



2014 ANNUAL SECURITY REPORT

Lake Tahoe Community College

Security Mission Statement: *Lake Tahoe Community College is committed to providing students and employees with a safe and secure environment on campus.*

Lake Tahoe Community College (LTCC) is responsible for gathering and disclosing crime statistics for the campus each year. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is a federal law that requires colleges and universities to disclose certain timely and annual information about crime and security policies. All public and private institutions of post-secondary education participating in federal student aid programs are subject to this act.

LTCC's annual security report includes information concerning campus security and student safety, including policies concerning alcohol, drugs, weapons, crime prevention, reporting crimes, sexual assault, prevention and awareness programs, and other safety and security matters. The report also includes statistics for reported crimes that occurred on campus or on public property within or immediately adjacent to and accessible from the campus. In complying with the statistical reporting requirements of the Clery Act, the college obtains the required statistics for campus crimes through actual reporting of crimes in person, through confidential reporting, and through contact with local law enforcement agencies. For this report, LTCC uses statistics gathered from (1) the South Lake Tahoe Police Department (SLTPD), and (2) the campus offices of Administration, Human Resources, Instruction, and Enrollment Services (formerly Student Services).

This report is presented in four sections:

Section I: Crime Reporting, Documentation, and Relevant Laws

Section II: Health and Safety Policies

Section III: Crime Statistics Report, 2012-2014

Section IV: Progress Towards Newly Mandated Requirements

SECTION I: CRIME REPORTING, DOCUMENTATION, AND RELEVANT LAWS

The Clery Act requires that all current and prospective students and employees be given the necessary instructions to locate the following information, which is presented in detail below:

- Records disposition of crimes and certain disciplinary actions
- Information for reporting crimes
- Timely Alert Warnings
- Information about Megan's Law
- Information about campus policies concerning safety and security issues
 - Police Authority And Jurisdiction/Working Relationships With Other Agencies
 - The Campus Sexual Violence Elimination (SaVE) Act
 - Contact Resources
- Information on the California Victims Bill of Rights (Marsy's Law)
- Emergency Procedures
- Facilities Access and Use

RECORDS DISPOSITION OF CRIMES AND CERTAIN DISCIPLINARY ACTIONS

Copies of police reports relating to Clery Act reportable crimes committed at LTCC are maintained in the Administrative Services office. For inquiries related to these records, please contact Administrative Services at 530-541-4660, ext. 219.

Copies of Clery Act reportable disciplinary actions are maintained in the Instruction Office. For inquiries related to these records, please contact the Instruction Office at 530-541-4660, ext. 214.

HOW TO REPORT A CRIME

To report emergencies, dial 911. To report non-emergencies or suspicious activity call 530-541-4660, extension # 214, #219, #270, #260, or ext. 777 for after-hours assistance.

TIMELY WARNINGS

The Clery Act requires that educational institutions issue timely warnings when an imminent or ongoing threat exists to the community of the institution. Crime alerts (used to issue timely warnings) are issued in compliance with the Higher Education Act (20 U.S.C. 1092(f)). This act requires that a timely notice be issued when a:

- A. Murder
- B. Sex Offense; forcible or non-forcible
- C. Robbery
- D. Aggravated Assault
- E. Burglary
- F. Motor Vehicle Theft
- G. Manslaughter or
- H. Arson occurs on or near LTCC facilities/property AND there is reason to believe that there is a current and/or ongoing threat to students and/or employees.

Determination on whether or not the LTCC will issue a Crime Alert is based upon the following questions:

- 1) Is the incident one of the above crimes (A-H)?
- 2) Did the incident occur in an area for which the LTCC must report statistics?
- 3) Is the suspect unknown?
- 4) Did the incident by its nature (A-D, G), or during the commission of the intended incident, involve a crime against a person (E-F) or in the event of arson (H) occurred in an occupied building?
- 5) Is there a potential that harm to students and/or employees could occur currently or in the future as an outgrowth of this incident?

If all of the above questions (1-5) can be answered with a “yes,” then a crime alert shall be issued. In addition, on a case-by-case basis and upon the discretion of the acting administrator, a crime alert may be issued for any other crime where there is a compelling need to get information to, or receive information from, the LTCC community about a specific crime.

Crime Alerts contain as much of the following information as possible: relevant incident numbers, date, time, location, a summary of the incident to include any suspect description, and special preventive instructions. Crime Alerts will be issued as soon as possible after the specific event. If the report is delayed by the victim, the time and date the victim reported the incident will be included in the report. Nothing shall be included in the crime alert that would hinder an ongoing investigation. The Crime Alert will not identify the victim by name or address. The general description of the location may be given such as, but not limited to, LTCC, geographic location, etc. The Timely Warning (Crime Alert) will be issued in a variety of formats to include “Be on the Look Out” flyers distributed throughout the campus, LTCC email, and electronic notification when available. A “Crime Alert Determination Sheet” shall be completed, for each of the above crimes (A-H) reported to LTCC, by the Administrative Service office or designee.

MEGAN’S LAW

Persons convicted of certain sexual offenses are required by law to register with the law enforcement agency where they live. If the person is attending or employed by LTCC, they are required to register with the local police. Please visit the California Attorney General’s Office website at <http://www.meganslaw.ca.gov> to search for registered sex offenders in your area.

