

2016

# Imperial Valley College

380 East Aten Road  
Imperial, CA 92251

Safety

Security

Awareness

Crime Reporting



## Annual Security Report 2016

*The mission of Imperial Valley College is to foster excellence in education that challenges students of every background to develop their intellect, character, and abilities; to assist students in achieving their educational and career goals; and to be responsive to the greater community.*

Information Provided By:  
Campus Safety and Parking Control





# Annual Security Report Availability

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. 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 certain types of 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. This report is available online at

[http://www.imperial.edu/index.php?option=com\\_docman&task=doc\\_view&gid=6177&Itemid=762](http://www.imperial.edu/index.php?option=com_docman&task=doc_view&gid=6177&Itemid=762). You may also request a complete paper copy from the Campus Safety and Parking Control, Room 902, 380 East Aten Road, Imperial, CA.

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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Welcome students, faculty, staff, and guests to the Imperial Valley College Campus. A safe and secure campus learning and working environment is our primary concern.

**Everardo Martinez-Inzunza,  
Dean Student Affairs and Enrollment Services,  
Director of Campus Safety and Parking Control**



Campus Safety Officers, assigned Imperial County Sheriff Deputies and Parking Attendants will serve you with courtesy, pride, dependability and professionalism. Our professional goals are to make your experience at Imperial Valley College both positive and rewarding while we contribute to students' academic success.

Our services include: crime and accident prevention, parking enforcement, security escort services, lost and found property control, emergency/disaster management, and building security. Serving as first responders for medical emergencies, in collaborative partnerships with Student Health Service providers, local, state and federal agencies, our staff holds appropriate certifications to make certain that we maintain a safe and healthy environments.

Here at IVC, we are implementing an on-line training program for new and returning students. This CampusClarity training will identify situations that can affect student success. We all confront drugs and alcohol choices that may have potential consequences within our persona behaviors. In addition, we have also initiated an online training program, LawRoom, for faculty and staff which will provide professional development to serve the campus community.

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

## **Safety Security Awareness**

## Reporting Criminal Activity or other Emergencies

When criminal activity is observed or suspected the person, Student, Employee, or Visitor who is first aware of the incident shall notify an "On-Campus" Deputy Sheriff by calling (760) 483-7411 or a Campus Safety Officer (CSO) by calling the Campus Safety and Parking Control Department 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 Department 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 and if desired, 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 Department, room 902.

Students or employees may also report criminal incidents to persons designated as a Campus Security Authorities (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. On Campus Deputy Sheriff's
4. Campus Safety Officers
5. Athletic Director
6. Clinical Mental Health Counselor, Student Health Services
7. Athletic Coaches
8. Faculty Advisor to Student Clubs

Victims or witnesses 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 while participating in a college activity). The college encourages all persons on campus, to practice low-risk personal 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 visitors are encouraged to report all crimes and public safety related incidents to the Campus Safety and Parking Control Department in a timely manner.

To report a crime, an emergency, a public safety matter, or a medical emergency occurring on the Campus call the Campus Safety and Parking Control Department at extension 1111 or call extension 6307/6308 or call the On-Campus Deputy Sheriff's cellular telephone at 760-483-7411. Campus Safety and Parking Control Department 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. On-Campus Deputy Sheriff's
4. Campus Safety Officers
5. Athletic Director
6. Clinical Mental Health Counselor, Student Health
7. Athletic Coaches
8. Faculty Advisor to Student Clubs

If assistance is required from the Imperial County Fire Department, the Campus Safety and Parking Control Department will contact the appropriate agency. If a sexual assault or rape should occur, staff on the scene, including the On Campus Deputy Sheriff's or the Campus Safety and Parking Control Department 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 Department 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 the Campus Safety and Parking Control Department to ensure inclusion in the Annual Security Report and for evaluation of the need to issue a Timely Warning to the Campus community.

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# 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 <http://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.regroup.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 at

[http://www.imperial.edu/index.php?option=com\\_docman&task=doc\\_view&gid=6177&Itemid=762](http://www.imperial.edu/index.php?option=com_docman&task=doc_view&gid=6177&Itemid=762). You will also be able to connect to the Campus Security page at <http://www.imperial.edu/about/campus-safety/>. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and the Department of Student Affairs. 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, designated campus officials (including but not limited to directors, deans, department heads, designated Human Relations Office staff, judicial affairs, advisors to students/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.

Each year a text, voice message, and e-mail notification via Regroup is made to all enrolled students that will provide the website address to access this report. Faculty and staff receive similar notification with their paycheck.

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.

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# **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 must have a College e-mail account, which are assigned upon registration as a student, employee, or faculty member.

