the analysis must include whether the accused individual knew or should reasonably have known that the person was incapacitated. A lack of protest or resistance is not a valid form of consent. Silence is not a valid form of consent. A prior relationship or prior sexual activity is not sufficient to demonstrate consent for sexual activity. Consent can be revoked or withdrawn at any time, even during a sexual act. If consent is withdrawn, the sexual act is no longer consensual.

“Sexual Assault” means an offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. A sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape:** 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. A person is guilty of rape if the person engages in vaginal intercourse with another person: (1) By force and against the will of the other person; or (2) Who is mentally disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know the other person is mentally disabled
- **Fondling:** The touching of the private 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. Fondling is included in the crime of “sexual battery”, which occurs if the person, for the purpose of sexual arousal, sexual gratification, or sexual abuse, engages in sexual contact with another person: (1) by force and against the will of the other person; or who is mentally disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know that the other person is mentally disabled, mentally incapacitated, or physically helpless.

“Sexual Misconduct” includes sexual assault, sexual harassment, sexual exploitation and retaliation against a person because she or he filed a complaint of sexual misconduct, relationship or interpersonal violence or participated in an investigation or procedure involving sexual misconduct, relationship or interpersonal violence.

Domestic Violence and Stalking

Dating Violence, Domestic Violence or Stalking whether committed by an employee, student, or member of the public, occurring on District property, or on an off-campus site or facility maintained by the District, or on grounds or facilities maintained by a student organization, is prohibited and a violation of District policies and regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. A student found guilty of violating the College sexual misconduct policy could be criminally prosecuted in the state courts and may be suspended or expelled from the College for the first offense.

Dating violence:

- is defined as 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 determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. 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.

Domestic Violence:

- is defined as 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;
 - 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.

Stalking:

- is engaging in a course of conduct directed at a specific person, whether in the context of a social or intimate relationship or otherwise, that would cause a reasonable person to feel fear for their safety or safety of others or suffer substantial emotional distress. Stalking, including cyber stalking, may include, for example, non-consensual communication, including in-person communication or contact, surveillance, telephone calls, voice messages, text messages, email messages, social networking site postings, instant messages, postings of pictures or information on websites, written letters, gifts or any other communications that are undesired and/or place another person in fear of, or at risk of, physical injury or danger.

Orders of Protection

Victims of sexual offenses, dating violence, domestic violence, and/or stalking may obtain a court order to protect themselves. Imperial Valley College will enforce all applicable no contact orders, restraining orders, and similar lawful orders issued by a criminal, civil, or tribunal court, to the extent required by law.

Bystander Intervention

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

If anyone suspects a friend, acquaintance, or stranger may be in a high-risk situation for becoming a victim, is being victimized, or has been a victim of any form of sexual offense, including dating violence, domestic violence, sexual assault, or stalking, it is important to decide as a bystander whether there is a safe and reasonable way to intervene effectively to assist a person before, during, or after an incident takes place.

While there is no legal obligation for a bystander to act or intervene, Imperial Valley College promotes a campus culture of respect and concern for others, creating a community of responsible citizens. The following are suggestions for safe and positive bystander actions:

- Notice the event—any behavior you recognize that would lead to violence.
- Consider whether the situation demands your action. Is this going to resolve itself or would it be helpful if you did something?
- Decide if you have a responsibility to act. Should you do something to assist knowing that other people are around, but will more than likely not step in.
- Choose what form of assistance to use. Directly intervene, redirect their attention elsewhere to distract them, Call Campus Safety to report the situation.
- 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.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Refer people to on- or off-campus resources for support in health, counseling, or with legal assistance.
- Call 911 if there is immediate danger

Act and be safe! Understand how to implement the choice safely.

Preventing and Responding to Sex Offenses

The Campus Safety and Parking Control Department educates the student community about rape, acquaintance rape, and other forcible and non-forcible sex offenses through mandatory freshman orientation each fall. The Campus Safety and Parking Control Department offers sexual assault education and information programs to students and employees upon request. Literature on date rape education, risk reduction, and the College's response is available through the Campus Safety and Parking Control.

If you are a victim of a sexual assault, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. The Campus Safety and Parking Control Department strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to an on campus Deputy Sheriff, a Campus Safety Officer, or to the Imperial County Sheriff's Office. Filing a report with a Campus Safety and Parking Control Department or the Sheriff's Office will not obligate the victim to

prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will:

- ensure that you receive the necessary medical treatment and tests, at no expense to you;
- provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally the victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam);
- assure you have access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

When a sexual assault victim contacts the Campus Safety and Parking Control, the Imperial County Sheriff's Office (ICSO) will be notified as well. A representative from the Student Affairs Office will also be notified although no identifying information of the victim will be released. The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system and the Campus Safety and Parking Control, or only the latter. A Deputy Sheriff or Campus Safety Officer will guide the victim through the available options and support the victim in his or her decision. Various counseling options are available from the College through the Student Health Center, Employee Assistance, and the Psychological and Counseling Center. Counseling and support services outside the College system can be obtained by referral from the on campus Deputy Sheriff to the ICSO. College disciplinary proceedings, as well as special guidelines for cases involving sexual misconduct, are detailed in the Student Handbook. The Handbook provides, in part, that the accused and the victim will each be allowed to choose one person to accompany them throughout the hearing. Both the victim and accused will be informed of the outcome of the hearing. A student found guilty of violating the College sexual misconduct policy could be criminally prosecuted in the state courts and may be suspended or expelled from the College for the first offense. Student victims have the option to change their academic situations after an alleged sexual assault, if such changes are reasonably available.

Prohibition of Sexual Harassment under Title IX

BP 3433 Prohibition of Sexual Harassment under Title IX

Reference:

Title IX, Education Amendments of 1972; Title 5 Sections 59320 et seq.:

Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated, Section 2000e.

The District is committed to providing an academic and work environment free of unlawful sex harassment under Title IX. This procedure defines sexual harassment on campus.

This procedure and the related policy protects students, employees, in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, a District bus, or at a class or training program sponsored by the District at another location.

Definitions

Sexual Harassment under Title IX: Conduct that satisfies one or more of the following:

- A District employee conditions the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (*quid pro quo* harassment);
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity;
- Sexual assault, including the following:
 - **Sex Offenses.** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
 - **Rape (except Statutory Rape).** The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity. There is carnal knowledge if there is the slightest penetration of the genital or anal opening of the body of another person.
 - **Sodomy.** Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.
 - **Sexual Assault with an Object.** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything the offender uses other than the offender's genitalia, e.g., a finger, bottle, handgun, stick.
 - **Fondling.** 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/their age or because of his/her/their temporary or permanent mental or physical incapacity.

- **Sex Offenses, Non-Forcible Unlawful, Non-Forcible Sexual Intercourse.**
 - **Incest.** Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - **Statutory Rape – Non-Forcible.** Sexual intercourse with a person who is under the statutory age of consent. There is no force or coercion used in Statutory Rape; the act is not an attack.
- **Dating violence.** Violence against a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a relationship will be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- **Domestic Violence.** 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 California; or
 - By any other person against an adult or youth victim protected from that person's acts under the domestic or family violence laws of California.
- **Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her/their safety or the safety of others or suffer substantial emotional distress.

See AP 3433

Sex Offender Registration

AP 3516 Registered Sex Offender Information

Reference:

Penal Code 290, 290.01, 290.95;

34 Code of Federal Regulations Part 668;

42 U.S. Code Section 14071j;

20 U.S. Code Section 1092(f)(1)(I) and 1232g (b)(7)(A) (Campus Sex Crimes Prevention Act)

The District shall include in its Annual Security Report a statement advising the campus community where information pertaining to registered sex offenders may be obtained.

Sex offenders are required to register with the police in the jurisdiction in which they reside and at institutions of higher learning if they are students there or if they work there as employees, contractors, or volunteers. A sex offender who is an employee or volunteer in the District must disclose his/her status as a registrant upon his/her application or acceptance of the position if he/she:

1. would be working directly and in an unaccompanied setting with minor children on more than an incidental and occasional basis or have supervision or disciplinary power over minor children or
2. would be working directly and in an accompanied setting with minor children and his/her work would require touching minor children on more than an incidental basis.