CAMPUS POLICIES CONCERNING SAFETY AND SECURITY ISSUES

Information in this section is presented in the following order:

- Police Authority And Jurisdiction/Working Relationships With Other Agencies
- The Campus Sexual Violence Elimination (SaVE) Act
- Contact Resources

POLICE AUTHORITY AND JURISDICTION/WORKING RELATIONSHIPS WITH OTHER AGENCIES

LTCC does not have a specifically-assigned security force or sworn peace officers on staff. Minor incidents on campus are addressed by staff, primarily from the Maintenance and

Operations department. The arrest authority of LTCC staff is limited to that of private citizens. While LTCC does not currently maintain memorandums of understanding (MOU's) with law enforcement agencies, the college has a long history of mutual cooperation with local law enforcement jurisdictions and agencies. These agencies provide additional resources whenever needed to respond to crimes in progress, conduct follow-up investigations, or provide other services that exceed the response capabilities of LTCC staff. The primary law enforcement agency that LTCC works with is the South Lake Tahoe Police Department (SLTPD), an agency that is physically headquartered within a very close proximity to the campus.

Additionally, LTCC has contracted private security officers who patrol the campus during hours of closure, seven nights a week. These contracted security officers have the same powers of arrest as private citizens.

THE CAMPUS SEXUAL VIOLENCE ELIMINATION (SaVE) ACT

The Campus Sexual Violence Elimination (SaVE) Act represents a turning point in our nation's handling of sexual misconduct on college campuses and universities. SaVE will complement the Title IX Guidance by the U.S. Department of Education's Office for Civil Rights.

The Campus SaVE Act seeks to address the violence women face on campus. Statistics show the highest rates of stalking, the highest risk of nonfatal intimate partner violence, and 20-25% of female students experience rape or attempted rape. This legislation updates the Jeanne Clery Act to create:

Transparency: LTCC complies with all Clery Act reporting requirements. The Executive Dean of Student Success assists students who need victim assistance in changing academic situations, providing referrals, or other accommodations, as needed.

SaVE requires that incidents of domestic violence, dating violence, sexual assault, and stalking be disclosed in annual campus crime statistic reports. Additionally, students or employees reporting victimization will be provided with their written rights to:

- Be assisted by campus authorities if reporting a crime to law enforcement
- Change academic, living, transportation, or working situations to avoid a hostile environment
- Obtain or enforce a no contact directive or restraining order
- Have a clear description of their institution's disciplinary process and know the range of possible sanctions
- Receive contact information about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available both on-campus and in the community

Accountability: See pending Board Policy and Administrative Procedure 3435 -Discrimination and Harassment Complaints and Investigations, Board Policy and Administrative Procedure 3540 – Sexual and Other Assaults on Campus, and Student Disciplinary Actions and Procedures, LTCC Catalog 2014-2015, pg. 40.

SaVE clarifies minimum standards for institutional disciplinary procedures covering domestic violence, dating violence, sexual assault, and stalking to ensure that:

- Proceedings shall provide a prompt, fair, and impartial investigation and resolution and are conducted by officials receiving annual training on domestic violence, sexual assault, and stalking
- Both parties may have others present during an institutional disciplinary proceeding and any related meeting, including an advisor of their choice
- Both parties will receive written outcomes of all disciplinary proceedings at the same time

Education: As instructed by the SaVE Act, LTCC provides programming for students and employees addressing the issues of domestic violence, dating violence, sexual assault and stalking.

Education programs shall include:

- Primary prevention and awareness programs for all incoming students and new employees
- Safe and positive options for bystander intervention
- Information on risk reduction to recognize warning signs of abusive behavior
- Ongoing prevention and awareness programs for students and faculty

Collaboration: LTCC partners with local support agencies to provide services to students.

SaVE establishes collaboration between the U.S. Departments of Justice, Education, and Health and Human Services to collect and disseminate best practices for preventing and responding to domestic violence, dating violence, sexual assault, and stalking.

A large portion of the education and programming of the SaVE Act is to notify students of procedures and their rights. The procedures and definitions below address the terminology and process at LTCC for sexual crime investigation and reporting.

Definition of Sexual Harassment

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature when:

- submission to the conduct is made a term or condition of an individual's employment, academic status, or progress;
- submission to, or rejection of, the conduct by the individual is used as a basis of employment or academic decisions affecting the individual;
- the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile or offensive work or educational environment; or
- submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through LTCC.

This definition encompasses two kinds of sexual harassment:

- "Quid pro quo" sexual harassment occurs when a person in a position of authority makes educational or employment benefits conditional upon an individual's willingness to engage in or tolerate unwanted sexual conduct.

- "Hostile environment" sexual harassment occurs when unwelcome conduct based on a person's gender is sufficiently severe or pervasive so as to alter the conditions of an individual's learning or work environment, unreasonably interfere with an individual's academic or work performance, or create an intimidating, hostile, or abusive learning or work environment. The victim must subjectively perceive the environment as hostile, and the harassment must be such that a reasonable person of the same gender would perceive the environment as hostile.

Sexually harassing conduct can occur between people of the same or different genders. The standard for determining whether conduct constitutes sexual harassment is whether a reasonable person of the same gender as the victim would perceive the conduct as harassment based on sex. Sexual harassment is prohibited on campus and is defined as unwelcome sexual conduct; sexual advances, requests for sexual favors, and repeated derogatory sexual remarks. Violations by employees are subject to disciplinary action ranging from verbal warnings to dismissal from employment. To make an inquiry or complaint against a student or district employee, contact the Title IX investigator for LTCC, Sue Gochis, 530-541-4660, ext. 750 or gochis@ltcc.edu.