Students/Employees/Faculty 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/Employees/Faculty must designate either or both choices. It is recommended that the Student/employee 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/Employees/Faculty should take responsibility for regularly checking their e-mail.

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## **Security and Access**

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, Campus Safety and Parking Control, Maintenance staff, and others meet to discuss campus security and access issues of pressing concern.

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# **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.

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## **Imperial County Sheriff's Office MOU**

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 Department when on campus.

The Imperial Community College District enjoys an especially good relationship with the Imperial County Sheriff's Office (ICSO) which has allowed the District to partner with the Sheriff's Office in having Deputy Sheriff's providing Law Enforcement services for the Campus Community while the campus is open for business. 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 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, Sheriff's Deputies provide Safety Services for the Imperial Community College District and are notified of all prosecutable crime on campus. The College also relies on the telephone to contact the Sheriff's 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.

Revised: August 2016

## **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.

Revised: May 2015

# **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.

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## **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 and departments, present crime prevention awareness sessions on sexual assault (rape and acquaintance rape), 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 student 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 Campus.

Revised: May 2015

## **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.

Revised: May 2015

## **Alcoholic Beverages**

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 Director of Campus Safety & Security. 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, 2131 building, 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.

Revised: August 2016

## **Illegal Drug Possession**

The Imperial Community College District 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, drug, is illegal under both state and federal laws.

Such laws are strictly enforced by the Campus Safety and Parking Control. Violators are subject to College disciplinary action, criminal prosecution, fine and imprisonment.

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# 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.

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# 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.

Revised: May 2015

## Emergency Response and Evacuation Plan

### Emergency Response

The College's Campus Safety page on the website, <http://www.imperial.edu/about/campus-safety/>, includes detailed information about Emergency Responses and Evacuation Procedures including; incident priorities and performance expectations; shelter-in- place and evacuation guidelines; and local contingency. The Campus Safety and Parking Control Department is responsible for developing contingency plans and continuity of operational plans for the College staff and areas of responsibility. The College will conduct emergency response exercises each year, such as table top exercises, field exercises, and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.

Campus Safety Officers and Supervisors have received training in Incident Command and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene will be the on-campus Deputy Sheriffs and the Campus Safety Officers and if necessary the Imperial County Sheriff's Office and Imperial County Fire Department may respond and will work together to manage the incident. Depending on the nature of the incident, other Imperial Community College District departments and other local or federal agencies could also be involved in responding to the incident.

Detailed information about the emergency response and evacuation procedures for the Campus Community are publicized each year as part of the institution's Clery Act compliance efforts and that information is available on the District's web site, <http://www.imperial.edu/about/campus-safety/>.

All members of the Campus Community are informed on an annual basis that they are required to notify the Campus Safety and Parking Control Department of any situation or 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/or employees on campus. On campus Deputy Sheriff's and Campus Safety Officers have 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, the 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 community. If that is the case, 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.

## **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 IVC 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: Campus Safety Officers, 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 IVC 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 IVC campus community. These methods of communication include network emails, emergency text and 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.regroup.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 of these choices. It is recommended that Students and employees select notification both choices for notification in the case of an emergency.

The College will post updates during a critical incident on the IVC website at <http://www.imperial.edu/> and on the electronic marquee located on building 1000. 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 should use the College website for obtaining updates in the event of an emergency on campus.

Revised: August 2016

# 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.

# **SEXUAL HARASSMENT POLICY**

All forms of harassment are contrary to basic standards of conduct between individuals and are prohibited by state and federal law, as well as this policy, and will not be tolerated. The Imperial Community College District (the District) is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation.

The District seeks to foster an environment in which all Students and Employees feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of harassment or for participating in a harassment investigation. Such conduct is illegal and constitutes a violation of this policy.

Rules and procedures for reporting charges of sexual harassment and pursuing available remedies may be obtained from the Administrative Dean of Human Resources or any employee in the Human Resources Office, 380 East Aten Road, Building 2400, Imperial, California, 92251 or by calling (760) 355-6212.

Students reporting sexual harassment may report the incident to the Dean of Student Affairs and or the Campus Safety and Parking Control, Room 902, or by calling (Office) 760-355-6308 or the On Campus Deputy Sheriff Cellular phone 760-483-7411

Revised: August 2016

## **Sex Offender Registration**

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. Follow the link below to access the registered sex offender database.

