



2017 -2020 Campus Safety Handbook

TOCC Board Approved: September 14, 2017

No parts of these policies or procedures may be amended or altered in any way by oral statements. Only written amendments by authorized management officials and approved by the Tohono O'odham Community College Board of Trustees will constitute changes to statements made in this and any TOCC approved policies.

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I. THE CLERY ACT

Choosing a postsecondary institution is a major decision for students and their families. Along with academic, financial, and geographic considerations, the issue of campus safety is a vital concern.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is a federal mandate. It requires all institutions of higher education (IHEs) that participate in the federal student financial aid program to disclose information about crime on their campuses and in the surrounding communities. The Clery Act affects virtually all public and private IHEs and is enforced by the U.S. Department of Education. Institutions of higher education that fail to comply with the act can be penalized with large fines (\$35,000 per violation) and may be suspended from participating in the federal financial aid program (34 C.F.R. §§668.14, 668.41, 668.46, and 668.49).

The Clery Act, formerly known as the Crime Awareness and Campus Security Act, was signed into law in 1990 and is named after 19-year-old Jeanne Clery, who was raped and murdered in her Lehigh University residence hall in 1986. Clery's parents lobbied Congress to enact the law when they discovered students at Lehigh had not been notified about 38 violent crimes that had occurred on campus in the three years prior to Clery's murder.

Compliance with the Clery Act

The Clery Act requires Tohono O'odham Community College (TOCC) to provide timely warnings of crimes that represent a threat to the safety of students or employees and to make their campus security policies available to the public. The act also requires TOCC to collect, report, and disseminate crime data to everyone who is a member of the College community and to the Department of Education annually.

When the Higher Education Opportunity Act (HEOA) was signed into law in 2008, it amended the Clery Act by adding a number of safety- and security-related requirements to the Higher Education Act of 1965. To be in full compliance with the law, TOCC must do the following:

1. Publish and distribute an Annual Security Report to current and prospective students and employees by October 1 of each year. The report must provide crime statistics for the past three years, detail campus and community policies about safety and security measures, describe campus crime prevention programs, and list procedures to be followed in the investigation and prosecution of alleged sex offenses.
2. Provide students and employees with timely warnings of crimes that represent a threat to their safety. The TOCC Campus Security Team must also keep and make available to the public a detailed crime log of all crimes reported to them in the past 60 days. Crime logs must be kept for seven years, and logs older than 60 days must be made available within two business days upon request.
3. Keep the past three years of crime statistics detailing crimes that have occurred on-campus, in residential facilities, in public areas on or near campus, and in certain non-campus buildings, such as remote classrooms. TOCC must also report liquor and drug law violations and illegal weapons possession if they result in a disciplinary referral or arrest.
4. Disclose missing student notification procedures that pertain to students residing in any on-campus student housing facilities.

5. Disclose fire safety information related to any on-campus student housing facilities. This includes maintaining a fire log that is open to public inspection and publishing an Annual Fire Safety Report containing policy statements and fire statistics associated with each on-campus student housing facility. These statistics must include the location, cause, injuries, deaths and property damage of each fire.
6. Submit the collected crime and fire statistics to the Department of Education each fall.
7. Inform prospective students and employees about the availability of the Annual Fire Safety Report.

TOCC is committed to campus security and the personal safety of its students and employees. The following pages contain specific information, including crime prevention, fire safety, law enforcement authority, crime reporting policies, disciplinary procedures and other matters of importance related to security and safety on campus. This report also contains information about campus crime statistics.

Members of the campus community are encouraged to use this report as a guide for safe practices on and off campus. Additional Campus Security information is available on the College's webpage at <http://www.tocc.edu>

For more information, contact the Campus Security Department at (520) 993-9061.

II. Annual Disclosure of Crime Statistics & Security Report Preparation

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the college community that are obtained from the following sources: the Campus Security and non-police officials across campus (Campus Security Authorities). For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported.

All of the statistics are gathered, compiled, and reported to the college community via the Campus Safety Report which is published by the Campus Safety Committee. The Campus Security Department submits the annual crime statistics published in this brochure to the Department of Education through the Crime Start system. The statistical information gathered by the Department of Education is available to the public through the Campus Safety and Security Statistics website (<http://ope.ed.gov/security/>).

III. Law Enforcement Authority

Section 1: Tohono O'odham Nation Police Department

Tohono O'odham Community College desires to maintain a secure and accessible campus for students, employees, contractors, visitors and guests.

Tohono O'odham Police Department (TOPD) is the law enforcement agency serving TOCC. The officers of TOPD are trained to enforce all applicable federal, state, and tribal laws, local/tribal ordinances, and TOCC college policies.

TOCC's campus falls under the jurisdiction of Tohono O'odham agencies in southern Arizona. TOCC personnel work closely with all local, state, and federal police agencies, and have a direct working relationship with the local Police Department. TOCC is also a part of the 9-1-1 Emergency System and is dispatched through the local Tohono O'odham Nation Police Department.

Section 2: TOCC Safety Groups

Other campus safety groups include the following:

A. Campus Safety Committee

Ensures Tohono O'odham Community College's federal compliance under the Jeanne Clery Act of 1990, and reports the Annual Campus Safety and Fire Report. Also develops emergency response protocols, plans campus evacuations and drills, including fire drills, provides training on timely response plans, and addresses emergencies on campus.

B. Title IX Coordinator

Responsible for monitoring the overall implementation of Title IX at TOCC and for implementation of regulations for campus safety. The major responsibilities of the Title IX Coordinator include preventing sexual harassment and discrimination on campus, conducting investigations into Title IX complaints, making recommendations, assisting counselors and administrators with Title IX compliance, evaluating, planning, and providing policy training and enforcement.