Preventing Sexual Crimes

Crime prevention and awareness flyers are available in Enrollment Services. The Enrollment Services/One Stop Office will arrange workshops and services for student interested in pursuing additional information. The college provides employees with sexual harassment awareness training each year; additional programming and training is ongoing. Safety talks are provided upon request for any office, organization or classroom, as needed, on campus. If you are the victim of a sexual assault, you are encouraged to do the following:

- Get to a safe place.
- Make notification to the police agency having jurisdiction of the location where the crime occurred.
- Seek medical attention regardless of your intention to notify police. A medical examination is important to check for sexually transmitted diseases, other infections, injuries, and pregnancy.
- Preserve evidence. Physical evidence is paramount in the prosecution of assailants. Generally evidence should be collected immediately after the assault and only by a certified medical facility upon the request of a law enforcement agency. To preserve evidence after an attack, the victim should not change clothes, bathe, shower, or take any other personal hygiene action before contacting police. If it becomes absolutely necessary that they change your clothes, each item should be packaged separately in a paper bag. If oral contact took place, do not brush teeth, use mouthwash or smoke. Do not straighten up or clean the area where the assault took place.

Reporting Sexual Assault

LTCC has limited resources and will transfer the investigation of sexual assault crimes to the local police. LTCC is committed to ensuring that students, employees, and other persons who have been sexually assaulted are provided treatment, medical assistance, counseling assistance, information, and that they are treated with sensitivity, dignity, and confidentiality.

Every effort is made to ensure our campus environment promotes and assists in prompt reporting of sexual assaults. Sexual assault includes but is not limited to acts or attempted acts of rape, forced sodomy, forced oral copulation, rape by foreign object, sexual battery and acquaintance/date rape. Sexual assaults should be reported immediately to the local police. Students may also report incidents to an LTCC administrator. If requested, LTCC employees will assist a victim in making a police report. Reports may also be made anonymously. A victim may request academic counseling to change their course schedule after a sexual attack, if the changes are reasonably available.

Criminal Prosecution

Notification to a police agency begins the criminal prosecution process. LTCC will facilitate contact with the police or provide information about how to contact them directly. Trained police officers will facilitate medical and counseling services, referrals, and the collection of evidence and information. The victim will be interviewed at a location of their choice and will be allowed or offered an advocate to accompany them during all aspects of the investigation. The protection of the victim's name and any identifying information will be of the highest priority. The victim's written consent is required under California law before this information can be disclosed. A decision to prosecute does not necessarily have to be made during initial contact with officers and the victim's decision determines the officers' subsequent investigation protocol. Officers have legal authority to arrest as appropriate and to forward the case to the District Attorney's Office for criminal prosecution.

Civil Prosecution

Victims may consult an attorney about initiating a civil suit for damages against the assailant for compensation of wrong doing. Civil action may be sought irrespective of the decision to pursue criminal prosecution.

District Disciplinary Procedure

If the assailant is a student, in addition to criminal and civil action, district administrative action may be initiated. A student charged with sexual assault may be sanctioned by LTCC. Sanctions may include, but are not limited to: counseling, probation, suspension, and/or expulsion. If the assailant is a faculty or staff member, they may be subject to disciplinary action under applicable personnel policies or collective bargaining agreements in addition to criminal and/or civil actions.

Report suspected employee misconduct to an LTCC Administrator. LTCC is committed to providing disciplinary proceedings that are supportive, sensitive, expedient, and respectful to each individual's rights. Both the accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding, and both must be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offense.

CONTACT RESOURCES

Local

South Lake Tahoe Police Department

Emergency..... **9-1-1**
Main Line..... (530) 542-6100

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|---------------------------------------|---------------------------------|
| Campus Hotline (on campus)..... | (530) 541-4660 Ext. 777 |
| Barton Memorial Hospital..... | (530)-541-3420 |
| <u>Live Violence Free</u> | |
| Crisis Hotline..... | (530) 544-4444 |
| Main Line..... | (530) 544-2118 |
| Campus Safety Incident Reporting..... | (530) 541-4660, Ext. 219 |
| Maintenance Incident Reporting..... | (530) 541-4660, Ext. 270 or 260 |
| Alcoholics Anonymous..... | (530) 531-1243 |
| Narcotics Anonymous..... | (888) 850-2205 |
| <u>County Mental Health</u> | |
| Crisis Hotline..... | (530) 544-2219 |
| Main Line..... | (530) 573-7970 |

National

| | |
|--|-----------------------|
| National Domestic Violence Hotline..... | (800) 799-SAFE (7233) |
| National Sexual Assault Hotline (RAINN)..... | (800) 656-HOPE (4673) |

THE CALIFORNIA VICTIMS BILL OF RIGHTS (MARSY’S LAW)

Marsy’s Law (http://oag.ca.gov/victimservices/content/bill_of_rights) significantly expands the rights of victims in California. Under Marsy’s Law, the California Constitution article I, § 28, section (b) now provides victims with the following enumerated rights:

1. To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.
2. To be reasonably protected from the defendant and persons acting on behalf of the defendant.
3. To have the safety of the victim and the victim’s family considered in fixing the amount of bail and release conditions for the defendant.
4. To prevent the disclosure of confidential information or records to the defendant, the defendant’s attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim’s family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.
5. To refuse an interview, deposition, or discovery request by the defendant, the defendant’s attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.
6. To reasonable notice of and to reasonably confer with the prosecuting agency, **upon request**, regarding, the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, **upon request**, to be notified of and informed before any pretrial disposition of the case.
7. To reasonable notice of all public proceedings, including delinquency proceedings, **upon request**, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.
8. To be heard, **upon request**, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.
9. To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings.