A sex offender who must register for committing a crime against a minor victim under the age of 16 is prohibited from serving as an employer, employee, contractor, or volunteer in any capacity in which the sex offender would be working directly and in an unaccompanied setting with minor children on more than an incidental and occasional basis or involving having supervision or disciplinary power over minor children.

Sex offenders who may be required to register should do so at: Campus Safety and Parking Control Office.

Information concerning registered sex offenders can be obtained from Campus Safety and Parking Control Office and the California Department of Justice Megan's Law Website,

<http://www.meganslaw.ca.gov/>

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the California Department of Justice is providing a link to the California Department of Justice's official Internet web site, which lists designated registered sex offenders in California.

This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by the California Department of Justice concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in California to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In California, The Sex Offender Tracking Program at the California Department of Justice (DOJ) maintains the registered sex offender database. That database is the basis for the information displayed on their Internet web site. By law, persons convicted of specified sex crimes are required to register as sex offenders with a local law enforcement agency.

California's Megan's Law was enacted in 1996, and allows local law enforcement agencies to notify the public about sex offender registrants found to be posing a risk to the public. Megan's Law is named after seven-year-old Megan Kanka, a New Jersey girl who was raped and killed by a known child molester who had moved across the street from the family without their knowledge. In the wake of the tragedy, the Kankas sought to have local communities warned about sex offenders in the area. All states now have some form of Megan's Law.

Responding to Harassment Based on Sex under Title IX

References: AP3434

20 U.S. Code Sections 1681 et seq.:

34 Code of Federal Regulations, Section 106.1 et seq.:

Introduction

The District encourages members of the District community to report sexual harassment. This procedure only applies to conduct defined sexual harassment under Title IX and applicable federal regulations and that meet Title IX jurisdictional requirements. The District will respond to sexual harassment and sexual misconduct that falls outside that definition and outside the jurisdiction of the Title IX federal regulations using California law and applicable District policies and procedures. In implementing these procedures discussed below, the District will also provide supportive measures, training, and resources in compliance with California law, unless they are preempted by the Title IX regulations.

Title IX Coordinator

Questions concerning Title IX may be referred to the District Title IX Coordinator whose contact information is below.

The District's Title IX Coordinator is the Vice President of Student Services and Equity and the Title IX Coordinator's contact information is:

Student Services Counseling Center, Imperial Community College District
380 E Aten Road
Imperial California, 92251
(760)355-6472

The Title IX Coordinator is required to respond to reports of sexual harassment or misconduct. The Title IX Coordinator will handle information received with the utmost discretion and will share information with others on a need-to-know basis. For example, the Title IX Coordinator may need to address public safety concerns on campus, comply with state and federal legal requirements, or share information to implement supportive measures.

A report of sexual harassment to the Title IX Coordinator does not necessarily lead to a full investigation, as discussed more fully below. However, the Title IX Coordinator will make an assessment to determine if there is a safety risk to the campus. If the Title IX Coordinator finds there is a continued risk, the Title IX Coordinator will file the formal complaint without the Complainant's consent or cooperation.

Title IX Harassment Complaints, Investigations, and Hearings

These Title IX sexual harassment procedures and the related policy protect students, employees, applicants for employment, and applicants for admission.

Jurisdictional Requirements – Application of Procedures

These procedures apply if the conduct meets the following three jurisdictional requirements:

The conduct took place in the United States;

The conduct took place in a District “education program or activity.” This includes locations, events, or circumstances over which the District exercised substantial control over both the Respondent and the context in which the harassment occurred, including on-campus and off-campus property and buildings the District owns or controls or student organizations officially recognized by the District own or control.

The conduct meets the definition of Title IX “sexual harassment.”

Definitions

Advisor: Throughout the grievance process, both the Complainant and Respondent have a right to an Advisor of their choice. If a Party does not have an Advisor at the time of the hearing, the District must provide the Party an Advisor of its choice, free of charge. The District may establish restrictions regarding the extent to which the Advisor may participate in the proceedings as long as the restrictions apply equally to both Parties.

Complainant: A Complainant is an individual who alleges he/she/they is the victim of conduct that could constitute sexual harassment.

Consent: Consent means affirmative, conscious, and voluntary agreement to engage in sexual activity. Both Parties must give affirmative consent to sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he/she/they has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest, lack of resistance, or silence does not indicate consent. Affirmative consent must be ongoing throughout a sexual activity and one can revoke his/her/their consent at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, is not an indicator of consent.

The Respondent's belief that the Complainant consented will not provide a valid defense unless the belief was actual and reasonable, based on the facts and circumstances the Respondent knew, or reasonably should have known, at the time of the incident. A Respondent's belief is not a valid defense where:

The Respondent's belief arose from the Respondent's own intoxication or recklessness;

The Respondent did not take reasonable steps to ascertain whether the Complainant affirmatively consented; or The Respondent knew or a reasonable person should have known that the Complainant was unable to consent because the Complainant was incapacitated, in that the Complainant was: asleep or unconscious; unable to understand the fact, nature, or extent of the sexual activity due to the influence of drugs, alcohol, or medication; or unable to communicate due to a mental or physical condition.

Decision-Maker: The person or persons who will oversee the live hearing and make a determination of responsibility. The Decision-Maker will normally be either the Dean of Student Affairs, Enrollment Services and Campus Safety or the Chief Human Resources Officer. Other Title IX certified administrators may be appointed as the Decision-Maker, however the Decision-Maker cannot be the Title IX Coordinator or the investigator.

Formal Complaint: A written complaint signed by the Complainant or Title IX Coordinator, alleging sexual harassment and requesting an investigation. If the Title IX Coordinator signs the formal complaint, he/she/they will not become a Party to the complaint.

Parties: As used in this procedure, this means the Complainant and Respondent.

Respondent: A Respondent is an individual reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual Harassment under Title IX: Conduct that satisfies one or more of the following:

A District employee conditions the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (*quid pro quo* harassment);

Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity;

Sexual assault, including the following:

- **Sex Offenses.** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape** (except Statutory Rape). The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity. There is carnal knowledge if there is the slightest penetration of the genital or anal opening of the body of another person.
- **Sodomy**. Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.
- **Sexual Assault with an Object**. To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything the offender uses other than the offender's genitalia, e.g., a finger, bottle, handgun, stick.
- **Fondling**. 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/their age or because of his/her/their temporary or permanent mental or physical incapacity.
- **Sex Offenses, Non-Forcible Unlawful, Non-Forcible Sexual Intercourse**.
- **Incest**. Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape – Non-Forcible**. Sexual intercourse with a person who is under the statutory age of consent. There is no force or coercion used in Statutory Rape; the act is not an attack.
- **Dating violence**. Violence against a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a relationship will be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- **Domestic Violence**. 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 California; or
 - By any other person against an adult or youth victim protected from that person's acts under the domestic or family violence laws of California.
- **Stalking**. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her/their safety or the safety of others or suffer substantial emotional distress.

Reporting Options

Any individual may report sexual harassment to the District's Title IX Coordinator.

The District strongly encourages prompt reporting of sexual harassment. Prompt reporting allows for the collection and preservation of evidence, including physical evidence, digital media, and witness statements. A delay may limit the District's ability to effectively investigate and respond.

Individuals have the opportunity to decide whether they want to pursue a formal Title IX complaint. Reporting sexual harassment to the Title IX Coordinator does not automatically initiate an investigation under these procedures. A report allows the District to provide a wide variety of support and resources to impacted individuals and to prevent the reoccurrence of the conduct. A Complainant or the Title IX Coordinator filing a formal complaint will initiate an investigation.

If there are parallel criminal and Title IX investigations, the District will cooperate with the external law enforcement agency and will coordinate to ensure that the Title IX process does not hinder legal process or proceedings.