C. Campus Security Authorities

Is a *Clery Act* specific term that encompasses individuals and organizations associated with TOCC. The four groups are Campus security, local law enforcement and victim support, and staff that oversee student disciplinary processes and Student Services departments. Personnel occupying the following roles are part of the Campus Security Authority for TOCC.

Vice President of Student Services

Head Athletic Coach

A faculty advisor to a student group

Student Resident Advisor or Assistant

Resident Life Coordinator

Counselor/Title IX Coordinator

Tohono O'odham Nation Kom Ckud Ki: Domestic Violence Program

Tohono O'odham Nation Police Department

IV. Campus Law Enforcement Services

Section 1 – services for campus safety

A. Orientation Programs

The Campus Safety Committee will conduct recurring orientations each semester with new students to familiarize them with personal safety techniques, policies, procedures, and responses to concerns and questions to increase security awareness.

Educational presentations on alcohol and drug related issues are made to Residence Hall students each semester to ensure that students are aware of the College and Nation's policies and laws regarding alcohol and drugs.

Mandatory training is provided to Residence Advisors (RA) on addressing security at the Residence Hall, in addition to protocols working with campus law enforcement.

B. Car Problems

TOCC security personnel are available to assist students, faculty, or staff with car problems as dead car batteries, frozen door locks, lost cars, and keys locked in the car and/or tire changes on Campus. Tow services are not available by TOCC. However, a third party vendor may be contacted for those services.

Students, faculty, or staff must complete and sign a waiver form prior to security providing services. When calling for help with these issues, information should be given on the location, make, model, year, color, and license plate number of the vehicle. If possible, the hood should be lifted and the person calling for assistance should stand by the vehicle. The TOCC Security Team will respond and assist as soon as possible.

C. Automobile Accident Reports

The Tohono O'odham Community College Security Department, Vice Presidents, or Tohono O'odham Police Department should be called immediately when there is an automobile accident on campus. Information should be given in regard to the location of the accident, whether or not there are injuries, the make and color of the vehicles involved, and any other pertinent information. GSA vehicles involved in automobile accidents on or off campus need to be reported to TOCC President or Vice Presidents immediately.

D. Emergency Notifications

Emergency contact may be requested through the TOCC Campus Security or one of the Vice Presidents. The Campus Security or Vice President will ask the nature of the emergency in an attempt to determine if the emergency constitutes immediate response, such as the removal of a student from class. The name and telephone number of the caller will be taken in case the notification could not be successfully made. Emergency notifications should be limited to "true emergencies" only.

E. Escorts

A member of the security team is available to meet and walk students, faculty, or staff members to their car or other campus destinations. Requests for an escort should provide name, location, and destination.

With regards to protection orders, documentation must be provided to the Security Department through the office of the Vice President for Student Services. The student who is under the protection of a protection order should provide their course schedule, projected time and place they will be on campus so that needed security measures can be taken by the College.,.

F. Property Identification

Campus Security encourages students and employees to label personal property and to secure vehicles and belongings to prevent misappropriation or theft.

G. Lost and Found

A member of Campus Security will respond to pick up lost and found items. The TOCC Receptionist maintains a log of all reported lost and found items. Unclaimed property will be destroyed if not claimed after 30 days. Contact the Receptionist at (520)383-8401 for information.

H. Medical Assistance/Injury Reports

Emergency requests for medical treatment and ambulance service should be directed to the TOCC Security Department, and/or by using the emergency 911 number from any campus phone. The department will provide basic first aid response and will contact Emergency Medical Services (EMS) if necessary. Personal injury reports will be made by Campus Security members and Vice Presidents.

I. Campus Safety Poster Campaign

Printed crime prevention and campus safety brochures, posters and other pamphlets will be distributed at crime prevention presentations and posted at various locations throughout the campus to ensure that the College community is aware of how to maximize campus safety.

J. Student Services Department (SSD)

The SSD department includes a Counseling Office, which provides workshops on healthy living and behavior in the advancement of student safety on campus, such as counseling, stress management, and physical safety. The Campus Security team works with the SSD to provide additional services to students to promote healthy living on campus.

V. Important Phone Numbers

Directory

Tohono O'odham Community College

Department	Number
Athletic Department	(520) 383-0011
Campus Security	(520) 993-9061
Counseling & Support Services	(520) 383-0033
Information Technology Department	(520) 383-0069
Maintenance Department	(520) 383-0004
Resident's Life Coordinator	(520) 383-0068
Vice President of Student Services	(520) 383-0011

Tohono O'odham Nation

Department	Number
24 Hour Access	1-866-666-4849
Adult Protection Services	(520) 383-6099
American Association of Poison Control Centers	1-800-222-1222
Behavioral Health	(520) 383-6165 (520)295-2570
Community Crisis Network	1-800-622-6000
Fire Department	(520) 383-8276
Hope Sexual Assault Program	(520) 383-6000
KOM CKUD KI: 24 Hour Crisis Hotline	1-866-666-4889
Medical Emergencies	(520) 383-7200 (IHS Operator)
Nursewise (Pinal County Area)	1-800-796-6762
Police Department	(520) 383-3275
Public Safety	(520) 383-8681
Suicide Prevention Lifeline	1-800 273-8255
Victim Witness Prosecutors Office	(520) 303-4590

Help Line for surrounding areas

Department	Number
Emerge!	1-888-428-0101
Against Abuse 24/7	(520) 836-0858
Pima County Victim Witness	(520) 740-5525
SACASA Crisis Line 24/7 (Southern Arizona Center Against Sexual Assault)	1-800-400-1001

VI. Campus Information

Campus Maps

The following are campus maps and photos of all three TOCC sites.