<http://www.meganslaw.ca.gov/disclaimer.aspx?lang=ENGLISHRevised>:

Revised: May 2015

## STUDENT PSYCHOLOGICAL SERVICES

Mental Health Counselling Services at the Student Health Center;

Imperial Community College District provides short-term individual, couples, family, and group therapy to currently enrolled students. Hours of operation are Monday-Friday from approximately 9:00 a.m. -4:00 p.m. Provider availability may vary during those times. You may contact us at (760) 355-6196 or by visiting Room 2109, inside of the 2100 building.

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:

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

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

# Testing Emergency Response and Evacuation Procedures

An evacuation drill is coordinated by the Campus Safety and Parking Control Department twice a year. Thus, the emergency response and evacuation procedures are tested at least twice 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:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
  - 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
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (College staff will turn off ventilation as quickly as possible.)
6. 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.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

Revised: August 2016

# **Sexual Discrimination, Sexual Harassment, or Sexual Assault Complaints and Investigations**

**Derived from AP 3435 Discrimination and Harassment Complaints and Investigations, to  
Address Reporting Violations of Title IX for Students and Employees.**

## **Complaints**

Any person who has suffered sexual harassment, sexual discrimination, sexual assault, or retaliation may file a formal or informal complaint of sexual harassment, sexual discrimination, sexual assault, or retaliation.

A formal complaint is a written and signed statement filed with the District or the State Chancellor's office that alleges sexual harassment, sexual discrimination, sexual assault, or retaliation in violation of the District's Board Policies, Administrative Procedures or in violation of state or federal law. An informal complaint is any of the following: (1) An unwritten allegation of sexual harassment, sexual discrimination, sexual assault, or retaliation; (2) a written allegation of sexual harassment, sexual discrimination, sexual assault, or retaliation that falls outside the timelines for a formal complaint; or (3) a written complaint alleging sexual harassment, sexual discrimination, sexual assault or retaliation filed by an individual who expressly indicates that he/she does not want to file a formal complaint.

## **Informal Complaints**

Any person may submit an informal complaint to the Title IX Coordinator, Dr. Martha Garcia, Vice President for Student Services, 760-355-6472 (located in the 100 Building), Chief Human Resources Officer (CHRO), Mr. John Lau, 760-355-6241 (located in the 2400 Building), involving employees, or if it pertains to students, the Dean Student Affairs and Enrollment Services (DSA), Mr. Everardo Martinez-Inzunza, 760-355-6457 (located in the 1000 Building), or any other District or college administrator (located in their respective offices), Campus Security Authority, (located in their respective campus offices), Campus Safety Officer, 760-355-6308 (located in Room 902) or On-Campus Deputy Sheriff (located in their office in Room 902). Administrators receiving an informal complaint shall immediately notify the CHRO, or the DSA in writing of all pertinent information and facts alleged in the informal complaint.

Upon receipt of an informal complaint, the receiving person shall notify the person bringing the informal complaint of his/her right to file a formal complaint, if the incident falls within the timeline for a formal complaint, and explain the procedure for doing so. The complainant may later decide to file a formal complaint, if within the timelines to do so. If the individual chooses not to file a formal complaint, or if the alleged conduct falls outside the timeline to file a formal complaint, the CHRO or DSA shall consider the allegations contained in the informal complaint and determine the appropriate course of action. This may include efforts to informally resolve the matter, or a fact-finding investigation.

Investigation of an informal complaint will be appropriate if the CHRO or DSA determines that the allegation(s), if proven true, would constitute a violation of the District policy prohibiting sexual harassment, sexual discrimination, sexual assault, or retaliation. The CHRO or DSA will explain to any individual bringing an informal complaint that the CHRO or DSA may decide to initiate an investigation, even if the individual does not wish the CHRO or DSA to do so. The CHRO or DSA shall not disregard any allegations of sexual harassment, sexual discrimination, sexual assault, or retaliation solely on the basis that the alleged conduct falls outside the deadline to file a formal complaint.

### **Formal Complaints**

Formal Complaints must be filed with the Title IX Coordinator, Dr. Martha Garcia, Vice President for Student Services, 760-355-6472 (located in the 100 Building), Chief Human Resources Officer (CHRO), Mr. John Lau, 760-355-6241 (located in the 2400 Building), involving employees, or if it pertains to students, the Dean Student Affairs and Enrollment Services (DSA), Mr. Everardo Martinez-Inzunza, 760-355-6457 (located in the 1000 Building), or any other District or college administrator (located in their respective offices), Campus Security Authority, (located in their respective campus offices) or the State Chancellor . Administrators receiving a formal complaint shall immediately notify the CHRO, or the DSA of all pertinent information and facts alleged in the formal complaint. If the party submitting the Formal Complaint alleges sexual

discrimination, sexual harassment, sexual assault, or retaliation against the responsible district officer, in which case it should be submitted directly to the Title IX Coordinator, Superintendent/President (CEO) or the State Chancellor.