The District will document reports of sexual harassment in compliance with the Clery Act, a federal law requiring data collection of crime within the campus geography. Under the Clery Act, the District does not document personal information; the District reports the type of conduct, and the time, date, and location. (Also see BP/AP 3540 Sexual and Other Assaults on Campus or contact the Dean of Student Affairs, Enrollment Services and Campus Safety at (760) 355-6457.)

District Employees and Officials with Authority

District Officials with Authority are not confidential resources and are required to report allegations of sexual harassment to the Title IX Coordinator promptly. All other employees are encouraged to report allegations to the Title IX Coordinator but are not required to do so.

The District has designated the following employees as Officials with Authority:

Deputy Title IX Coordinator (Chief Human Resource Officer)

Deputy Title IX Coordinator (Dean, Student Affairs, Enrollment Management and Campus Safety)

All Administrators

Faculty Chairs

Officials with Authority are required to report all relevant information they know about sexual harassment including the name of the Respondent, the Complainant, any other witnesses, and the date, time, and location of the alleged incident.

Intake and Processing of Report

Receipt of Report

After receiving a report of sexual harassment, the Title IX Officer will contact the Complainant and reporting party to explain rights under this policy and procedure and invite the Complainant to an in-person meeting. The Title IX Officer will discuss supportive measures with the Parties.

Timeframe for Reporting

To promote timely and effective review, the District strongly encourages individuals to report sexual harassment as soon as possible because a delay in reporting may affect the ability to collect relevant evidence and may affect remedies the District can offer.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered free of charge to the Complainant or the Respondent regardless of whether a formal complaint has been filed. The District will provide the Complainant and Respondent with supportive measures as appropriate and as reasonably available to restore or preserve equal access to the District's education program or activities. These measures are designed to protect the safety of all Parties, protect the District's educational environment, or deter sexual harassment. The District will provide supportive measures on a confidential basis and will only make disclosures to those with a need to know to enable the District to provide the service. Supportive measures may include counseling, extensions of deadlines, other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the Parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

Removal of Respondent Pending Final Determination

Upon receiving a report regarding sexual harassment, the Title IX Coordinator will make an immediate assessment concerning the health and safety of the Complainant and campus community as a whole. The District has the right to order emergency removal of a Respondent, or if the Respondent is an employee, place the employee on administrative leave.

Emergency removal

The District may remove a non-employee Respondent from the District's education program or activity on an emergency basis after it conducts an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.

The District may not use emergency removal to address a Respondent's threat of obstructing the sexual harassment investigation or destroying relevant evidence. Emergency removal is only available to address health or safety risks against individuals arising out of sexual harassment allegations, not to address other forms of misconduct that a Respondent might commit pending the processing of a complaint.

The District's Chief Human Resource Officer, Dean of Student Affairs, Enrollment Services & Campus Safety or designee will conduct the individualized safety and risk analysis.

If the Chief Human Resource Officer, Dean of Student Affairs, Enrollment Services & Campus Safety or designee determines emergency removal is appropriate, he/she/they or designee will provide the person the District is removing from campus on an emergency basis with a notice and opportunity to attend a meeting and challenge the basis of his/her/their removal. The Chief Human Resource Officer, Dean of Student Affairs, Enrollment Services & Campus Safety or designee will determine whether the emergency removal from campus order is warranted after considering information provided by the Respondent challenging the emergency removal.

Administrative leave

The District may place a non-student employee Respondent on administrative leave during the pendency of a grievance process described in the formal complaint process below. The District will follow any relevant policies, procedures, collective bargaining agreements, or state law in placing an employee on administrative leave.

Formal Complaint Grievance Process

Notice to Parties

Upon receipt of a formal complaint, the Title IX Coordinator will provide the following notice in writing, to the Parties:

- Notice of the District's Title IX grievance process;
- Notice of the allegations of alleged sexual harassment with sufficient details known at the time and with sufficient time to prepare a response before any initial interview;
- Statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- Notice that the Parties may have Advisor of their choice, who may be, but is not required to be, an attorney;
- Notice that the Parties may inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence whether obtained from a Party or other source; and
- Inform the Parties of any provision in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that are not included in the notice provided above, the Title IX Coordinator will provide notice in writing of the additional allegations to the Parties.

Dismissal of formal complaint

The District must investigate the allegations in a formal complaint. However, the District must dismiss the formal complaint and will not process the complaint under these procedures if any of the following three circumstances exist:

- If the conduct alleged in the formal complaint would not constitute Title IX sexual harassment as defined in this procedure;
- If the conduct alleged did not occur in the District's education program or activity;
- If the conduct alleged did not occur against a person in the United States.

The District has discretion to dismiss a formal complaint or any allegation under the following circumstances:

- If at any time during the investigation or hearing: A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations;
- If the Respondent is no longer enrolled or employed by the District; or
- If there are specific circumstances that prevent the District from gathering evidence sufficient to reach a determination regarding responsibility as to the formal complaint or allegations.

If the District dismissed the formal complaint or any allegations, the Title IX Coordinator shall simultaneously provide the Parties with written notice of the dismissal and reason. The District will also notify the Parties of their right to appeal.

The District may commence proceedings under other policies and procedures after dismissing a formal complaint.

Consolidation of Formal Complaints

The District may, but is not required to, consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Equitable Treatment of the Parties

The District's determination of responsibility is a neutral, fact-finding process. The District will treat Complainants and Respondents equitably. The procedures will apply equally to both Parties. The District will not discipline a Respondent unless it determines the Respondent was responsible for sexual harassment at the conclusion of the grievance process.

Statement of Presumption of Non-Responsibility

The investigation is a neutral, fact-finding process. The District presumes all reports are in good faith. Further, the District presumes the Respondent is not responsible for the alleged conduct. The District makes its determination regarding responsibility at the conclusion of the grievance process.

Bias or Conflict of Interest

The District's Title IX Coordinator, investigator, Decision-Maker, or any person designated by the District to facilitate an informal resolution process, will not have potential actual bias or conflict of interest in the investigatory, hearing, sanctioning, or appeal process or bias for or against Complainants or Respondents generally. Actual bias is an articulated prejudice in favor of or against one Party or position; it is not generalized concern about the personal or professional backgrounds, positions, beliefs, or interests of the Decision-Maker in the process. The District will ensure that the Title IX Coordinator, investigator, Decision-Maker, and facilitator receive training on:

- The definition of sexual harassment in this procedure;
- The scope of the District's education program or activity;
- How to conduct an investigation;
- The grievance process including conducting hearings, appeals, and informal resolution processes;
- How to serve impartially, including avoiding: prejudgment of the facts at issue; conflicts of interest; and bias.

Timeline for Completion

The District will undertake its grievance process promptly and as swiftly as possible. The District will complete the investigation and its determination regarding responsibility or the informal resolution process within 180 calendar days.

When appropriate, the Title IX Coordinator may determine that good cause exists to extend the 180 calendar day period to conduct a fair and complete investigation, to accommodate an investigation by law enforcement, to accommodate the unavailability of witnesses or delays by the Parties, to account for District breaks or vacations, or due to the complexity of the investigation. The District will provide notice of this extension to the Complainant and Respondent in writing and include the reason for the delay and anticipated timing of completion.

A Party may request an extension from the Title IX Coordinator in writing by explaining the reason for the delay and the length of the continuance requested. The Title IX Coordinator will notify the Parties and document the grant or denial of a request for extension or delay as part of the case recordkeeping.

Role of Advisor

The role of the Advisor is to provide support and assistance in understanding and navigating the investigation process.

The Advisor may not testify in or obstruct an interview or disrupt the process. The Title IX Coordinator has the right to determine what constitutes appropriate behavior of an Advisor and take reasonable steps to ensure compliance with this procedure.

A Party does not have a right to self-representation at the hearing; an Advisor must conduct any cross-examination. The District must provide an Advisor of its choice, free of charge to any Party without an Advisor in order to conduct cross-examination. If an Advisor fails to appear at the hearing, the District will provide an Advisor to appear on behalf of the non-appearing Advisor. To limit the number of individuals with confidential information about the issues, each Party may identify one Advisor.