10. To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.
11. To receive, **upon request**, the pre-sentence report when available to the defendant, except for those portions made confidential by law.
12. To be informed, **upon request**, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody.
13. To restitution.
 - A. It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.
 - B. Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.
 - C. All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.
14. To the prompt return of property when no longer needed as evidence.
15. To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, **upon request**, of the parole or other release of the offender.
16. To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.
17. To be informed of the rights enumerated in paragraphs (1) through (16).

EMERGENCY PROCEDURES

LTCC has established emergency procedures that are widely distributed and displayed throughout campus in the form of easy-access, spiral-bound flip charts. These procedures are posted in each classroom, and staff/faculty area. Subject areas covered in the procedures include general evacuation information and procedures to follow in the event of tsunami/severe storms/floods, explosion, shooting/shelter in place, earthquake, fire, power outage, hazardous spill/poisoning, bomb threat, first aid, and evacuation of persons with disabilities. Also included are a list of emergency phone numbers and a map of campus evacuation routes.

Staff response to emergency incidents is overseen by the Emergency Response Team (ERT), a group of designated administrators, staff, and faculty trained periodically in emergency operations. Notification of emergencies is verbal, both person-to-person and via two-way radios that are supplied to all members throughout campus.

FACILITIES ACCESS AND USE

Access to campus facilities is controlled by policy and also through physical locks. All visitors to the campus are required, at the discretion of LTCC Administration, to register in a designated office and be issued a visitor's permit for a specified period of time (BP 7.26). Physical access to facilities is controlled through a combination of physical keys and electronic locking mechanisms that are administered and maintained by the Maintenance and Operations (M&O) Department. Problems with building security or access should be immediately reported to M&O

at ext. 270. The use of LTCC facilities is controlled by policies pertaining to both student use (BP 6.28) and use by the public (BP 7.27).

All of the above-mentioned controls pertain to facilities during the performance of facilities maintenance. Campus operating hours are from 8:00 a.m. through 10:00 p.m., Monday through Friday, and from 8:00 a.m. through 6:00 p.m. on Saturdays. Facilities are physically locked when not in use during non-operating hours, with exceptions for special events and instructional needs.

SECTION II: HEALTH AND SAFETY POLICIES

HEALTH AND SAFETY POLICIES

This section presents health and safety policies relevant to campus safety, security, and the well-being of students, staff, faculty, and the public. The policies presented here include Board Policy (BP) under both the old and new numbering systems as well as associated Administrative Procedures (AP):

- BP 6.33 – Drug-Free School
- BP 3570 – Smoke-Free Learning and Working Environment
- AP 3570 – Smoke-Free Learning and Working Environment
- BP 6.16 – Hazing
- BP 7.32 – Sexual Harassment/Sexual Assault
- BP 3435 – Discrimination and Harassment Complaints and Investigations
- AP 3435 – Discrimination and Harassment Investigations
- BP 3540 – Sexual and Other Assaults on Campus
- AP 3540 – Sexual Assaults on Campus
- BP 7.28 – Accidents and Safety Policy
- BP 3530 – Weapons on Campus

BP 6.33 - Drug-Free School

Pursuant to the Drug-Free Schools and Community Act Amendments of 1989 (P.L. 101- 226), LTCC is committed to providing a healthy and safe environment by providing a drug-free learning environment and workplace. The Lake Tahoe Community College District (District) will at least annually distribute to each student and employee a copy of a statement describing the District's policy.

BP 3570 – Smoke-Free Learning and Working Environment

The Board of Trustees (Board), students, faculty, and staff of the District recognize the serious health problems associated with smoking tobacco or other non-tobacco products and the use of smokeless tobacco. It is also recognized that tobacco smoke poses a health risk to non-smokers. In order to protect students and staff who choose not to smoke, from an unhealthy environment, the Board prohibits smoking within buildings or facilities owned or leased by the District.

Smoking shall be permitted only in designated areas clearly indicated by “Designated Smoking Area” signage and in personal vehicles. Designated Smoking Areas shall be subject to review and possible change.

These designated areas will be clearly marked as “Designated Smoking Areas” and are noted on college campus maps. All other smoking and tobacco use in and on the college campus is expressly prohibited, except in personal vehicles. Furthermore, smoking is not allowed in college owned or leased vehicles. Individuals refusing to comply with the BP 3750 will be subject to processes as noted in Administrative Procedure 3570. For the purposes of this policy, smoking shall mean all uses of tobacco, including but not limited to cigar smoking, cigarette smoking, pipe smoking, e-cigarettes, and chewing tobacco. The sale of tobacco products is prohibited on District property.

AP 3570 – Smoke-Free Learning and Working Environment

Reference: *California Government Code Sections 7596, 7597, 7594.1, 7598; California Labor Code 6404.5; Education Code Sections 70902 and 76033 (e); California Code of Regulations Title 5, 5148; Penal Code Section 602 and 853.6; Board Policy 3570*

The Smoke-Free Learning and Working Environment procedure applies to all employees, students, vendors, visitors, and other persons who use the vehicles and facilities on the college campus. Signs prohibiting smoking shall be prominently displayed, and “Designated Smoking Areas” signage shall be clearly displayed.

If designated smoking areas are changed the procedure will be updated and communicated widely.

Repeat student violators will be referred to the appropriate administrator for violation of the Student Conduct Standards.

Employees found to be noncompliant with this Administrative Procedure may be subject to the disciplinary process according to the appropriate collective bargaining or administrative agreement.