Formal Complaints should be submitted on the “Unlawful Discrimination Complaint Form” form prescribed by the State Chancellor. A copy of the form is available at the Student Affairs Office in the 1000 Building, the President’s Office in the 100 Building, the Human Resources Office 2400 Building, and on our website at: [www.imperial.edu](http://www.imperial.edu) by searching, Unlawful Discrimination Complaint Form .

If any party submits a written allegation of sexual harassment, sexual discrimination, sexual assault, or retaliation not on the form described above, the District will seek to have the individual complete and submit the form. However, if the individual chooses not to do so, the District will attach the written allegation(s) to the form and treat it as a Formal Complaint. In no instance will the District reject a written allegation of sexual harassment, sexual discrimination, sexual assault or retaliation on the basis that it was not submitted on the proper form.

A Formal Complaint must meet each of the following criteria:

- It must allege facts with enough specificity to show that the allegations, if true, would constitute a violation of District policies or procedures prohibiting sexual discrimination, sexual harassment, sexual assault, or retaliation;
- The complainant must sign and date the Formal Complaint;
- The complainant must file any Formal Complaint, not involving employment, within one year of the date of the alleged sexual discrimination, sexual harassment, sexual assault, or retaliatory conduct or within one year of the date on which the complainant knew or should have known of the facts underlying the allegation(s) of sexual discrimination, sexual harassment, sexual assault, or retaliation.

- The complainant must file any Formal Complaint alleging sexual discrimination, sexual harassment, sexual assault, or retaliation, in employment, within 180 days of the date of the alleged sexual discrimination, sexual harassment, sexual assault, or retaliatory conduct, except that this period shall be extended by no more than 90 days following the expiration of the 180 days if the complainant first obtained knowledge of the facts of the alleged violation after the expiration of the 180 days.

If the Formal Complaint does not meet the requirements set forth above, the CHRO or DSA will promptly return it to the complainant and specify the defect. If the sole defect is that the Formal Complaint was filed outside the applicable proscribed timeline, the CHRO or DSA will handle the matter as an informal complaint.

**Oversight of Complaint Procedure:** The Title IX Coordinator, Dr. Martha Garcia, Vice President for Student Services is the "responsible District officer" charged with receiving complaints of sexual discrimination, sexual harassment, sexual assault, or discrimination from the CHRO and DSA who received the complaint and overseeing their investigation.

The actual investigation of complaints may be assigned by the Title IX Coordinator, or CEO to other staff or to outside persons or organizations under contract with the District. This shall occur whenever the CHRO or DSA is named in the complaint or implicated by the allegations in the complaint.

**Who May File a Complaint:** Any student, employee, or third party who believes he/she has been sexually discriminated against, sexually harassed, sexually assaulted, or retaliated against by a student, employee, or third party in violation of this procedure and the related policy's.

**Where to File a Complaint:** A student, employee, or third party who believes he/she has been sexually discriminated against, sexually harassed, sexually assaulted, or retaliated against in violation of these policies and procedures may make a complaint orally or in writing.

If a complainant decides to file a formal written unlawful sexual discrimination, sexual harassment, sexual

assault, or retaliation complaint against the District, he/she must file the complaint on an “Unlawful Discrimination Complaint Form” form prescribed by the State Chancellor’s Office. These approved forms are available from the CHRO, DSA, the State Chancellor’s website, and on the Imperial Community College District website at [www.imperial.edu](http://www.imperial.edu), by searching “Unlawful Discrimination Complaint Form”.

The completed form may be filed with any of the following:

- The Title IX Coordinator
- The CHRO or DSA;
- The CEO; or
- The State Chancellor’s Office.

### **Employment-Related Complaints**

Complainants filing employment-related complaints shall be notified that they may file employment discrimination complaints with the U.S. Equal Employment Opportunity Commission (EEOC) or the Department of Fair Employment and Housing (DFEH).

Complaints filed with the EEOC or the DFEH, which the District has knowledge of, should be forwarded to the State Chancellor’s Office.

Any District employee who receives a sexual harassment, sexual discrimination, sexual assault, or retaliation complaint shall notify the CHRO, DSA or the Title IX Coordinator immediately.

**Filing a Timely Complaint:** Since failure to report sexual harassment, sexual assault, sexual discrimination, or retaliation impedes the District’s ability to stop the behavior, the District strongly encourages anyone who believes they are being sexually harassed, sexually assaulted, sexually discriminated, or retaliated against, to file a complaint. The District also strongly encourages the filing of such complaints within 30 days of the

alleged incident. While all complaints are taken seriously and will be investigated promptly, delay in filing impedes the District's ability to investigate and remediate.