Confidentiality Agreements

To protect the privacy of those involved, the Parties and Advisors are required to sign a confidentiality agreement prior to attending an interview or otherwise participating in the District's grievance process. The confidentiality agreement restricts dissemination of any of the evidence subject to inspection and review or use of this evidence for any purpose unrelated to the Title IX grievance process. The confidentiality agreement will not restrict the ability of either Party to discuss the allegations under investigation.

Use of Privileged Information

The District's formal complaint procedure does not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally-recognized privilege (e.g., attorney-client privilege, doctor-patient privilege, spousal privilege, etc.), unless the person holding the privilege provides voluntary, written consent to waive the privilege.

Investigations

The Title IX Coordinator is responsible to oversee investigations to ensure timely resolution and compliance with Title IX and this procedure.

Both Parties have the right to have an Advisor present at every meeting described in this section.

Trained investigators

The District will investigate Title IX formal complaints fairly and objectively. Individuals serving as investigators under this procedure will have adequate training on what constitutes sexual harassment and how the District's grievance procedures operate. The District will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence and complies with this procedure.

Gathering Evidence and Burden of Proof

The District, not the Parties, has the responsibility to gather information and interview witnesses. When the investigator evaluates the evidence, he/she/they will do so using the preponderance of the evidence standard. After considering all the evidence gathered, the investigator will decide whether it is more likely than not that reported conduct occurred.

Notice of Investigative Interview

The District will provide written notice of the date, time, location, participants, and purpose of all investigative interviews to a Party whose participation is invited or expected, with sufficient time for the Party to prepare to participate.

Evidence Review

Both Parties have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a Party or other source.

Prior to the investigator preparing an investigative report, the District will send to each Party and the Party's Advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The Parties will have at least ten days to submit a written response. The investigator must consider this written response prior to completing the investigative report.

Investigative Report

The results of the investigation of a formal complaint will be set forth in a written report that will include at least all of the following information:

- A description of the circumstances giving rise to the formal complaint;
- A description of the procedural steps taken during the investigation, including all individuals contacted and interviewed;
- A summary of the testimony of each witness the investigator interviewed;
- An analysis of relevant evidence collected during the investigation, including a list of relevant documents;
- A specific finding as to whether the allegations occurred using a preponderance of the evidence standard;
- A table of contents if the report exceeds ten pages; and
- Any other information deemed appropriate by the District.

The investigator will not make a determination regarding responsibility.

The investigator may redact information not directly related to the allegations or privileged information. However, the investigator will keep a log of information he/she/they do not produce to the Parties. The investigator will provide this log only to the Title IX Coordinator. The Title IX Coordinator will not disclose the log to the Parties, but will maintain the log in the Title IX Coordinator's file, in the event it later becomes relevant.

At least ten days prior to a hearing or other time of determination regarding responsibility, the District will send the investigative report to each Party and their Advisors, if any, the investigative report in an electronic format or a hard copy, for review and written response. The Parties will have at least ten days to submit a written response.

Hearing

After completing an investigation and prior to completing a determination regarding responsibility, the District will hold a live hearing to provide the Complainant and Respondent an opportunity to respond to the evidence gathered before a Decision-Maker. Neither Party may choose to waive the right to a live hearing, but the Parties can choose whether to participate in the hearing or answer some or all cross-examination questions.

Notice

If the District proceeds to a hearing, the District will provide all Parties written notice of the date, time, location, participants, and purpose of the hearing with sufficient time for the Party to prepare to participate.

Hearing Format

The District may provide a live hearing with all Parties physically present in the same geographic location or, at the District's discretion if either Party requests, the District may provide any or all Parties, witnesses, and other participants the ability to appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other in real time.

The District will make the information reviewed during the Evidence Review available at the hearing for reference and consultation. The District will not restrict the ability of either Party to discuss the allegations under investigation or to gather and present relevant evidence.

The District will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the Parties for inspection and review.

Decision-Maker

The Decision-Maker will be free from conflict of interest or bias, including bias for or against Complainants or Respondents. In cases where the Complainant or Respondent objects to the Decision-Maker based on a conflict of interest, the Complainant or Respondent may request the Title IX Coordinator select a different Decision-Maker. The Complainant or Respondent must make this request to the Title IX Coordinator in writing at least five business days prior to the hearing.

The Decision-Maker may ask the Parties and the witnesses questions during the hearing. The Decision-Maker must objectively evaluate all relevant evidence both inculpatory and exculpatory and must independently reach a determination regarding responsibility without giving deference to the investigative report. The Decision-Maker must receive training on issues of relevance, how to apply the rape-shield protections for Complainants, and any technology to be used at the hearing.

Presenting Witnesses

The District will provide the Complainant and Respondent an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Witnesses, like Parties, are not required to participate in the live hearing process.

Only relevant evidence will be admissible during the hearing. Relevant evidence means evidence, including evidence relevant to the credibility of a Party or witness, having any tendency in reason to prove or disprove any disputed fact material to the allegations under investigation.

Cross-Examination

The District will permit each Party's Advisor to ask the other Party and any witnesses all relevant questions and follow-up questions, including those questions challenging credibility. The Party's Advisor must conduct cross-examination directly, orally, and in real time. A Party may never personally conduct cross-examination.

Advisors may only ask relevant cross-examination and other questions of a Party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision-Maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Decision-Maker need not provide a lengthy or complicated explanation in support of a relevance determination. If a Party or witness disagrees with a relevance determination, that individual has the choice of either (1) abiding by the Decision-Maker's determination and answering the question or (2) refusing to answer the question.

If a Party or witness does not submit to cross-examination at the live hearing, the Decision-Maker will not rely on any statement of that Party or witness in reaching a determination regarding responsibility. A Party or witness may also decline to answer a question, and the Decision-Maker cannot rely on any statement on which that Party or witness has declined to answer cross-examination questions. A Decision-Maker cannot draw an inference about the determination regarding responsibility based solely on a Party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Determinations of Responsibility

When the Decision-Maker makes a determination of responsibility or non-responsibility, the Decision-Maker will issue a written determination regarding responsibility, no later than 20 business days after the date that the hearing ends.

When making a determination regarding responsibility, a Decision-Maker will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence. A Decision-Maker may not make credibility determinations based on an individual's status as a Complainant, Respondent, or witness. In evaluating the evidence, the Decision-Maker will use the preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the District will decide whether it is more likely than not that sexual harassment occurred.

The written determination will include:

- Identification of the allegations potentially constituting Title IX sexual harassment as defined in these procedures;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including who conducted the investigation and gave notifications to the Parties. The determination will also state when, where, and the date the investigator interviewed the Parties and witnesses, conducted site visits, the methods used to gather other evidence. The procedural section should also discuss the dates and how the Parties were provided the opportunity to review and inspect evidence and the date of any hearings held and who attended the hearing;
- Findings of fact supporting the determination. In making these findings, the Decision-Maker will focus on analyzing the findings of fact that support the determination of responsibility or non-responsibility;
- Conclusions regarding the application of the District's code of conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
- A statement of, and rationale for, any disciplinary sanctions the District imposes on the Respondent;
- A statement of whether the District will provide the Complainant with remedies designed to restore or preserve equal access to the District's education program or activity;
- The District need not disclose to the Respondent remedies that do not affect him/her/them as part of the written determination. The District can inform the Respondent that it will provide remedies to the Complainant. However, the District will inform the Complainant of the sanctions against the Respondent;
- The District's procedures and permissible bases for the Complainant and Respondent to appeal.

The District will provide the written determination to the Parties simultaneously. The determination regarding responsibility becomes final either on the date that the District provides the Parties with the written determination of the result of the appeal, if the Parties file an appeal, or if the Parties do not file an appeal, the date on which an appeal would no longer be timely.

Disciplinary Sanctions and Remedies

The District must have completed the grievance procedures (investigation, hearing, and any appeal, if applicable) before the imposing disciplinary sanctions or any other actions that are not supportive measures against a Respondent. If the Decision-Maker determines the Respondent was responsible for conduct that constitutes sexual harassment, the District will take disciplinary action against the Respondent and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense.