TOCC Main Campus



Milepost 125.5

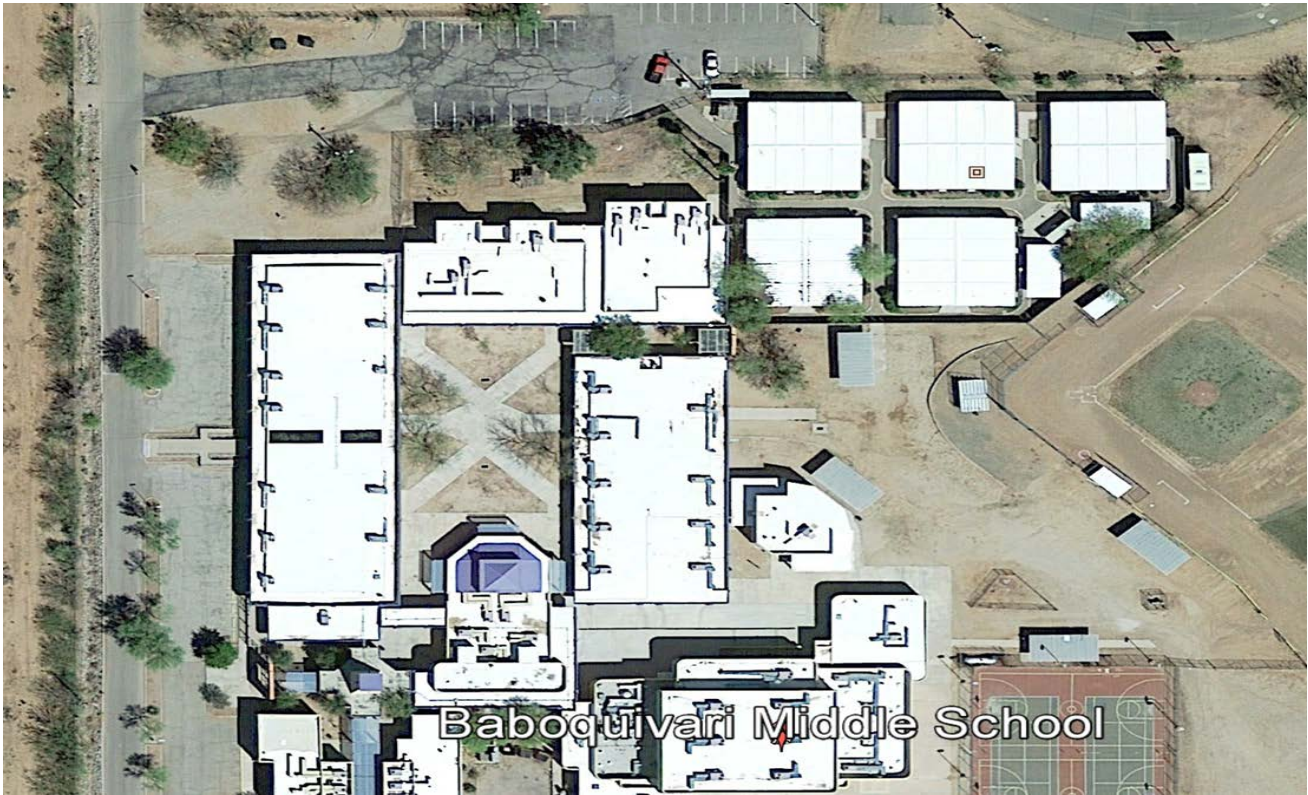


TOCC-West 111



Milepost 111

TOCC-Central Milepost 115.5



VII. Crime Prevention Tips

Security awareness and crime prevention tips encourage students and employees to be aware and take responsibility for their own security and the security of others.

For Main Campus only (on-site residence):

Housing resident assistants (RA), resident life coordinator (RLC), and campus security (CS).

1. If possible, avoid studying alone. Always let someone know where you are and an approximate time when you will be finished.
2. Never leave your personal belongings unattended, even for a moment, to use the restroom or get a drink.
3. Never prop open doors, especially fire doors.
4. If you observe an individual in an inappropriate place or location, notify Campus Security.
5. If you observe a suspicious person, report it to Campus Security.
6. Always walk with another person. Never walk alone to your car at night. If a classmate is not available, call Campus Security at (520)993-9061 and request an escort.
7. Learn the locations of emergency telephones on campus.
8. Avoid shortcuts through vacant lots, and other deserted places.
9. Know the location of the Campus Security and other safe areas.
10. If you suspect that you are being followed, use an emergency campus phone or your cellphone to call the TOCC Security Department. Find a safe area to proceed to, such as an office, highly visible area, or a place where there are people who can see you.
11. Do not leave valuables, like your wallet, purse, GPS, or backpack in open view. Conceal or leave the items in a safe place, such as in a locker or trunk of your car.
12. Do not give your keys away. Keys can be duplicated. Always keep your keys in your possession. Engrave valuables with your name and/or driver's license number.
13. Require photo identification from maintenance and TOUA workers prior to allowing them access to your house or office. Verify that the workers have authorization to remove items from the office or your area of workspace or dorm room.
14. Report all thefts immediately.
15. Keep police and fire emergency numbers programmed in or near your phone.
16. Do not let a stranger into your dorm rooms, even if the stranger states that it is an emergency. Instead, offer to make a call for help.
17. Be alert and aware of your surroundings when walking outdoors.
18. Purses should be carried close to the body and secured under one arm, not swung from the strap.
19. Do not walk, jog, or run alone, especially after dark.
20. Do not hitchhike.
21. Leave a light on in your room when you are away. An inexpensive timer on several lights could discourage a break-in.
22. Make arrangements with a neighboring student or other office staff when you will be away from your office or dorm room. Ask them to keep an eye on your space.
23. Walk with confidence. Show that you are aware and in control. Body language works!
24. Do not feed or take stray dogs into the dormitories or other campus buildings; dogs may react aggressively or may be carrying unknown diseases and/or illnesses.