Visitors to the property will first be informed of the smoking policy and asked to comply. If the visitor refuses to comply, they will be asked to leave the District property, and if they refuse, may be subject to arrest for trespass according to Penal Code Section 602.

BP 6.16 – Hazing

Section 32052 of the *Education Code* makes participation in any kind of hazing a misdemeanor. Hazing is defined as, "any method of initiation into a student organization or such an organization which degrades or disgraces or which causes bodily harm to any student attending any college or school in California."

7.32 Sexual Harassment/Sexual Assault

- A. Sexual harassment or sexual assault of District employees or students in the learning or working environment by any person in any form is prohibited. Sexual harassment may, in certain circumstances, be a violation of *Title VII of the Civil Rights Act of 1964* and/or *Title IX of the Education Amendments of 1972*, as well as California law.
- B. The District shall adopt, implement, and review a written procedure to ensure that specified victims of sexual assault committed at or upon the grounds of, or upon office-campus grounds or facilities maintained by the College, shall receive treatment and information. The procedures are outlined in the College's Unlawful Discrimination Complaint Resolution Procedures and Sexual Harassment Policy available in the College Library, Human Resources Office, and on the College website.

BP 3435 - Discrimination and Harassment Complaints and Investigations (*Currently in draft form; scheduled to be approved by Board in October/November 2015*)

The LTCC Superintendent/President shall ensure that procedures are written to address discrimination and harassment complaints and investigations within the College. The Superintendent/President shall ensure that the procedures are set forth in detail and maintained in the College's Human Resources Department.

AP 3435 - Discrimination and Harassment Investigations (*Currently in draft form; scheduled to be approved by Board in October/November 2015*)

References: *Education Code Section 66281.5; Government Code Section 12950.1; Title 5 Sections 59320, 59324, 59326, 59328, and 59300 et seq.; 34 Code of Federal Regulations Section 106.8(b)*

Filing a Timely Complaint

Since failure to report harassment and discrimination impedes the District's ability to stop the behavior, the District strongly encourages anyone who believes they are being harassed or discriminated 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 harassment and 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 and/or inappropriate.

Oversight of Complaint Procedure

The Dean of Student and Academic Support Services is the "responsible District officer"

charged with receiving complaints of discrimination or harassment, and coordinating their investigation.

The actual investigation of complaints may be assigned to other staff or to outside persons or organizations under contract with the District. This shall occur whenever the **Dean** 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 discriminated against or harassed by a student, employee, or third party in violation of this procedure and the related policy.

Where to File a Complaint

A student, employee, or third party who believes he/she has been discriminated against or harassed in violation of these policy and procedures may make a complaint orally or in writing, within one year of the date of the alleged harassment or the date on which the complainant knew or should have known of the facts underlying the complaint.

If a complainant decides to file a formal written unlawful discrimination or harassment complaint against the District, he/she must file the complaint on a form prescribed by the State Chancellor's Office. These approved forms are available from the Dean of Student and Academic Support Services and at the State Chancellor's website. The completed form must be filed with any of the following:

- Dean of Student and Academic Support Services
- Any Campus Administrator at LTCC
- Chief Human Resources Officer
- State Chancellor's Officer

Employee complainants 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 and/or the DFEH should be forwarded to the State Chancellor's Office.

Any District employee who receives a harassment or discrimination complaint shall notify the Dean of Student and Academic Support Services immediately.

Intake and Processing of the Complaint

Upon receiving notification of a harassment or discrimination complaint, the Dean shall:

- Undertake efforts to informally resolve the charges, including but not limited to mediation, rearrangement of work/academic schedules; obtaining apologies; providing informal counseling and/or 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 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 local law enforcement.
- The District 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, and mental health services. The Dean 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 violence. The Dean should notify the complainant of his or 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.
- Authorize the investigation of the complaint, and supervise and/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 harassment, or other unlawful discriminatory conduct, 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.
- Set forth the results of the investigation in a written report. The written report shall include a description of the circumstances giving rise to the complaint, a summary of the testimony of each witness, an analysis of any relevant data or other evidence collected during the investigation, a specific finding as to whether there is probable cause to believe that discrimination did or did not occur with respect to each allegation in the complaint, a description of actions the District will take to prevent similar conduct, the proposed resolution of the complaint, the complainant's right to appeal to the District's governing board, and if the complaint does not involve employment discrimination, the right to appeal to the State Chancellor. If the complaint involves employment discrimination, the report shall include the right to file an administrative complaint with the Department of Fair Employment and Housing. The report may contain any other appropriate information.
- Provide the complainant and accused with a copy or summary of the investigative report within ninety days from the date the District received the complaint. The complainant and accused shall also be provided with a written notice setting forth the determination of the Superintendent/President as to whether harassment or other discriminatory conduct did or did not occur with respect to each allegation in the complaint; a description of action taken, if any, to prevent similar problems from occurring in the future; the proposed resolution of the complaint; and notice of the parties' rights to appeal to the District's Board and the State Chancellor's Office. If the complaint involves

allegations of employment discrimination, the complainant will be notified of his/her right to file a complaint with the California Department of Fair Employment and Housing or the U.S. Equal Employment Opportunity Commission. The results of the investigation and the determination as to whether harassment or other discriminatory conduct occurred shall also be reported to the accused, and the appropriate academic or administrative official(s). Reports to the complainant shall be prepared so as not to violate any applicable privacy rights of the accused.

Investigation of the Complaint

The District shall promptly investigate every complaint of harassment or discrimination. No claim of workplace or academic harassment or discrimination 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 Dean 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, including 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 and 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.