Remedies for the Complainant might include, but are not limited to:

- Providing an escort to ensure that the Complainant can move safely between classes and activities;
- Ensuring that the Complainant and Respondent do not attend the same classes or work in the same work area;
- Providing counseling services or a referral to counseling services;
- Providing medical services or a referral to medical services;
- Providing academic support services, such as tutoring;
- Arranging for a Complainant, if a student, to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant's academic record; and

- Reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant's discipline.

Possible disciplinary sanctions for student Respondents include written or verbal reprimand, required training or counseling, non-academic probation, suspension, and expulsion. Possible disciplinary sanctions for employee Respondents include written or verbal reprimand, required training or counseling, suspension, or discharge.

Appeal of Dismissal of a Formal Complaint or of the Determination of Responsibility

A Complainant or Respondent may appeal the District's determination regarding responsibility or the dismissal of a formal complaint or any allegations. A Complainant or Respondent must submit a written appeal within ten business days from the date of the notice of determination regarding responsibility or from the date of the District's notice of dismissal of a formal complaint or any allegations.

Grounds for Appeal

The Chief Human Resource Officer or Dean of Student Affairs, Enrollment Services & Campus Safety will serve as the Decision-Maker on Appeal. This Decision-Maker may not be the same individual who made the decision the appellant is challenging – whether that is determination regarding responsibility or dismissal of the investigation, or the decision to dismiss a formal complaint, and may not be Title IX Coordinator or the investigator. In filing an appeal of the District's determination regarding responsibility or the District's dismissal of a formal complaint, the Party must state the grounds for appeal and a statement of facts supporting those grounds. The grounds for appeal are as follows:

- A procedural irregularity affected the outcome;
- New evidence was not reasonably available at the time the District's determination regarding responsibility or dismissal was made, and this new evidence could affect the outcome; or
- The District's Title IX Coordinator, investigator, or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome.

Appeal Procedure

If the Complainant or Respondent submit an appeal to the District, the District will:

- Notify the other Party in writing within five business days of receiving a Party's appeal;
- Allow the non-appealing Parties at least ten business days from the date of receipt of the appeal to submit a written statement in support of, or challenging, the outcome;

The appeal Decision-Maker will issue a written decision on whether to grant or deny the appeal, and the rationale for the decision, within 45 business days after the Decision-Maker on appeal receives the response to the appeal or the last day to provide a response. The District will provide the written decision simultaneously to both Parties.

The Decision-Maker on appeal may extend or otherwise modify the deadlines provided above. Either Party may seek an extension by submitting a written request to the appeal Decision-Maker explaining the need for the extension and the proposed length of the extension. The Decision-Maker will respond to the request within 48 hours in writing and will inform the Parties simultaneously whether the extension is granted.

Informal resolution

If the District determines that a formal complaint is appropriate for informal resolution, it may provide the Parties with the opportunity to participate in an informal resolution process, including mediation, at any time prior to reaching a determination regarding responsibility.

The District will provide the Complainant and Respondent written disclosure of the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the Parties from resuming a formal complaint arising from the same allegations, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The District must obtain the Parties' voluntary, written consent to the informal resolution process. If the Parties reach an agreement, the District does not have to complete a full investigation and adjudication of a report of sexual harassment. At any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

The informal resolution process is not available to resolve allegations that an employee sexually harassed a student.

Retaliation prohibited

The District prohibits any intimidation, threats, coercion, or discrimination against any individual who made a report or complaint of sexual harassment, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation, proceeding, or hearing. Individuals who experience retaliation may file a complaint using the formal complaint process described above.

Dissemination of Policy and Procedures

The District will provide its policy and procedures related to Title IX on its website and in each handbook or catalog provided to applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining with the District.

When hired, employees are required to sign acknowledging that they have received the policy and procedures. The District will place the signed acknowledgment of receipt in each employee's personnel file.

Training

The District will provide training to Title IX Coordinators, investigators, Decision-Makers, and any individual who facilitates an informal resolution process, on the definition of sexual harassment, the scope of the District's education program or activities, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Any materials used to train the District's Title IX Coordinator, investigators, Decision-Makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

File retention

The District will retain on file for a period of at least seven years after closing the case copies of:

- The original report or complaint;
- Any actions taken in response to the complaint, including supportive measures;
- The investigative report including all evidence gathered and any responses from the Parties;
- The District’s determination regarding responsibility;
- Audio or audiovisual recording or transcript from a hearing;
- Records of any disciplinary sanctions imposed on the Respondent;
- Records of any remedies provided to the Complainant;
- Any appeal and the result;
- Any informal resolution and the result; and
- All materials used to train Title IX Coordinators, investigators, Decision-Makers, and any person who facilitates an informal resolution process. The District will make these training materials publicly available on its website.

The District will make these documents available to the U.S. Department of Education Office for Civil Rights upon request.

Student and Employee Existing Services

Imperial Valley College seeks to provide a campus community that promotes a safe and welcoming environment where all students and employees may succeed. This college takes very seriously our desire and expectation to have an environment free of relationship and interpersonal violence, which includes all forms of sexual harassment and discrimination, sexual misconduct, stalking, and interpersonal, and relationship violence.

The following is a list of existing services on campus and off-campus:

CAMPUS RESOURCES

- Student Health Center: (760) 355-6310
- Mental Health Counseling Counselor: (760) 355-6196
- IVC Nurse (760) 355-6128
- Faculty and Staff Counseling Center: (800) 321-2843
- IVC Student Equity & Achievement Program (760) 355-5736

ADDITIONAL CAMPUS RESOURCES

- Campus Deputy Cell Phone (760) 483-7411
- Campus Safety (760) 355-6308
- Title IX Coordinator (760) 355-6472

- Student Affairs (760) 355-6455
- Financial Aid (760) 355-6266
- LGBT Designee – Lisa Solomon (760) 355-6453
- IVC American Citizenship Course (760) 550-2108
- CalWorks Program (760) 355-6556
- CARE Program (760) 355-6448
- Disabled Student Programs & Services (760) 355-6313
- Extended Opportunity Programs & Services (760) 355-6407
- IVC Kitchen (760) 355-5736
- Military Veterans Success Center (760) 355-6141

OFF-CAMPUS RESOURCES

- Sure Helpline (760) 222-8812
- Imperial County Behavioral Health (760) 482-2145 or 1-800-817-5292
- Imperial County Health Intake Desk (760) 482-4000
- Woman Haven (760) 353-6922
- ICSO SAL Unit (442) 265-6105
- District Attorney’s Office (442) 265-1204
- Son-shine Counseling (760)353-5059
- Center of Family Solutions (760) 353-6922

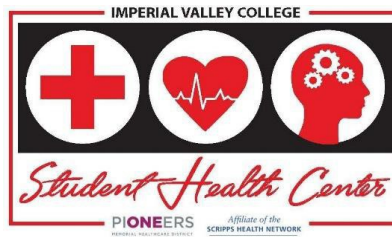
Pioneers Memorial Hospital Emergency Room (ER)
207 West Legion Road, Brawley, CA 92227

Calexico Health Center
450 East Birch St., Calexico, CA 92231
(760) 768-6262

Pioneers Health Center
751 W. Legion Rd., Ste. 103, Brawley, CA 92227
(760) 351-4400

Women’s Health at Pioneers Health Center
751 W. Legion Rd., Ste. 201, Brawley, CA 92227
(760) 351-3700

IN CASE OF EMERGENCY
If you have a life-threatening illness or injury that requires an ambulance, call 911 immediately. Emergency costs are not covered by Student Health Services.



Student Health Services and Mental Health Services

Imperial Valley College provides a Student Health Center which offers Mental Health Counselling and Basic First Aid and Care for minor illnesses. It also provides access to wellness information via the online resource Student Health 101.