VIII. Crime Reporting Procedures

Section 1: Procedures

A. Students/Faculty/Staff/Visitors:

Known and suspected violations of federal and state criminal laws and campus violations will be reported to campus security for appropriate action. Incident Report Forms are used by student/staff and faculty to formally communicate a problem on Tohono O'odham College property as well as if the student is traveling. While most incident reports are used to document a disciplinary situation, they are also used to communicate a student injury, damage, vandalism or theft on campus. The following steps are to be taken:

1. Student is informed that an incident report will be written and filed.
2. Incident Report is written within 24 hours of incident.
3. Academic related report is submitted to the Vice President of Education.
4. Student Life related report is submitted to the Vice President of Student Services. If the incident involves a residence student, then it is also referred to the Residence Life Coordinator.

B. Campus Security will, upon notification of criminal activity:

1. Respond to, process and document the complaint/report.
2. Involve (as necessary) the appropriate law enforcement support agency.
3. Conduct necessary follow-up activities and file required documentation to the College administration.

C. The Responsible Administrator(s) will review campus crime reports with the Security Department to ensure that:

1. The data required by the Crime Awareness and Campus Security Act is compiled and disseminated.
2. Campus crime prevention programs are followed with special emphasis placed on campus community involvement.
3. The information flow stresses the necessity for individual awareness, and that students, faculty and staff take some responsibility for their own personal safety.

Section 2: Response/Reporting:

A. Accidents and Emergencies: Response/Reporting

If a student, visitor, or employee should become sick or injured, security should be contacted immediately to report the nature of the situation. If the situation warrants, security will request assistance from the local EMS.

Any cost generated in any medical situation requiring transport by EMS will be the responsibility of the person sick or injured if the person is not a tribally enrolled member.

IX. Criminal Offense Definitions

Section 1 – Crime Definitions

The following definitions are in accordance with the Federal Bureau of Investigation's, Uniform Crime Reporting Program, the Department of Education, Higher Education Act, and Violence Against Women Act.

- A. Aggravated assault: an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
- B. Arrest: persons processed by arrest, citation or summons.
- C. Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- D. Burglary: The unlawful entry of a structure to commit a felony or a theft.
- E. Dating Violence: Dating Violence is 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, type of relationship, and the frequency of interaction between the persons involved in the relationship.
 - 1. dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse;
 - 2. dating violence does not include acts covered under the definition of domestic violence.
- F. Destruction/Damage/Vandalism of Property: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.
- G. Domestic Violence: Domestic Violence is defined as a felony or misdemeanor crime of violence committed
 - 1. by a current or former spouse or intimate partner of the victim;
 - 2. by a person with whom the victim shares a child in common;
 - 3. by a person who is cohabiting with, or has cohabitated with, the victim as a spouse or intimate partner;
 - 4. 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;
 - 5. 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.

- H. Drug abuse violations: The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, or manufacturing of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics - manufactured narcotics (Demerol, Methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
- I. Fire: Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner. For The Higher Education Act purposes, there are three categories of fire:
1. Unintentional Fire: A fire that does not involve an intentional human act to ignite or spread fire into an area where the fire should not be;
 2. Intentional Fire: A fire that is ignited, or that results from a deliberate action, in circumstances where the person knows there should not be a fire;
 3. Undetermined Fire: A fire in which the cause cannot be determined.
- J. Fire-related death: Any instance in which a person
1. Is killed because of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or
 2. Dies within one year of injuries sustained because of the fire.
- K. Fire-related injury: Any instance in which a person is injured because of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, employees, visitors, firefighters, or any other individuals.
- L. Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.
- M. Liquor law violations: The violation of state, tribal, or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Included in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on a public conveyance; and attempts to commit any of the above. It is illegal to possess or to consume alcoholic beverages on The Tohono O’odham Nation.

- N. Hate crime: A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of Clery, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.
- O. Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- P. Motor vehicle theft: The theft or attempted theft of a motor vehicle.
- Q. Murder/Non-negligent manslaughter: The willful (non-negligent) killing of one human being by another.
- R. Negligent manslaughter: The killing of another person through gross negligence.
- S. Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- T. Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- U. Consent: Consent means clear and unambiguous agreement, expressed in mutually understandable words or actions, to engage in a particular sexual activity. Whether valid consent has been given will be judged based upon what a reasonable person would have understood from such words or actions. Consent must be voluntarily given and is not valid:
1. if obtained by physical force, coercion, or threat;
 2. when a person is incapacitated; or
 3. when an intellectual or other disability prevents a person from having the capacity to give consent.
- Consent to engage in one sexual activity, or agreement to engage in a particular sexual activity on a prior occasion, cannot be presumed to constitute consent to engage in a different sexual activity or to engage again in a sexual activity. Consent can be withdrawn by either person at any point.
- V. Incapacitation: Incapacitation means that a person lacks the capacity to give consent to sexual activity because the person is asleep, unconscious, mentally and/or physically helpless, or otherwise unaware that sexual activity is occurring. Incapacitation is not necessarily the same as legal intoxication. Where alcohol or other drugs are involved, evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs affects a person's decision-making ability, awareness of consequences, ability to

make informed, rational judgments, capacity to appreciate the nature and quality of the act, or level of consciousness. The assessment is based on objectively and reasonably apparent indications of incapacitation when viewed from the perspective of a sober, reasonable person.

W. Intentional Incapacitation: Intentional incapacitation means providing alcohol or other drugs to a person with the intent to render the person incapacitated.

X. Sex Offense - Forcible: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

1. *Sexual Assault* means unwanted or unwelcome touching of a sexual nature, including fondling; penetration of the mouth, anus, or vagina, however slight, with a body part or object; or other sexual activity that occurs without valid consent.
2. *Fondling* mean the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Y. Sex Offense - Non-Forcible: Unlawful, non-forcible sexual intercourse.