Discipline and Corrective Action

If harassment, discrimination and/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;
- providing 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 discipline is imposed, the nature of the discipline will 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 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, and/or discrimination, and to protect the complainant and witnesses from retaliation as a result of communicating the complaint and/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 should 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. 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.

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. In such cases, the complainant may also file a petition for review with the State Chancellor's Office within thirty days after the governing board issues the final decision or permits the administrative decision to become final.

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.

Dissemination of Policy and Procedures

District Policy and Procedures related to harassment will include information that specifically addresses sexual 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; 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

Since January 1, 2006, the District provides at least two hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees who are employed as of July 1, 2005. All new supervisory employees must be provided with the training and education within six months of their assumption of a supervisory position. 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 conducted. 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 and/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 if 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.

BP 3540 Sexual and Other Assaults on Campus

Reference: *Education Code Sections 67382 and 67385; 20 U.S. Code Section 1092(f); 34 Code of Federal Regulations Section 668.46(b)(11)*

Any sexual assault or physical abuse, including, but not limited to rape as defined by California law, whether committed by an employee, student or member of the public, that occurs on District property, is a violation of District policies and procedures, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. Students, faculty, and staff who may be victims of sexual and other assaults shall be treated with dignity and provided comprehensive assistance.

The President/Superintendent *shall* establish administrative procedures that ensure that students, faculty, and staff who are victims of sexual and other assaults receive appropriate information and treatment, and that educational information about preventing sexual violence is provided and publicized as required by law.

The procedures shall meet the criteria contained in Education Code Sections 67385 and 67385.7 and 34 Code of Federal Regulations Section 668.46.

AP 3540 – Sexual Assaults on Campus

Reference: *Education Code Section 67385; 20 U.S. Code Section 1092(f); 34 Code of Federal Regulations Section 668.46(b)(11)*

Any sexual assault or physical abuse, including, but not limited to, rape, domestic violence, dating violence, sexual assault, or stalking, as defined by California law, whether committed by an employee, student, or member of the public, occurring on District property, 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 or at another location, or on an off-campus site or facility maintained by the District, or on grounds or facilities maintained by a student organization, is a violation of District policies and regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures.

"Sexual assault" includes but is not limited to, rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat of sexual assault.

"Dating violence" means 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 a romantic or intimate relationship will be determined based on the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.

"Domestic violence" includes felony or misdemeanor crimes of violence committed by:

- a current or former spouse of the victim;
- by a person with whom the victim shares a child in common;
- by a person who is cohabitating with or has cohabitated with the victim as a spouse;
- by a person similarly situated to a spouse of the victim under California law; or
by any other person against an adult or youth victim who is protected from that person's acts under California law.

“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress.

These written procedures and protocols are designed to ensure victims of domestic violence, dating violence, sexual assault, or stalking receive treatment and information. All students, faculty members or staff members who allege they are the victims of domestic violence, dating violence, sexual assault or stalking on District property shall be provided with information regarding options and assistance available to them. Information shall be available from the office of the Dean of Student and Academic Support Services (referenced in rest of procedure as Dean), which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the Dean is authorized to release such information.

The Dean shall provide all alleged victims of domestic violence, dating violence, sexual assault or stalking with the following, upon request:

- A copy of the District's policy and procedure regarding domestic violence, dating violence, sexual assault or stalking;
- A list of personnel on campus who should be notified and procedures for such notification, if the alleged victim consents; (President, Vice President, and any other staff who has direct contact with the student and an impact on their safety and well-being)
- A description of available services, and the persons on campus available to provide those services if requested. Services and those responsible for provided or arranging them include:
 - Transportation to a hospital, if necessary;
 - Referral to a counseling center;
 - Notice to the police, if desired;
 - A list of other available campus resources or appropriate off-campus resources.
- A description of each of the following procedures:
 - Criminal prosecution;
 - Civil prosecution (i.e., lawsuit);
 - District disciplinary procedures, both student and employee;
 - Modification of class schedules;
 - Tutoring, if necessary.

The Dean should be available to provide assistance to District law enforcement unit employees regarding how to respond appropriately to reports of sexual violence.

The District will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigations described in AP 3435, regardless of whether a complaint is filed with local law enforcement. All alleged victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be kept informed, through the Dean of any ongoing investigation. Information shall include the status of any student or employee disciplinary proceedings or appeal; alleged victims of domestic violence, dating violence, sexual assault, or stalking are required to maintain any such information in confidence, unless the alleged assailant has waived rights to confidentiality.

The District shall maintain the identity of any alleged victim or witness of domestic violence, dating violence, sexual assault, or stalking on District property, as defined above, in confidence unless the alleged victim or witness specifically waives that right to confidentiality. All inquiries from reporters or other media representatives about alleged domestic violence, dating violence,

sexual assaults, or stalking on District property shall be referred to the District at the Dean's office, which shall work with the Dean to assure that all confidentiality rights are maintained.