Mental Health Counselling Services at the Student Health Center is a free service for currently enrolled students. Short-term individual, couples, family and group counselling services are provided by licensed clinicians and interns. Services are provided in a confidential, supportive, and culturally sensitive environment. We provide support and information regarding:

Services and Programs Available:

- ❖ Basic First Aid
- ❖ Immunization Referrals to ICPHD
- ❖ Physicals for students in IVC approved programs
- ❖ Lactation Room
- ❖ Over the Counter Medication
- ❖ Referrals to health services outside the scope of the center
- ❖ Access to one reduced-cost basic ill visit

Support & Information Regarding:

- ❖ Anxiety/Stress
- ❖ Continued Sadness/Depression
- ❖ Divorce/Separation
- ❖ Parenting Issues
- ❖ Anger Management
- ❖ Relationship/Family Issues
- ❖ Difficulty Adjusting/Coping with Life Issues
- ❖ Sexuality Issues
- ❖ Other Personal Issues

HOURS OF SERVICE

Monday – Thursday: 8:30am – 4:30pm

Friday: 8:30am – 12:30pm

OFFICE LOCATION

Building 1500, Office #1536

(Next to the Assessment Center)

OFFICE CONTACT

(760)355-6310

For more information on services provided, visit:
www.imperial.edu/students/student-health-center/

For Mental Health Emergencies, please call the Imperial County Crisis Line at 1-800-817-5292.

IVC Student Equity & Achievement Program

The Student Equity and Achievement Program (SEA-Program) supports the transition of new students into the college by providing them services that promote academic achievement and successful completion of degrees, transfer preparation, career technical education certificates, career advancement, and other services.

On Campus:

- Food Assistance, Transportation, Technology, Housing Referrals, Hygiene (Student Equity & Achievement)

Off Campus:

- Shelter, Personal Enrichment Courses, Legal Services, Violence Prevention (Womanhaven)
- <https://www.womanhaven.org/index.html>
- National Domestic Violence Hotline at 1-800-799-SAFE (7233) or TTY 1-800-787-3224.
- House of Hope <https://www.ccdsd.org/homeless-womens-services>

Military & Veteran Success Center

The mission of Imperial Valley College, **Military & Veteran Success Center**, is to provide a holistic approach to serving military/veteran students through focusing on three key areas: 1) Academics, 2) Health and Wellness, and 3) Camaraderie; to serve as a central hub that connects military/veteran students, as well as their families, to campus and community resources that reinforce the concept of **AT EASE (Academic Transition and Employment Access for Student Excellence)**. Our goal is to ensure a seamless transition from military to civilian life.

The dedicated staff are committed to your academic success and look forward to working with you!

Center Hours:

Monday through Thursday: 8:00 a.m. to 6:00 p.m.

Fridays: 8:00 a.m. to 5:00 p.m.

Counselor's Hours:

Monday and Tuesday: 8:00 a.m. to 3:00 p.m.

Wednesday: 11:00 a.m. to 6:00 p.m.

Thursday: 8:00 a.m. to 1:00 p.m.

Phone Number: (760) 355-6141

Email: mvscenter@imperial.edu

Location: 600 Bldg. Office 624



Emergency Response and Evacuation Plan

References: AP 3505
Education Code Sections 32280 et seq. 71095;
Government Code Sections 3100 and 8607(a);
Homeland Security Act of 2002;
National Fire Protection Association 1600;
Homeland Security Presidential Directive-5;
Executive Order S-2-05;
California Code of Regulations Title 19, Sections 2400-2450;
34 Code of Federal Regulations Section 668.46(b)(13) and (g)

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

General information about the emergency response and evacuation procedures for the District is publicized each year as part of the District's Clery Act compliance efforts and that information is available on the District's web site.

http://www.imperial.edu/index.php?option=com_docman&task=doc_view&gid=6177&Itemid=762

All members of the campus community are notified on an annual basis that they are required to notify the Campus Safety and Parking Control Department of any incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and employees on campus. Campus Safety and Parking Control Department has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, Campus Safety and Parking Control Department has a responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the campus community. If so, federal law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation.

Upon confirmation or verification by the District that a legitimate emergency or dangerous situation involving an on-going or continuous threat to the health or safety of students or employees occurring on campus, the District will determine the content of the message and will use some or all of the systems described below to communicate the threat to the campus community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. The District will, without delay, take into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: Campus Safety and Parking Control Department, Imperial County Sheriff's Office, Imperial County Fire Department, and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In the event that a situation arises, either on-campus or off campus, that in the judgment of the Campus Safety and Parking Control Department constitutes an on-going or continuing threat, a campus wide "Timely Warning" will be issued. The warning will be issued through the college notification "Regroup" which will send e-mail, voice and text messages to students, faculty, staff, and Social Media. Additionally, the District will use various other systems for communicating information quickly. Depending on the particular circumstances of the incident, especially in all situations that could pose an on-going or immediate threat to the health or safety of the campus community and individuals, the Campus Safety and Parking Control may also post a notice on the Student Affairs' electronic marquee, on the electronic marquees located at entrance #2 and entrance #3, and on the Imperial Community College District's (District's) website at <http://www.imperial.edu/> providing the Campus Community with more

immediate notification. In such instances, a copy of the notice may be posted throughout the Campus and in the College Quad. The website is immediately accessible via computer by all faculty, staff, students, and the general public. Anyone with information warranting a timely warning shall report the circumstances to the Campus Safety and Parking Control Department, to the CSO cell phone (760-483-7411) or to the Campus Safety and Parking Control Department telephone (760-355-6308) or in person at the Campus Safety and Parking Control Department, Room 902. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus community. The District's Public Information Officer will be responsible for the dissemination of emergency information to the larger community.

Testing Emergency Response and Evacuation Procedures

An evacuation drill is coordinated by the Campus Safety and Parking Control Department at least once per year. Thus, the emergency response and evacuation procedures are tested at least once each year. Students/Employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. Imperial Community College District does not tell Students/Employees in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In all cases, on campus Deputy Sheriff's and Campus Safety Officers on scene will communicate information to students/employees regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. At the Imperial Community College District (District), evacuation drills are used as a way to educate and train occupants on issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the College an opportunity to test the operation of fire alarm system components.

Evacuation drills are monitored by the Campus Safety and Parking Control Department to evaluate egress and behavioral patterns. Reports are prepared by participating departments which identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration.

The District conducts announced and unannounced drills and exercises each year and conducts follow-through activities designed for assessment and evaluation of emergency plans and capabilities. The Campus Safety and Parking Control Department coordinates' announced and unannounced evacuation drills, as described above, to test the emergency response and evacuation procedures, and to assess and evaluate the emergency evacuation plans and capabilities. The District will publish a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year.

Shelter-in-Place Procedures - What It Means to "Shelter-in-Place"

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

Basic "Shelter-in-Place" Guidance

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

How You Will Know to "Shelter-in-Place"

A shelter-in-place notification may come from several sources, including Campus Safety Officers, other College employees, or others utilizing the Emergency Notification communications tools.

How to "Shelter-in-Place"

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

If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.

Locate a room to shelter inside. It should be:

- a. An interior room;
- b. Above ground level; and
- c. Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary
 - Shut and lock all windows (tighter seal) and close exterior doors. Turn off air conditioners, heaters, and fans.
 - Close vents to ventilation systems as you are able. (College staff will turn off ventilation as quickly as possible.)
- d. Make a list of the people with you and ask someone (faculty, or other staff) to call the list in to the Campus Safety and Parking Control Department so they know where you are sheltering. If only students are present, one of the students should call in the list.
- e. Turn on a radio or TV and listen for further instructions.
- f. Make yourself comfortable.

EMERGENCY CHAIN OF COMMAND

Dean Student Affairs and Enrollment Services & Campus Safety, 760-355-6457

Chief Executive Officer, 760-355-6218 or 760-355-6219

Chief Business Officer, 760-355-6241 EMERGENCY ASSEMBLY AREAS

Emergency Designated Assembly areas will be listed in the published plan. Additionally, signs designating the Assembly Areas will be posted.