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

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

BB. Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

1. Fear for the person's safety or the safety of others; or
2. Suffer substantial emotional distress.

For the purposes of this definition:

1. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
2. Reasonable person means a reasonable person user similar circumstances and with similar identities to the victim.
3. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

4. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Section 2 – Property

A. Non-campus building or property:

1. Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
2. Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

B. On Campus:

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

C. Property damage: The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

D. Public property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

E. Referred for disciplinary action: The referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.

Section 3: Other

A. Unfound Crime: A reported crime that upon investigation by law enforcement authorities is found to be false or baseless. Only sworn or commissioned law enforcement personnel may unfound a crime. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner.

B. Weapons: carrying, possessing, etc.: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Include in this classification: manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly

weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

X. Federal, Tribal, and State Laws

A. Non-Discrimination Policy

All College staff, faculty, and students are not to discriminate against any agent or organization of Tohono O’odham Community College for reasons of age, creed, ethnic or national origin, sex/gender, disability, veteran status, marital status, political or social affiliation, race, religion, or sexual orientation. The College complies with the Civil Rights Act of 1964, the Title IX of the Education Amendment Act of 1972, Section 503 and 504 of the Rehabilitation Act of 1973, Section 402 of Vietnam Era Veterans Readjustment Act of 1975, the Age Discrimination in Employment Act of 1967, as amended, and the Tribal Preference in Employment Act.

B. Freedom of Speech & Expression Policy

All students are welcome to express themselves freely on any subject provided that they do so in a manner that does not violate the Student Code of Conduct as described in the TOCC Student Handbook. Students in turn have the responsibility to respect the rights of all members of the College to exercise this freedom.

C. Drug Free Compliance Policy-Zero Tolerance Policy

A drug-free school policy has been adopted by the College and the Tohono O’odham Nation in compliance with the Drug-Free Schools and Communities Act Amendments of 1989 (P.L.101- 226). The College is committed to preventing the abuse of alcohol and the illegal use of drugs and alcohol by students and employees. All College students and their visitors are prohibited from possession, use, and/or distribution of illegal drugs and alcohol while on College property and/or while participating in a College-sponsored activity held either on or off College property. In accordance with the College’s Drug-Free policy, and in accord with the Drug-Free School and Communities Act , TOCC provides counseling and referral to external resources for alcohol and drug issues as indicated.

The College will foster a safe and productive study environment and provide drug awareness, prevention, and intervention education for all students.

D. Confidentiality Policy

Students have the right to access and have control to their educational records as provided in the Federal Family Educational Rights and Privacy Act of 1974, also known as the Buckley Amendment.

E. Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act of 1974 (20 U.S.C. § 1232g; 34 CFR Part 99), also known as FERPA or the Buckley Amendment, protects the privacy of student education records while allowing colleges to maintain campus safety.

1. FERPA requires colleges to keep education records confidential. The education records of students and formerly enrolled students consist of those records, files, documents and other materials directly related to a student that the college maintains, including digital records.
2. Colleges may disclose records with the consent of the student, if the disclosure meets one of the statutory exemptions, or if the disclosure is directory information and the student has not placed a hold on release of directory information. Directory information includes: name of student, address (both local, including e-mail address and permanent), telephone number (both local and permanent), dates of registered attendance, enrollment status (e.g. full-time or part-time), school or division of enrollment, major field of study, nature and dates of degrees and awards received, participation in officially recognized activities and unique student identifier numbers (not Social Security Number).
3. In accordance with The Family Educational Rights and Privacy Act of 1974 (FERPA), Tohono O'odham Community College restricts the disclosure of information from student education records to third parties and provides students the right to review their education records.

XI. College Policies

All TOCC students are subject to the following rules and policies:

A. Classroom Management Policy

All students are to abide by the instructor's classroom management policies as stated in the course syllabus. This includes attendance and tardiness, electronic equipment, assignments, class disruption, safety, and other departmental policies.

B. Computer Use Policy

All user agreements, rules and regulations governing use of facilities and equipment shall be strictly adhered to.

C. Office of Finance

All students must abide by all guidelines and procedures pertaining to student travel.

D. Student Identification Card Policy

All enrolled TOCC students are required to obtain a current student identification card. The purpose of having an identification card is to afford TOCC students equal access to all allocable College services, and in addition, to validate student identity that will help ensure the health, safety, and welfare of the student.

E. Visitation Policy

Guests of Tohono O'odham Community College students are expected to abide by the Student Code of Conduct as described in the Student Handbook. Overnight guests must acquire prior approval from the Residence Life Coordinator.

F. Sex Offender Policy

All registered sex offenders who become a student at the College, become employed (student intern), or volunteer, are required to register and report to Campus Security, Office of Records and Admission, and Residence Life.

G. Academic Integrity Policy

Academic integrity is the fundamental value and principle that underwrites the very mission of Tohono O'odham Community College. Therefore, enrolled students are solely responsible for the integrity of their academic work and upholding professional standards of research, writing, assessment, and ethics in their areas of study. Academic dishonesty, which includes cheating, misrepresentation or plagiarism and other forms of unethical behavior, is prohibited.

H. Safe Environment Policy

Tohono O'odham College is committed to personal safety, loss prevention and violence free workplace. It is the intention of TOCC that all student employees work under the safest conditions possible, that we maintain a workplace free from recognized hazards, and that we provide timely information, training, and supervision to enable student employees to perform their jobs.

XII. Nondiscrimination Anti-Harassment Policy

TOCC is firmly committed to maintaining an educational environment in which sexual and gender-based harassment and Sexual Assault, Domestic Violence, Dating Violence, Stalking (collectively, "sexual misconduct") are not tolerated, and in which persons reporting sexual misconduct are provided support and avenues of redress. When sexual misconduct is brought to the attention of the school, TOCC will take prompt and appropriate action to end the misconduct, prevent its recurrence, and address its effects.