Additionally, the Annual Security Report will include a statement regarding the District's programs to prevent sex offenses and procedures that should be followed after a sex offense occurs. The statement must include the following:

- A description of educational programs to promote the awareness of rape, acquaintance rape, other forcible and non-forcible sex offenses, domestic violence, dating violence, or stalking;
- Procedures to follow if a domestic violence, dating violence, sex offense, or stalking occurs, including who should be contacted, the importance of preserving evidence to prove a criminal offense, and to whom the alleged offense should be reported;
- Information on a student's right to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that campus personnel will assist the student in notifying these authorities, if the student so requests;
- Information for students about existing on- and off-campus counseling, mental health, or other student services for victims of sex offenses;
- Notice to students that the campus will change a victim's academic situation after an alleged domestic violence, dating violence, sex offense, or stalking and of the options for those changes, if those changes are requested by the victim and are reasonably available;
- Procedures for campus disciplinary action in cases of an alleged domestic violence, dating violence, sex offense, or stalking including a clear statement that:
 - The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
 - Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged sex offense. Compliance with this paragraph does not violate the Family Educational Rights and Privacy Act. For the purposes of this paragraph, the outcome of a disciplinary proceeding means the final determination with respect to the alleged domestic violence, dating violence, sex offense, or stalking and any sanction that is imposed against the accused.
- A description of the sanctions the campus may impose following a final determination by a campus disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses, domestic violence, dating violence, or stalking.

Education and Prevention Information

The Dean shall:

- Provide, as part of each campus' established on-campus orientation program, education and prevention information about domestic violence, dating violence, sexual assault, or stalking. The information shall be developed in collaboration with campus-based and community-based victim advocacy organizations.
- Post sexual violence prevention and education information on the campus internet website regarding domestic violence, dating violence, sexual assault and stalking.

7.28 Accidents and Safety Policy

A. Policy

The District shall take all practical steps to safeguard employees, students and the public, to prevent accidents and to provide a safe and healthy work and educational environment. A District Injury and Illness Prevention Program is maintained in accordance with applicable laws and is administered by the Vice President, Administrative Services (formerly Business Services).

B. Requirements of the California Occupational Safety and Health Act of 1973

The Vice President, Administrative Services will, in coordination with District Administrators and staff, develop all necessary procedures and forms to attempt to insure compliance with all requirements of the California Occupational Safety and Health Act of 1973.

C. Crime Awareness and Campus Security Act of 1990

1. The administration will annually prepare, publish and distribute policy statements that comply with the letter and spirit of the Crime Awareness and Campus Security Act of 1990. Policy statements shall be issued covering the following areas:
 - a. Procedures for students to report criminal activities
 - b. Security at campus facilities
 - c. Availability and authority of campus law enforcement
 - d. Programs available to inform students about security and the prevention of crime
 - e. Recording of crime statistics through local police agencies
 - f. Possession, use and sale of alcohol and drugs
2. The administration shall prepare, publish and distribute statistical reports that identify the occurrence of campus crimes and the number of campus arrests for crime specified in the Crime Awareness and Campus Security Act of 1990. These policy statements and statistical reports will be published in publications or mailings that are available to students and employees, as well as prospective students and the higher education community, upon request.
3. The administration shall enter into an agreement with the South Tahoe Police Department as specified by the Kristin Smart Campus Safety Act of 1998. This agreement will specify that the local law enforcement has the responsibility to investigate crimes occurring on campus.

D. Weapons on Campus

The subject of weapons on campus is addressed in both Board Policy 3530 and Administrative Procedure 3530:

BP 3530-Weapons on Campus

References: *Penal Code Sections 626.9 and 626.10, AP 3530 – Weapons on Campus*

Firearms or other weapons shall be prohibited on any college property or in any facility of the college except for activities conducted under the direction of college officials or as authorized by an official law enforcement agency.

AP 3530-Weapons on Campus

References: *Penal Code Sections 626.9 and 626.10, BP 3530 – Weapons on Campus*

Firearms, knives, explosives, or other dangerous objects, including but not limited to any facsimile firearm, knife, or explosive, are prohibited on the college campus or in any facility of the District.

Activities involving firearms or other weapons conducted under the direction of college officials or as authorized by official law enforcement agency shall be reported to the Vice President of Administration or designee before taking place.

Bringing or possessing any dirk, dagger, ice pick, or knife having a fixed blade longer than 2 ½ inches upon the grounds, unless the person is authorized to possess such a weapon in the course of his/her employment, or has been authorized by a District employee to have the knife for their educational program; or is a duly appointed peace officer, who is engaged in the performance of his/her duties is prohibited on the campus or any District facility.

SECTION III: CRIME STATISTICS REPORT, 2012-2014

| Criminal Statistics - Lake Tahoe Community College | | | | | |
|---|-------------|---------------------------|----------------------------------|----------------------------|------------------------|
| <u>Criminal offense</u> | <u>Year</u> | <u>On-Campus Property</u> | <u>On-Campus Student Housing</u> | <u>Non-Campus Property</u> | <u>Public Property</u> |
| a. Murder/Non-negligent manslaughter | 2012 | 0 | 0 | 0 | 0 |
| | 2013 | 0 | 0 | 0 | 0 |
| | 2014 | 0 | 0 | 0 | 0 |
| b. Negligent manslaughter | 2012 | 0 | 0 | 0 | 0 |
| | 2013 | 0 | 0 | 0 | 0 |
| | 2014 | 0 | 0 | 0 | 0 |
| c. Sex offenses - Forcible | 2012 | 0 | 0 | 0 | 0 |
| | 2013 | 0 | 0 | 0 | 0 |
| | 2014 | 0 | 0 | 0 | 0 |
| d. Sex offenses - Non-forcible: Incest | 2012 | 0 | 0 | 0 | 0 |
| | 2013 | 0 | 0 | 0 | 0 |
| | 2014 | 0 | 0 | 0 | 0 |
| d. Sex offenses - Non-forcible: Statutory rape | 2012 | 0 | 0 | 0 | 0 |
| | 2013 | 0 | 0 | 0 | 0 |
| | 2014 | 0 | 0 | 0 | 0 |
| e. Robbery | 2012 | 0 | 0 | 0 | 0 |
| | 2013 | 0 | 0 | 0 | 0 |
| | 2014 | 0 | 0 | 0 | 0 |
| f. Aggravated assault | 2012 | 0 | 0 | 0 | 0 |
| | 2013 | 0 | 0 | 0 | 0 |
| | 2014 | 0 | 0 | 0 | 0 |
| g. Burglary | 2012 | 0 | 0 | 0 | 0 |
| | 2013 | 1 | 1 | 0 | 0 |
| | 2014 | 0 | 0 | 0 | 0 |
| h. Motor vehicle theft (Does not include theft from a motor vehicle) | 2012 | 0 | 0 | 0 | 0 |
| | 2013 | 0 | 0 | 0 | 0 |
| | 2014 | 0 | 0 | 0 | 0 |
| i. Arson | 2012 | 0 | 0 | 0 | 0 |
| | 2013 | 0 | 0 | 0 | 0 |
| | 2014 | 0 | 0 | 0 | 0 |
| Arrests: Weapons: Carrying, Possessing, etc. | 2012 | 0 | 0 | 0 | 0 |
| | 2013 | 0 | 0 | 0 | 0 |
| | 2014 | 0 | 0 | 0 | 0 |
| Arrests: Drug Abuse Violations | 2012 | 0 | 0 | 0 | 0 |
| | 2013 | 0 | 0 | 0 | 0 |
| | 2014 | 0 | 0 | 0 | 0 |