All supervisors and managers have a mandatory duty to report incidents of sexual harassment, sexual assault, sexual discrimination; the existence of a hostile, offensive or intimidating work environment, and acts of retaliation.

The District will investigate complaints involving acts that occur off campus if they are related to an academic or work activity.

**Communicating that the Conduct is Unwelcome:** The District further encourages students and staff to let the offending person know immediately and firmly that the conduct or behavior is unwelcome, offensive, in poor taste or inappropriate.

**Intake and Processing of the Complaint:** Upon receiving notification of a sexual harassment, sexual assault, sexual discrimination, or retaliation complaint, the CHRO, DSA, or Title IX Coordinator shall:

- Undertake efforts to informally resolve the charges, including but not limited to mediation, rearrangement of work/academic schedules; obtaining apologies; providing informal counseling, training, etc.
- Advise the complainant that he/she need not participate in an informal resolution of the complaint, as described above, and has the right to end the informal resolution process at any time. Mediation is not appropriate for resolving incidents involving sexual assault or violence.
- Advise a student complainant that he/she may file a complaint with the Office of Civil Rights of the U.S. Department of Education and employee complainants may file a complaint with the Department of Fair Employment and Housing. All complainants should be advised that they have a right to file a complaint with the on-campus Deputy Sheriff's or local law enforcement if the act complained of is

also a criminal act. The District, when it becomes aware of the complaint, must investigate even if the complainant files a complaint with local law enforcement. In addition, the District should ensure that complainants are aware of any available resources, such as counseling, health, academic accommodations, and mental health services. The CHRO, DSA, or Title IX Coordinator shall also notify the State Chancellor's Office of the complaint.

- Take interim steps to protect a complainant from coming into contact with an accused individual, especially if the complainant is a victim of sexual assault or violence. The CHRO or DSA should notify the complainant of his/her options to avoid contact with the accused individual and allow students to change academic situations as appropriate. For instance, the District may prohibit the accused individual from having any contact with the complainant pending the results of the investigation. When taking steps to separate the complainant and accused individual, the District shall minimize the burden on the complainant. For example, it is not appropriate to remove complainants from classes or housing while allowing accused individuals to remain.

### **Investigation**

Under the direction of the Title IX Coordinator the CHRO or DSA shall:

- Authorize the investigation of the complaint, and supervise or conduct a thorough, prompt and impartial investigation of the complaint, as set forth below. Where complainants opt for informal resolution, the designated officer will determine whether further investigation is necessary to ensure resolution of the matter and utilize the investigation process outlined below as appropriate. In the case of a formal complaint, the investigation will include interviews with the complainant, the accused, and any other persons who may have relevant knowledge concerning the complaint. This may include victims of similar conduct.
- Review the factual information gathered through the investigation to determine whether the alleged



conduct constitutes sexual harassment, sexual assault, other unlawful discriminatory conduct, or retaliation giving consideration to all factual information and the totality of the circumstances, including the nature of the verbal, physical, visual or sexual conduct, and the context in which the alleged incidents occurred.

**Investigation of the Complaint:** The District shall promptly investigate every complaint of sexual harassment, sexual assault, sexual discrimination, or retaliation. No claim of workplace or academic sexual harassment, sexual assault, sexual discrimination, or retaliation shall remain unexamined.

This includes complaints involving activities that occur off campus and 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, on a District bus, or at a class or training program sponsored by the District at another location.

As set forth above, where the complainant opts for an informal resolution, the CHRO or DSA may limit the scope of the investigation, as appropriate. The District will keep the investigation confidential to the extent possible, but cannot guarantee absolute confidentiality because release of some information on a "need-to-know-basis" is essential to a thorough investigation. When determining whether to maintain confidentiality, the District may weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment; the complainant's age; whether there have been other harassment complaints about the same individual; and the accused individual's rights to receive information about the allegations if the information is maintained by the District as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S. Code Section 1232g; 34 Code Federal Regulations Part 99.15. The District will inform the complainant if it cannot maintain confidentiality.

**Investigation Steps:** The District will fairly and objectively investigate harassment and discrimination complaints. Employees designated to serve as investigators under this policy shall have adequate training on

what constitutes sexual harassment, sexual Assaults, sexual discrimination or sexual violence, and that they understand how the District's grievance procedures operate. The investigator may not have any real or perceived conflicts of interest and must be able to investigate the allegations impartially. Investigators will use the following steps: interviewing the complainant(s); interviewing the accused individual(s); identifying and interviewing witnesses and evidence identified by each party; identifying and interviewing any other witnesses, if needed; reminding all individuals interviewed of the District's no-retaliation policy; considering whether any involved person should be removed from the campus pending completion of the investigation; reviewing personnel/academic files of all involved parties; reach a conclusion as to the allegations. All interviews will be audio recorded.