In accordance with Title IX of the Education Amendments of 1972 (Title IX), the federal law that prohibits discrimination on the basis of sex in federally funded educational programs and activities, this policy provides for prompt, effective, fair, and impartial investigation and resolution of complaints against TOCC students or employees who are accused of sexual misconduct. Persons affiliated with TOCC who engage in Sexual Assault, including Aiding, Abetting, or Inciting Sexual Assault, or engaging in Retaliation (as defined below) are subject to disciplinary action up to and including permanent separation (i.e., expulsion).

Retaliation constitutes an independent violation of this policy whether or not the underlying complaint of Sexual Assault or of Aiding, Abetting, or Inciting Sexual Assault is ultimately found to have merit.

This policy and procedure applies to all complaints of conduct regulated by this policy made by students, faculty, staff, or third parties, and will take precedence over any other TOCC policies and procedures with respect to such complaints.

This policy and its procedures supplement, and do not replace, the criminal justice system. Furthermore, TOCC is required to report to the Tohono O'odham Nation police department

certain alleged crimes, including sexual assault, domestic violence, dating violence, and stalking. If the victim wishes to remain anonymous, their name and identifying information will be withheld from the information provided to the police department. All persons have the right to pursue Sexual Assault complaints beyond the College, and are encouraged to use law enforcement agencies, including the Tohono O'odham Police Department, regardless of whether they choose to pursue recourse through this policy.

TOCC designates the Title IX Coordinator/Clery Compliance Officer ("Title IX Coordinator") as the individual charged with coordinating efforts to comply with Title IX. The Title IX Coordinator, either the VP Student Services or designee, addresses and oversees the investigation and resolution of all complaints related to sexual and gender-based harassment, including Sexual Misconduct and Assault, Sexual Harassment, Dating Violence, Domestic Violence or Stalking involving students, faculty, staff, and visitors.

The Title IX Coordinator is available to meet with any person to provide information about resources, interim measures and options for investigation and resolution under this policy.

Please see [§](#) for complete **Nondiscrimination Anti-Harassment Policy.*

XIII. Timely Warnings

Tohono O'odham Community College will issue a timely warning when it receives a report of a crime that represents a serious or continuing threat to the safety of members of the campus community. TOCC may also issue a warning to the campus community when other instances pose a safety concern.

Section 1: Initiating Timely Warnings

First responders and essential personnel in the area are responsible for initiating timely warnings. Those responsible include, but are not limited to:

1. President's Office
2. Vice Presidents
3. Member of Security team on duty
4. Residence Life Coordinator

The College, in conjunction with various campus offices, will distribute timely warning announcements when there appears to be a threat to the safety and security of persons on campus for the following crimes:

1. Aggravated assault
2. Arson
3. Burglary
4. Negligent manslaughter
5. Motor vehicle theft
6. Murder/non-negligent manslaughter
7. Robbery

8. Sexual offenses
9. Domestic violence, dating violence, and stalking
10. Violations of liquor law, drug law, or weapons possession law
11. Any other crime in which the victim was chosen on the basis of race, gender, gender identity, religion, disability, sexual orientation, ethnicity, or national origin.

If the threat is sudden and serious, a warning will be issued immediately and will be continually updated until the threat is contained or neutralized. If a threat is less immediate, the warning will be fully developed and distributed after that point in time.

Crimes that could constitute a continuing threat include, but are not limited to:

1. Serial crimes that target certain campus populations such as sex crimes or race-based crimes in which the perpetrator has not been apprehended, and
2. Ongoing criminal activity in which there is no apparent connection between perpetrator and victim

Crimes that would not constitute a continuing threat include, but are not limited to:

1. Crimes in which the perpetrator has been apprehended, thereby eliminating the threat, and
2. Crimes in which an identified perpetrator targets specific individuals to the exclusion of others, such as domestic violence

Section 2: Warning Content

The warning contains sufficient information about the nature of the threat to allow members of the campus to take protective action:

1. A succinct statement of the incident
2. Possible connection to previous incidents if applicable
3. Date, time, and location of the warning
4. Description and drawing of the suspect, if available
5. Risk reduction and safety tips
6. Other relevant and important information

In some cases, TOCC may need to keep some facts confidential to avoid compromising an ongoing investigation.

Section 3: Notification Methods

The following methods may be used to notify the campus community of various emergencies that may affect the campus community:

1. Phone
2. Text message
3. Email
4. Outdoor warning signs
5. Official Tohono O'odham Community College website
6. Local media
7. Targeted communication – posters, letters, group meetings, etc.

NOTE: see also TOCC's Emergency Preparedness and Response Plan for more details.

XIV. Limited Voluntary Confidential Reporting

TOCC encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, TOCC cannot hold reports of crime in confidence.

Anonymous reports may be filed for statistical reporting purposes. A student's privacy concerns are weighed against the needs of TOCC to respond to certain incidents and crimes.

In compelling situations, TOCC reserves the right to take reasonable action in response to any crime report, and information may be shared with appropriate departments and agencies under a need-to-know basis when it pertains to investigative needs and safety concerns of the campus community.

All reports submitted on a confidential or anonymous basis are evaluated for purposes of issuing a campus-wide "timely warning" as well as inclusion in the annual crime statistics.

Alternatives to Immediately Filing a Police Report:

1. Report the crime at a later date.
2. Submit the complaint to the Student Services Department Vice-President. Such complaint may be used for actions which include, but are not limited to, on-campus disciplinary proceedings.
3. Make an anonymous report to the Security Department by submitting a letter to the department.
4. Leave a message with the security department.
5. Contact a referral agency for help: Residence Life and/or the Title IX Coordinator in the Student Services Division. See Important Phone Numbers for contact.

XV. Definitions of Geography

As specified in the Clery Act, the following property descriptions are used to identify the location of crimes on and around TOCC's campus.