| | | | | | |
|--|------|---|---|---|---|
| Arrests: Liquor Law Violations | 2012 | 0 | 0 | 0 | 0 |
| | 2013 | 0 | 0 | 0 | 0 |
| | 2014 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Weapons: Carrying, Possessing, etc. | 2012 | 0 | 0 | 0 | 0 |
| | 2013 | 0 | 0 | 0 | 0 |
| | 2014 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Drug Abuse Violations | 2012 | 0 | 0 | 0 | 0 |
| | 2013 | 0 | 0 | 0 | 0 |
| | 2014 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Liquor Law Violations | 2012 | 0 | 0 | 0 | 0 |
| | 2013 | 0 | 0 | 0 | 0 |
| | 2014 | 0 | 0 | 0 | 0 |
| Domestic Violence | 2013 | 1 | 0 | 0 | 0 |
| | 2014 | 0 | 0 | 0 | 0 |
| Dating Violence | 2013 | 0 | 0 | 0 | 0 |
| | 2014 | 0 | 0 | 0 | 0 |
| Stalking | 2013 | 0 | 0 | 0 | 0 |
| | 2014 | 0 | 0 | 0 | 0 |
| <u>Hate Crimes</u> : LTCC had no reported hate crimes for the years 2012, 2013, or 2014. | | | | | |
| Disclosure of crime statistics: 34 CFR:668.46)b)(1) | | | | | |

SECTION IV: PROGRESS TOWARDS NEWLY MANDATED REQUIREMENTS

INTRODUCTION

The Violence Against Women Reauthorization Act (VAWA) of 2013 was signed into law in March of 2013. This law amended section 485(f) of the Higher Education Act of 1965, as amended (HEA), otherwise known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). LTCC is required to make a 'good faith effort' to meet these new reporting requirements established by VAWA.

This section will present the progress that LTCC has made towards meeting these new requirements, as well as the status of progress towards meeting those requirements that are currently not met.

Under these new requirements, LTCC is required to compile statistics for incidents for domestic violence, dating violence, sexual assault, and stalking, and to include certain policies, procedures and programs pertaining to these incidents in their annual security reports (ASRs). Definitions associated with the new requirements are listed in AP 3540 (located above in this document). Progress towards newly mandated requirements will be presented first as those new requirements that LTCC is in compliance with, followed by those requirements which LTCC is still in the process of implementing.

NEW REQUIREMENTS COMPLETED:

Prevention Training and Information Provisions

- LTCC is committed to providing our students with prevention programming regarding domestic violence, dating violence, sexual assault and stalking. Because our staffing levels are limited and resources on the campus are depleted, the college partners with local agencies to provide the training and information to our students and staff.

- The college academic counseling staff serves as a referral service for students to receive access to local service agencies. These agencies provide workshops and other informational sessions on campus at no charge to students or staff as well.
- The Enrollment Service/One Stop Office is responsible for the promotion and marketing of activities on these topics. Staff and faculty receive an annual Sexual Harassment Awareness Training and all new employees receive the training in their orientation as well.

Posting of a Statement of Commitment

- Lake Tahoe Community College fully supports and endorses the measures of the SaVE Act and prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking.” This statement has been developed and continues to be infused in our campus literature and messages to students.
- Policies for Reporting and College Response:
 - Two policies were developed and are proposed for SaVE Act compliance: Policies BP-3540 and BP-3435
 - These policies and the corresponding Administrative Procedures for each are included elsewhere in this report.

NEW REQUIREMENTS NEEDING ADDITIONAL IMPLEMENTATION

Bystander Behavior Education

- LTCC is working hard to increase the training opportunities for students in the area of Bystander Behavior.
- The college will be conducting workshops and informational programs addressing this issue.

Increased Information Publications

- Additional SaVE Act and anti-violence information will be posted on the website, the student portal, and will be available in the Student Services office as well.
- The college will be making a larger effort in this area.

Additional Policies on Prevention and Awareness

- The college needs to continue to develop policies and procedures regarding Bystander Behavior and other activities which can lead to victimization.
- An Action Team will be developed to monitor ongoing practices which improve student safety.