The CHRO or DSA will then determine any appropriate disciplinary and remedial action; and see that all recommended action is carried out in a timely fashion. When the District evaluates the complaint, it shall do so using a 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 discrimination or harassment has occurred.

**Timeline for Completion:** The District will undertake its investigation promptly and swiftly as possible. To that end, the investigator shall complete the above steps, and prepare a written report within 90 days of the District receiving the complaint.

**Cooperation Encouraged:** All employees are expected to cooperate with a District investigation into allegations of harassment or discrimination. Lack of cooperation impedes the ability of the District to investigate thoroughly and respond effectively. However, lack of cooperation by a complainant or witnesses does not relieve the District of its obligation to investigate. The District will conduct an investigation if it is discovered that harassment is, or may be occurring, with or without the cooperation of the alleged victim(s) and regardless of whether a complaint is filed.

### **Written Report**

The results of the investigation of a complaint shall 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 summary of the testimony provided by each witness interviewed by the investigator;
- An analysis of relevant evidence collected during the course of the investigation;
- A specific finding as to whether there is probable cause to believe that sexual discrimination, sexual assault, or sexual harassment, or retaliation occurred with respect to each allegation in the complaint;  
and
- Any other information deemed appropriate by the District.

### **Confidentiality of the Process**

Investigations are best conducted within a confidential climate. Therefore, the District does not reveal information about ongoing investigations except as necessary to fulfill its legal obligations. The District will keep the investigation confidential to the extent possible, but it cannot guarantee absolute confidentiality because release of some information on a “need-to-know-basis” is essential to a thorough investigation and to protect the rights of Accused students and employees during the investigation process and any ensuing discipline.

### **Administrative Determination**

- In any case not involving employment discrimination, within 90 days of receiving a complaint, the district shall complete its investigation and forward a copy of the investigative report to the State Chancellor, a copy or summary of the report to the complainant, and written notice setting forth all of the following to both the complainant and the Chancellor:
  - The determination of the CEO or his/her designee as to whether there is probable cause to believe discrimination occurred with respect to each allegation in the complaint;

- A description of actions taken, if any, to prevent similar problems from occurring in the future;
  - The proposed resolution of the complaint; and
  - The complainant's right to appeal to the district governing board and the Chancellor.
- In any case involving employment discrimination, within 90 days of receiving a complaint, the district shall complete its investigation and forward a copy or summary of the report to the complainant, and written notice setting forth all the following to the complainant:
    - The determination of the CEO or his/her designee as to whether there is probable cause to believe discrimination occurred with respect to each allegation in the complaint;
    - A description of actions taken, if any, to prevent similar problems from occurring in the future;
    - The proposed resolution of the complaint; and
    - The complainant's right to appeal to the district governing board and to file a complaint with Department of Fair Employment and Housing or the U.S Equal Employment Opportunity Commission.

### **Discipline and Corrective Action**

If sexual harassment, sexual discrimination, sexual assault, or retaliation occurred in violation of the policy or procedure, the District shall take disciplinary action against the accused 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 alleged perpetrator do not attend the same classes or work in the same work area;

- preventing offending third parties from entering campus;
- 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 student-complainant 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 being disciplined.

If the District imposes discipline, the nature of the discipline will, in some cases, not be communicated to the complainant. However, the District may disclose information about the sanction imposed on an individual who was found to have engaged in harassment, discrimination, assault, or retaliation when the sanction directly relates to the complainant; for example, the District may inform the complainant that the harasser must stay away from the complainant.

Disciplinary actions against faculty, staff, and students will conform to all relevant statutes, regulations, personnel policies and procedures, including the provisions of any applicable collective bargaining agreement.

The District shall also take reasonable steps to protect the complainant from further harassment, assault, or discrimination, and to protect the complainant and witnesses from retaliation as a result of communicating the complaint or assisting in the investigation.

The District will ensure that complainants and witnesses know how to report any subsequent problems, and should follow-up with complainants to determine whether any retaliation or new incidents of harassment have occurred. The District shall take reasonable steps to ensure the confidentiality of the investigation and to

protect the privacy of all parties to the extent possible without impeding the District's ability to investigate and respond effectively to the complaint.

If the District cannot take disciplinary action against the accused individual because the complainant refuses to participate in the investigation, it shall pursue other steps to limit the effects of the alleged harassment and prevent its recurrence.