DAY INSTRUCTORS: RESPONSIBILITIES

1. Coordinate evacuation from classroom if necessary.
2. Assist disabled individuals out of buildings without use of elevators.
3. Assess overall situation in classroom.
4. Initiate first aid if qualified individual is available.
5. Move students when it is safe to move to an emergency assembly point or command post.
6. Assist area managers as necessary.

Provide special assistance to any disabled individual in the area.

Remember, in the event of a major disaster, every community college employee automatically becomes a civil defense worker under Government Code Sections 3100- 3101.

EVENING INSTRUCTORS: RESPONSIBILITIES

1. Coordinate evacuation from classroom if necessary.
2. Assist disabled individuals out of buildings without use of elevators.
3. Assess overall situation in classroom.
4. Initiate first aid if qualified individual is available.
5. Move students when it is safe to move to an emergency assembly point or command post.
6. Report to the Campus Safety and Parking Control Department via District telephone or cell phone, any casualties, structural damage, and hazardous material spills. Campus Safety and Parking Control can be reached by calling 1111 from a District telephone or 760-483-7411 to be connected directly to the Campus Safety Officer on duty, or by calling the Campus Safety and Parking Control office at 760-355-6308.

OTHER EMPLOYEES: RESPONSIBILITIES

1. Follow survival instructions.
2. Evacuate area if necessary.
3. Assess immediate problems if possible.
4. Report to area assembly point when safe.
5. Assist area manager, as needed:
 - a. Performing first aid (if qualified)
 - b. Serving as a communication runner, etc.
 - c. Conducting record keeping and note taking

EARTHQUAKE: RESPONSIBILITIES IN CASE OF EARTHQUAKE

Earthquake Survival Instructions During the earthquake:

1. Keep calm—do not run or panic.
2. Remain where you are - indoors or outdoors.
3. If indoors, stay indoors. Take cover under desk, table, or bench or in doorways, halls, or against inside walls. Stay away from glass windows or sky lights. Do not use elevators. Do not run outdoors! You may be hit by falling debris or live electrical wires. Be aware that furniture moves in an earthquake.
4. If outdoors, get away from buildings. Go to clear areas and stay away from walls, utility poles, and downed wires that could cause serious injury or death.
5. Do not run through or outside buildings. The greatest point of danger is just outside doorways and close to outer walls.
6. Protect yourself FIRST, then after shaking stops protect and/or help others.

After the earthquake

1. If qualified, give first aid to anyone who is injured. If not, ensure that first aid is summoned for the injured person.
2. Wear shoes (flat heeled, preferable) in areas near fallen debris and broken glass.
3. Designated employees will clean up debris, glass, and spilled medicines as well as any flammable liquids, bleaches, and gasoline.
4. Restrict phone use to emergencies only.
5. Be prepared for aftershocks. These are usually smaller than the main quake, but some may be large enough to do additional damage to structures weakened during the main shock.

EXPLOSIONS: RESPONSIBILITIES IN CASE OF EXPLOSION

In the event of an explosion in the building, employees should:

1. Take cover under tables, desks, or other such objects that will give protection against flying glass and debris.
2. Set off fire alarm. Stay at the fire alarm, if safe to do so.
3. Phone emergency dispatcher by dialing 9-1-1 to be connected to the Sheriff's Office Dispatcher.
4. After the effects of the explosion have subsided, determine if evacuations are necessary.
5. If evacuation is necessary, exit building as directed. Seek out any disabled persons and provide assistance. Assign blind students a guide. Assist wheelchair students or assign them a guide to get them to lobby near elevator.
6. Upon leaving the building, proceed to designated emergency assembly areas and await further instructions.

FIRE: RESPONSIBILITIES IN CASE OF FIRE.

1. Use fire alarm box and stay at the box until emergency personnel arrive if fire is too large to fight.
2. If you are not near an alarm box, phone Emergency 9-1-1 to be connected to the Sheriff's Office Dispatcher.
3. If fire can be easily extinguished, attempt to do so after notification is made.
4. Seek out and assist disabled persons in the area.
5. Evacuate the building if necessary, closing fire doors.
6. If evacuated, proceed to designated emergency area for further instructions. Be prepared to account for all persons in your class, under your control.

EVACUATION: RESPONSIBILITIES IN CASE OF EVACUATION

The purpose of any evacuation will be to empty a building or area of all occupants as quickly and safely as possible.

1. Building Evacuation: In most cases that require the evacuation of only one building (fire, explosion, bomb threat), occupants should proceed to a clear or safe area near the evacuated building as shown on emergency evacuation route posted in classrooms.
2. General Evacuation: When orders are given to evacuate a building (such as after an earthquake or major disaster), occupants should proceed to the main evacuation assembly area e.g. north lawn area.
3. Key administrators or other emergency personnel will be available to direct evacuees to clear or safe areas.
4. Evacuation of disabled persons will be given the highest priority. They should be evacuated by the most expeditious and safe means available. Turn lights on and off to alert hard of hearing to the emergency. Assign a guide to blind students. Carry pencil and paper to write messages, if necessary.
5. Wheelchair students should be assisted to area near elevator if working. If not working, make arrangements to carry them down the staircase.
6. When evacuating building, occupants should walk, remain quiet, grasp handrails, and follow all other emergency instructions.
7. Occupants will gather in the designated emergency assembly area and await further instructions.
8. Do not re-enter the building until instructed to do so by Command Post personnel.

BOMB THREATS: RESPONSIBILITIES IN CASE OF BOMB THREATS

Employees receiving a bomb threat or discovering a bomb or similar device should immediately notify the Campus Safety and Parking Control Department by dialing 1111 to reach the Campus Safety Officers cell phone, or call the Campus Safety and Parking Control Department by dialing 760-355-6308 or dial 9-1-1 to be connected to the Sheriff's Office Dispatcher.

1. If a bomb threat is received by phone, ask:
 - a. When is the bomb going to explode?
 - b. Where is the bomb right now?
 - c. What kind of bomb is it?
 - d. What does it look like?
 - e. Why did you place the bomb?
2. Keep the caller on the phone as long as possible. Record the following information for emergency personnel:
 - a. Time of call
 - b. Date of call
 - c. Exact words of person
 - d. Sex, age
 - e. Speech pattern or accent
 - f. Background noises
3. If a bomb threat is received by mail, employees should:
 - a. Not handle the envelope or package
 - b. Leave the immediate area
 - c. Notify the Campus Safety and Parking Control Department and stop anyone from entering the area or handling the written note.
4. If a suspicious object is discovered, the employee should:
5. Not attempt to touch or move the object or use any radio equipment.
6. Evacuate immediate area only.
7. Notify the Campus Safety and Parking Control Department and await further instructions.

CHEMICAL SPILL: RESPONSIBILITIES IN CASE OF CHEMICAL SPILL

1. Any campus spillage of a dangerous chemical shall be reported immediately. Phone the Campus Safety and Parking Control Department by dialing 1111 from a District telephone or 760-483-7411 for a Campus Safety Officer. When reporting, be specific about the nature of the involved material and the campus location. The Campus Safety and Parking Control Department will contact the necessary specialized authorities and medical personnel.
2. Vacate the affected area at once and seal it off to prevent further contamination of others.
3. Anyone who may be contaminated because they were in the immediate area affected by the spill is to avoid contact with others as much as possible, remain in the vicinity, and give their names to the Director of Facilities Services or his/her designee. Required first aid and clean up by specialized authorities should be initiated at once.
4. If necessary, because of the danger involved or if directed to do so by the District personnel, activate the building fire alarm system and follow the remaining steps.
5. Evacuate the building by quickly walking to the nearest exit, alerting people as you go. Leave the elevators for disabled persons and assist them as necessary.
6. Direct any disabled persons to the elevator areas when they are located on floors above or below ground level until further direction is received from District personnel. Assist disabled individuals in exiting the building on ground level floors.
7. Flash the lights on and off to alert deaf or hard-of-hearing students. Write notes to explain what is happening. Assign a guide for blind students. Assign an assistant for wheelchair students.