A. On-Campus Buildings or Property

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

B. Non-Campus Buildings or Property

1. Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
2. Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

C. Public Buildings or Property

- All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

XVI. Access to and Security of Campus Facilities

Tohono O'odham Community College is a public institution and is accessible to the public during normal building hours (time, place, and manner restrictions apply per location). With the exception of essential personnel and services, and others as designated, buildings are locked and access is permitted only with proper authorization and identification after normal building hours.

The Director of Operations is responsible for providing the building schedule to TOCC students, staff, and faculty through email whenever changes occur.

Operations is the only entity that may make changes, additions, or alterations to College mechanical access points (equipment). This includes department locks and gate access.

In order to protect the safety and welfare of students and employees of the College and to protect the property of the College, all persons on property under the jurisdiction of the College behaving in a suspicious or threatening manner may be asked to identify themselves by a College official. A person identifies himself/herself by giving his/her name, complete address, and stating truthfully his/her relationship to the College. A person may be asked by campus security to provide proof of identification, which is subject to verification.

Security Considerations

Proper lighting and building security are major factors in reducing crime on campus. Operations maintains the College buildings and grounds with a concern for safety and security. Inspections of campus facilities are conducted regularly, and repairs are made as indicated by inspections. All members of the campus community are encouraged to report safety hazards, such as broken locks and windows, to Operations and the Security Department (520)993-9061. TOCC completes campus lighting checks regularly. Operations can be notified at 520-395-5380 when building or streetlights are burned out or damaged.

XVII. Missing Student Notification

Section 1: Missing Student Definition and The 24-Hour Rule (See also TOCC's Missing Student Policy)

The Missing Student policy only applies to students who live in on-campus student housing. A Missing Student is one who has been missing for at least 24 hours. If there is reason to believe that a student is missing prior to 24 hours, notification procedures may be initiated.

It is the student's responsibility to inform the Residence Life Director if s/he are planning to be away from the campus overnight, except for scheduled travel and vacations. Tohono O'odham Community College will investigate any report of a missing College student residing on-campus (residence halls or apartments) and take appropriate action to ensure all notifications and actions comply with legal mandates. Investigation of such reports will be initiated immediately by the TOCC Security Department and local law enforcement. Procedures are governed by federal and state laws, local ordinance, and College policy, and are implemented by internal standard operating practices.

Section 2: Registering Information

All students are encouraged to provide emergency contact information to Records and Admission and Residence Life.

In addition to providing a general emergency contact, students residing in on-campus residence halls, and family apartments have the option to identify an individual whom the College will contact in the event the student is determined to be missing for more than 24 hours.

For a person under the age of 18 (who is not emancipated), and for purposes of missing student notification, the person(s) to be contacted must be a custodial parent or guardian.

Section 3: Reporting a Missing Student

Any concerned person should notify a Campus Security Authority (CSA) if it is believed that a student that lives in on-campus housing is missing for 24 hours. CSAs include, but are not limited to, Housing staff members such as a residence hall director, assistant residence hall director, residence life coordinator, and resident assistant or resident manager.

The phone number for housing at the Main Campus is (520) 383-8401.

Alternative CSAs include officers of Campus Security or staff members at the President's Office, Academic Chair, and Student Services.

Any College employee receiving a complaint of a missing student must notify the Police Department and provide further information related to the reported missing student.

Section 4: Process

A. The following individuals and agencies must be notified that a student is missing. The first person on the list is to be contacted first, and will inform the next person.

1. The Residence Life Coordinator (520) 383-0012
 2. The Vice President of Student Services (520) 383-0044 or (520) 360-6094
 3. The TOCC President (520) 383-0010
 4. Tohono O'odham Police Department (520) 383-3276
 5. If a TOCC Security staff member is contacted about a missing student, he or she must immediately report to the Residence Life Coordinator, or if not available to the individual(s) listed next on the list.
- B. The missing student report must be provided to the Tohono O'odham Police Department unless TOPD made the initial determination that the student is missing.
- C. Students may identify a contact person or persons to be notified within 24 hours of determination by the TOPD that the student is missing. The contact person information is maintained in the student file maintained for students in campus housing by the Residence Life Director. This person may be the same or different from a general emergency contact person. The student shall be provided with the option on the Application for on-campus residency.
- D. Students will be advised that this contact information will be confidential, and only provided to authorized campus officials and provided to TOPD only for a missing persons investigation. The reports are maintained by the Vice President of Student Services in a locked file cabinet.
- E. If a student is living on campus and is under age 18, a custodial parent or guardian must be notified within 24 hours of determination that the student is missing. A contact person identified by the student specifically for missing student purposes must also be notified.

Any individual who has information that a student living on the TOCC Campus may be a Missing Student must inform the TOCC Residence Life Coordinator immediately on receiving such information. The Residence Life Coordinator will inform the Vice President of Student Services who in turn will inform the TOCC President. The Residence Life Coordinator and other appropriate individuals designated by the Vice President Student Services and/or President will investigate the information and make a determination as to whether the student is missing. TOCC Security and other appropriate personnel will be notified and assist in searching for and obtaining information about the missing student. If the information gathered indicates, or if it is apparent through a witness that the student is missing, the student will be declared a Missing Student.

If a determination is made that the student is missing the TOPD will be informed within 24 hours of such determination by the point person assigned by the TOCC President and will serve as the liaison with the TOPD and assist with the investigation as requested.

Within 24 hours after determination that a student is missing the Director of Residence Life or a designee will notify the Emergency Contact if the student has designated one. If the student is under age 21, TOCC reserves the right to notify the parents or guardians.

Section 5: Investigation

TOCC Campus Security Department will conduct a short initial investigation to ensure the student is not on campus.

TOCC will notify the Tohono O'odham Police Department or the appropriate law enforcement agency beyond 24 hours when the student is determined to be missing.