### **Appeals**

If the District imposes discipline against a student or employee as a result of the findings in its investigation, the student or employee may appeal the decision using the procedure for appealing a disciplinary decision.

If the complainant is not satisfied with the results of the administrative determination, he/she may, within fifteen days, submit a written appeal to the Board of Trustees. The Board shall review the original complaint, the investigative report, the administrative decision, and the appeal. The Board shall issue a final District decision in the matter within 45 days after receiving the appeal. A copy of the decision rendered by the Board shall be forwarded to the complainant and to the State Chancellor's Office. The complainant shall also be notified of his/her right to appeal this decision.

If the Board does not act within 45 days the administrative determination shall be deemed approved and shall become the final decision of the District in the matter.

In any case not involving workplace discrimination, harassment, or retaliation, the complainant shall have the right to file a written appeal with the State Chancellor's Office within thirty days after the Board issued the final District decision or permitted the administrative decision to become final. Such appeals shall be processed pursuant to the provision of Title 5 Section 59350.

In any case involving employment discrimination, including workplace harassment, the complainant may, at any time before or after the issuance of the final decision of the District, file a complaint with the Department of Fair Employment and Housing.

## **Extension of Time**

Within 150 days of receiving a formal complaint, the District shall forward to the State Chancellor's Office the original complaint, the investigative report, a copy of the written notice to the complainant setting forth the results of the investigation, a copy of the final administrative decision rendered by the Board or indicating the date upon which the decision became final, and a copy of the notification to the complainant of his/her appeal rights. If, due to circumstances beyond its control, the District is unable to comply with the 150-day deadline for submission of materials, it may file a written request for an extension of time no later than ten days prior to the expiration of the deadline.

## **File Retention**

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

- the original complaint;
- the investigatory report;
- the summary of the report if one is prepared;
- the notice provided to the complainant, of the District's administrative determination and his/her right to appeal;
- any appeal; and
- the District's final decision.

The District will make such documents available to the State Chancellor upon request.

## **Dissemination of Policy and Procedures**

District Policy and Procedures related to harassment will include information that specifically addresses sexual assault and violence. District policy and procedures will be provided to all students, faculty members, members of the

administrative staff and members of the support staff, and will be posted on campus and on the District's website.

When hired, employees are required to sign that they have received the policy and procedures, and the signed acknowledgment of receipt is placed in each employee's personnel file. In addition, these policies and procedures are incorporated into the District's course catalogs and orientation materials for new students.

### **Training**

After January 1, 2006, the District shall provide sexual harassment training and education to each supervisory employee once every two years.

The training and education required by this procedure shall include information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment.

The training and education shall also include practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation, and shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation.

Training of all staff will be provided. This includes counselors, faculty, health personnel, law enforcement officers, coaches, and all staff who regularly interact with students. Training for academic staff should emphasize environmental harassment in the classroom. The District will also provide training to students who lead student organizations. The District should provide copies of the sexual harassment policies and training to all District law enforcement unit employees regarding the grievance procedures and any other procedures used for investigating reports of sexual violence.

In years in which a substantive policy or procedural change has occurred, all District employees will attend a training update or receive a copy of the revised policies and procedures.



Participants in training programs will be required to sign a statement that they have either understood the policies and procedures, their responsibilities, and their own and the District's potential liability, or that they did not understand the policy and desire further training.

### **Education and Prevention for Students**

In order to take proactive measures to prevent sexual harassment and violence toward students, the District will provide preventive education programs and make victim resources, including comprehensive victim services, available. The District will include such programs in their orientation programs for new students, and in training for student athletes and coaches. These programs will include discussion of what constitutes sexual harassment and sexual violence, the District's policies and disciplinary procedures, and the consequences of violating these policies. A training program or informational services will be made available to all students at least once annually.

The education programs will also include information aimed at encouraging students to report incidents of sexual violence to the appropriate District and law enforcement authorities. Since victims or third parties may be deterred from reporting incidents of alcohol, drugs, or other violations of District or campus rules were involved, the District will inform students that the primary concern is for student safety and that use of alcohol or drugs never makes the victim at fault for sexual violence. If other rules are violated, the District will address such violations separately from an allegation of sexual violence.