8. Once outside, move to a clear area at least 100 feet away from the affected building. If fumes are present, move cross wind, not upwind. Keep the walkways clear for emergency vehicles.
9. To the best of your ability and without re-entering the building, assist District personnel in their attempt to determine that everyone has been evacuated safely.
10. An emergency command post will be established. Keep clear of the command post unless there is important information to report.
11. Do not return to a building until told to do so or until it is announced that all is clear.

REPORTING EMERGENCIES NOT PREVIOUSLY COVERED:

1. The quickest and easiest way to obtain professional help for any type of emergency not specifically covered by these procedures is to phone the Campus Safety and Parking Control Department. Dial extension 1111 or 760-483-7411 for a Campus Safety Officer, or 760-355-6308 for the Campus Safety and Parking Control Department.
2. When calling, stay calm and carefully explain the problem and location by calling 760-355-6308 during daytime or evening hours to be connected to the Campus Safety and Parking Control Department or dial 9-1-1 to be connected to the Sheriff's Office Dispatcher.
3. Quickly notify the Campus Safety and Parking Control Department or your immediate supervisor of the emergency and begin to take the appropriate action warranted by the situation.
4. If a sign language interpreter is needed to facilitate communication between off campus hospital personnel and an injured deaf person, arrangements can be made by calling the DSPS Department.

REMAIN CALM – HELP OTHERS REMAIN CALM.

See BP 3505

Imperial Valley College Campus Evacuation Map

In the event of an emergency or if you are instructed by campus staff to evacuate the school grounds, please proceed to the lettered evacuation area that corresponds to the building colors on this map.



LEGEND					
10	Administration/IVC Foundation	1200	Industrial Technology	2500	Human Resources
	Admissions & Records/ Business/Instruction Offices	1300	Classroom Building	2600	Reading/Writing/Language & Math Labs
100	Counseling Center	1400	Tool Storage	2700	English/Sciences/Math/Offices
200	Classroom Building	1500	Library Media Center/ Student Health Center	2800	Juanita Salazar Lowe Art Gallery
300	Classroom Building	1600	Career Center/Classrooms	2900	Disability Support Programs & Services
400	Assessment Center/Classrooms	1700	Financial Aid	3100	Career Technical Education Building/ Workforce Development Center
600	College Center/Cafeteria/IVC Kitchen Military & Veterans Success Center	1800	Maintenance/Purchasing/ Receiving	3200	Public Safety Building
700	Gymnasium	1900	Bookstore	3300	Classroom
800	Classroom Building	2000	Talent Search/ Project Management Office	3400	Classroom
900	Info Technology I.T. / Reprographics Campus Safety & Parking	2100	Health Sciences	3500	Classroom - I.C.O.E
1000	Student Affairs Office	2200	Preschool	3600	Classroom
1100	Industrial Technology	2300	Infant Toddler Center	3700	Classroom
		2400	Upward Bound	3800	Rest rooms
					<ul style="list-style-type: none"> Parking/Day Pass Machine Student Drop Off Bus/Transit Drop Off Cashier/Student Payments Emergency Call Box Automated External Defibrillator

Offense	Year	On-Campus Property	Adjacent Public Property	Race	Gender	Religion	Sexual Orientation	Ethnicity / National Origin	Disability
Murder / Non-Negligent Manslaughter	2020	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0
Negligent Manslaughter	2020	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0
Sex Offenses, Forcible Rape	2020	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0
Sex Offences, Forcible Sodomy	2020	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0
Sexual Assault with an Object	2020	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0
Forcible Fondling	2020	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0
	2018	1	0	0	0	0	0	0	0

Offense	Year	On-Campus Property	Adjacent Public Property	Race	Gender	Religion	Sexual Orientation	Ethnicity / National Origin	Disability
Incest	2020	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0
Robbery	2020	0	0	0	0	0	0	0	0
	2019	1	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0
Aggravated Assault	2020	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0
Burglary	2020	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0

Offense	Year	On-Campus Property	Adjacent Public Property	Race	Gender	Religion	Sexual Orientation	Ethnicity / National Origin	Disability
Motor Vehicle Theft	2020	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0
Arson	2020	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0
Arrests: Liquor Law Violations (Arrest-Citation-Summons)	2020	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0
Disciplinary Referrals: Liquor Law Violations (criminal violations only)	2020	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0
Arrests: Weapons; Carrying, Possessing, ETC. (Arrest-Citation-Summons)	2020	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0
Disciplinary Referrals: Weapons; Carrying, Possessing, ETC. (criminal violations only)	2020	0	0	0	0	0	0	0	0
	2019	1	0	0	0	0	0	0	0
	2018	1	0	0	0	0	0	0	0

Offense	Year	On-Campus Property	Adjacent Public Property	Race	Gender	Religion	Sexual Orientation	Ethnicity / National Origin	Disability
Arrests: Drug Abuse Violations (Arrest-Citation-Summons)	2020	0	0	0	0	0	0	0	0
	2019	4	0	0	0	0	0	0	0
	2018	1	0	0	0	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations (criminal violations only)	2020	3	0	0	0	0	0	0	0
	2019	3	0	0	0	0	0	0	0
	2018	6	0	0	0	0	0	0	0
Hate Crimes				Race	Gender	Religion	Sexual Orientation	Ethnicity / National Origin	Disability
Theft	2020			0	0	0	0	0	0
	2019			0	0	0	0	0	0
	2018			0	0	0	0	0	0
Simple Assault	2020			0	0	0	0	0	0
	2019			0	0	0	0	0	0
	2018			0	0	0	0	0	0

Offense	Year	On-Campus Property	Adjacent Public Property	Race	Gender	Religion	Sexual Orientation	Ethnicity / National Origin	Disability
Intimidation	2020			0	0	0	0	0	0
	2019			0	0	0	0	0	0
	2018			0	0	0	0	0	0
Destruction / Damage / Vandalism of Property	2020			0	0	0	0	0	0
	2019			0	0	0	0	0	0
	2018			0	0	0	0	0	0

Violence Against Women Act Reportable Crimes

Domestic Violence	2020	0	0	
	2019	0	0	
	2018	1	0	
Dating Violence	2020	0	0	
	2019	0	0	
	2018	0	0	
Stalking	2020	0	0	
	2019	0	0	
	2018	0	0	

Imperial Valley College

Campus Map



LEGEND					
10	Administration/IVC Foundation Admissions & Records/ Business/Instruction Offices	1200	Industrial Technology	2500	Human Resources
100	Counseling Center	1300	Classroom Building	2600	Reading/Writing/Language & Math Labs
200	Classroom Building	1400	Tool Storage	2700	English/Sciences/Math/Offices
300	Classroom Building	1500	Library Media Center/ Student Health Center	2800	Juanita Salazar Lowe Art Gallery
400	Assessment Center/Classrooms	1600	Career Center/Classrooms	2900	Disability Support Programs & Services
600	College Center/Cafeteria/IVC Kitchen Military & Veterans Success Center	1700	Financial Aid	3100	Career Technical Education Building/ Workforce Development Center
700	Gymnasium	1800	Maintenance/Purchasing/ Receiving	3200	Public Safety Building
800	Classroom Building	1900	Bookstore	3300	Classroom
900	Info Technology I.T. / Reprographics Campus Safety & Parking	2000	Talent Search/ Project Management Office	3400	Classroom
1000	Student Affairs Office	2100	Health Sciences	3500	Classroom - I.C.O.E
1100	Industrial Technology	2200	Preschool	3600	Classroom
		2300	Infant Toddler Center	3700	Classroom
		2400	Upward Bound	3800	Rest rooms
				3900	Classroom
				4000	Classroom
				4100	Classroom
				4200	Classroom
				4300	Classroom
				4400	Classroom
				4500	Classroom
				4600	Classroom
				4800	Classroom
				5000	Classroom
				5200	Classroom
					<ul style="list-style-type: none"> Parking/Day Pass Machine Student Drop Off Bus/Transit Drop Off Cashier/Student Payments Emergency Call Box Automated External Defibrillator

Imperial Community College District
380 East Aten Road,
Imperial, California 92251



End of 2021
Annual Security Report