Section 6: Contacting Family Members

Individuals identified by the student, and/or the parent(s) if the student is under 18 years of age, will be contacted by TOCC Campus Security Department, Residence Life, Student Affairs, or the Provost Office within 24 hours of the initial report to the CSA.

In situations in which the student has failed to designate a contact for missing student notification, TOCC will use College records and resources to continue its investigation. Family members, including those not formally identified by the student, may be contacted during the course of the investigation to resolve a report of a missing student.

Section 7: Methods of Contacting a Reported Missing Student

CSAs may work in cooperation and share records and information as appropriate to assess the status of a student reported as missing. Methods of attempting to locate a reported missing student include, but are not limited to, the following:

1. Checking phone numbers and email addresses provided as well as social networking sites;
2. Surveying the student's room or apartment, including contacting those with whom the student may live;
3. Contacting friends, family members, known associates, faculty and other campus community members;
4. Contacting extra jurisdictional law enforcement for assistance; and
5. Assessing student's use of campus resources, such as the computer network systems.

Section 8: Resolution of Missing Student Status

Missing student contacts will be advised of the resolution of a student's missing status. These contacts will further be advised of law enforcement options in cases where the student is not contacted through measures in this protocol. Contact notification will be made by a CSA in Residence Life, Dean of Faculty Office, Provost Office, Student Affairs, or TOCC Campus Security Department.

XVIII. Severe Weather Alerts

When severe weather is a possibility, TOCC Campus Security Department or Administration monitors the forecast in order to provide warning to the campus community, ensuring that the proper precautions are implemented.

In the event of inclement weather, the decision on whether to close the College is made by the

President or his/her designee. The decision is made as quickly as possible for the safety and convenience of students, faculty, staff, and visitors.

If the decision is made to remain open, all regularly scheduled classes are expected to meet as planned. However, if the decision is to close the campus, the College will send alerts via text or phone calls, and will announce the closing via TOCC Emails.

XIX. Annual Fire Safety Report

Section 1: Fire Safety Report

The Tohono O'odham Community College Campus Security Department must be contacted for any fire that is reported on campus. After the initial response is made and the area is safe, TOCC Campus Security Department or Maintenance and Operations will make a record of the incident. If a member of the College community finds evidence of a fire that has been extinguished and the person is not sure whether TOCC Campus Security Department has already responded, the community member should immediately notify security or a College Administrator to investigate and document the incident. These reports as well as any items identified by a fire drill or visual observation will be used to improve fire safety on campus. These improvements may include additional training, equipment or construction needed to improve fire safety.

TOCC's Campus Security Department must maintain a fire log for purposes of this campus safety report. This log is available for inspection at the Main Campus.

TOCC has multiple fire safety systems in place at all locations. There are smoke detectors with battery back up in each room, the front door of each building is fire rated, and fire extinguishers are in each of the rooms, including residence halls.

Tampering with fire safety equipment places the lives of everyone in danger. Tampering with or misuse of the fire alarm system, fire extinguishers, or any other fire safety equipment by students is prohibited and subject to legal action and fines.

The Tohono O'odham Community College *Residence Life Handbook* has policies on the use of electrical appliances. Each resident is required to read this handbook. TOCC's student housing is a smoke-free facility; no smoking is allowed anywhere inside of the building. Candles, Bunsen burners, and any sort of appliance with an open flame are prohibited on the property.

Section 2: Fire Drill Tips

Fire and evacuation drills will be performed at least once per semester and during summer sessions at Tohono O'odham Community College.

Everyone must immediately leave the facility when a fire alarm sounds. Treat all alarms as real emergencies. All faculty, staff and students must be familiar with the exits, sounds, and procedures for evacuating a building. Below is a list of evacuation procedures that students and employees must follow in the case of a fire:

1. Floorplans/Building plans in each building will show evacuation routes for the various areas of the building; follow the closest evacuation route.
2. Maintenance, TOCC Campus Security Department, and/or Directors assigned to each building will be first on the scene should fire detection takes place. The departments will help evacuate the property in an organized fashion

If a fire occurs on campus, it must be reported to any or all of the following:

1. TOCC Security Department
2. Residence Life Coordinator
3. Vice President of Student Services
4. Maintenance

Section 3: Procedures for Evacuation in Emergency or Dangerous Situations

In the event of an emergency or dangerous situation, Tohono O'odham College Campus Security Department or Center Directors, (per annual appointment) will direct students, faculty, staff, and guests to evacuate a building, several buildings, a portion of the campus, or the entire Main Campus or buildings at TOCC locations at Central and West. The campus community will be asked to follow building and campus evacuation protocols and to obey directions from TOCC and on-scene emergency responders.

Certain events, like a hazardous materials release, may require the TOCC community and the public to shelter-in-place to prevent exposure to harmful elements.

Section 4: Drills and Exercises

The College will test emergency response and evacuation procedures at least annually.

Additional building evacuation and sheltering drills are encouraged for TOCC campus buildings and external campus locations. If building occupants wish to have a drill, the Operations, Center Directors (per annual appointment), and the security department will coordinate the drill and document it.

The Clery Act Committee may assist in departmental planning, implementation and evaluation of any drills that personnel wish to undertake in their building. Certain types of drills (e.g., lockdown, shelter-in-place, unannounced drills other than fire drills, etc.) require advanced planning and technical assistance, and should only be developed with assistance from, and consultation with local Emergency Management personnel at local community locations.

Section 5: Promoting Emergency Procedures

Tohono O'odham Community College promotes its emergency procedures through training sessions, and drills.

Students living on-campus receive training upon move-in and participate in drills held throughout the academic year.

XX. Logs/Reports

<https://docs.google.com/a/tocc.edu/forms/d/1q2eBhI9IUbLC2kRh5u5qpdabK9v9wSZi-X9oDgqhagI/prefill>