# Annual Security Report 2014 - 2013 - 2012

Offense	Year	On-Campus Property	Adjacent Public Property	Race	Gender	Religion	Sexual Orientation	Ethnicity / National origin	Disability
Murder / Non-Negligent Manslaughter	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0	0
Negligent Manslaughter	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0	0
Sex Offences, Forceable Rape	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0	0
Sex Offences, Forcible Sodomy	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0	0
Sexual Assault with an Object	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0	0
Forceable Fondling	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0	0

# Annual Security Report 2014 - 2013 - 2012

Offense	Year	On-Campus Property	Adjacent Public Property	Race	Gender	Religion	Sexual Orientation	Ethnicity / National origin	Disability
Incest	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0	0
Statutory Rape	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0	0
Robbery	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0	0
Aggravated Assault	2015	1	0	0	0	0	0	0	0
	2014	1	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0	0
Burglary	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0	0

# Annual Security Report 2014 - 2013 - 2012

Offense	Year	On-Campus Property	Adjacent Public Property	Race	Gender	Religion	Sexual Orientation	Ethnicity / National origin	Disability
Motor Vehicle Theft	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0	0
Arson	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0	0
Arrests: Liquor Law Violations (Arrest-Citation-Summons)	2015	1	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0	0
Disciplinary Referrals: Liquor Law Violations (criminal violations only)	2015	0	0	0	0	0	0	0	0
	2014	7	0	0	0	0	0	0	0
	2013	1	0	0	0	0	0	0	0
Arrests: Weapons; Carrying, Possessing, ETC. (Arrest-Citation-Summons)	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, ETC. (criminal violations only)	2015	1	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0	0

# Annual Security Report 2014 - 2013 - 2012

Offense	Year	On-Campus Property	Adjacent Public Property	Race	Gender	Religion	Sexual Orientation	Ethnicity / National origin	Disability
Arrests: Drug Abuse Violations (Arrest-Citation-Summons)	2015	1	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
	2013	1	0	0	0	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations (criminal violations only)	2015	6	0	0	0	0	0	0	0
	2014	1	0	0	0	0	0	0	0
	2013	3	0	0	0	0	0	0	0
<b>Hate Crimes</b>									
	2015								
	2014								
	2013								
Theft	2015								
	2014								
	2013								
Simple Assault	2015								
	2014								
	2013								

# Annual Security Report 2014 - 2013 - 2012

Offense	Year	On-Campus Property	Adjacent Public Property	Race	Gender	Religion	Sexual Orientation	Ethnicity / National origin	Disability
	2015			0	0	0	1	0	0
	2014			0	0	0	0	0	0
	2013			0	0	0	0	0	0
Intimidation	2015			0	0	0	0	0	0
Destruction / Damage / Vandalism of Property	2014			0	0	0	0	0	0
	2013			0	0	0	0	0	0
<b>Violence Against Women Act Reportable Crimes</b>									
Domestic Violence	2015	2	0						
	2014	1	0						
	2013	0	0						
Dating Violence	2015	0	0						
	2014	0	0						
	2013	0	0						
Stalking	2015	4	0						
	2014	1	0						
	2013	1	0						

# 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.



Updated 10/01/15

### LEGEND

10 Administration/Admissions & Records/IVC Foundation Office  
 100 Counseling  
 200 Social Sciences/English  
 300 Humanities/World Languages/Speech/Communications  
 400 Assessment Center/Classrooms  
 600 College Center/Cafeteria/Military & Veterans Success Center  
 700 Gymnasium

800 Business/CIS  
 900 Information Technology/Reprographics/Campus Safety & Parking  
 1000 Student Affairs Office  
 1100 Auto Tech  
 1200 Welding  
 1300 Auto Tech/Humanities  
 1400 Tool Storage  
 1500 Library Media Center/Student Health Center  
 1600 Financial Aid Lab

1700 Financial Aid  
 1800 Maintenance/Purchasing/Warehouse  
 1900 Bookstore  
 2000 Talent Search/Upward Bound  
 2100 Health Sciences/Disabled Student Services  
 2200 Preschool  
 2300 Infant Toddler Center  
 2400 Human Resources  
 2500 Math Lab Center  
 2600 Reading/Writing/Language Lab

2700 English/Sciences/Math/Offices  
 2800 Juanita Salazar Lowe Art Gallery  
 2900 Classroom - Temporary Building  
 3000 Classroom - Temporary Building  
 3100 Career Technical Education Building/Workforce Development Center  
 3200 Career Technical Education Building  
 3300 Restroom Facility - Temporary Building  
 3400 Classroom - Temporary Building  
 3500 Classroom - ICOE  
 3600 Classroom - Temporary Building

★ Parking/Day Pass Machine

Ⓢ Student Drop Off

ⓑ Bus/Transit Drop Off

Ⓒ Cashier/Student Payments

Ⓔ Emergency Call Box

Imperial Community College District

380 East Aten Road, Imperial, California 92251



End of 2016

Annual Security Report