

2025 ANNUAL SECURITY REPORT

Treasure Valley Community College
Caldwell Center



TREASURE VALLEY
COMMUNITY COLLEGE



2025 Annual Security Report Caldwell Center

The Annual Campus Crime Report provides information regarding Treasure Valley Community College's (TVCC) compliance with the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act". This Act is a federal law that requires colleges and universities in the United States (U.S.) to disclose specific information about crime statistics and security policies to current and prospective students and employees. This report provides information to students and employees to help them become aware of crime on campus. The original law, known as the "Crime Awareness and Campus Security Act of 1990", was amended in 1992 to add a requirement that schools offer victims of campus sexual assault certain basic rights, and was amended again in 1998 to expand the reporting requirements. The 1998 amendments formally named the law in memory of Jeanne Clery –19 year old college student who was slain by a fellow student in her dorm in 1986. Subsequent amendments in 2000 and 2008 added provisions dealing with registered sex offender notification and campus emergency response. The 2008 amendments also added a provision to protect crime victims, "whistleblowers", and others from retaliation. The Violence Against Women Act (VAWA) was signed on March 7, 2013. This report reflects the regulations that became effective as a result of the VAWA Act as of July 1, 2015, that pertain to domestic violence, stalking, dating violence and sexual assault.

The Clery Act also requires higher education institutions to give timely warnings of crimes that present a threat to the safety of students or employees, and to make public their campus security policies. It requires that crime data be collected, reported and disseminated to the campus community. The act is intended to provide students and their families with accurate, complete and timely information about safety on campus so they can make informed decisions. The Annual Security and Fire Report is composed in coordination with the Vice President of Student Services, Director of Residence Life and Student Conduct, Title IX Coordinator and appropriate designees.

Below are TVCC's policies and procedures which are in place to protect and maintain a safe educational and work environment. Student Housing completes an Annual Fire Safety Report that is also part of the Clery Act. The information on Annual Fire Safety is at the end of this document.

Treasure Valley Community College does not discriminate on the basis of race, color, sex, marital status, sexual orientation, gender identity, religion, national origin, age or disability in any educational programs, activities or employment. Persons having questions about equal opportunity and nondiscrimination should contact the Human Resources Director in the PAC Building on the North End of campus, email HR@tvcc.cc or call (541) 881-5838 or TTY (541) 881-2723.

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ANNUAL DISCLOSURE OF CRIME STATISTICS

Treasure Valley Community College's Office of Student Conduct and Vice President of Student Services prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on the TVCC website at www.treasurevalleycc.edu. This report is prepared in "good faith" cooperation with local law enforcement agencies surrounding the Caldwell Center. The Campus Security also contribute to the preparation of this report.

Campus Crime, arrest and referral statistics include those reported to Campus Security, designated campus officials and local law enforcement agencies. Each year, an e-mail notification is sent to all enrolled students and staff that provide the web address to access this report. Hard copies of the report may be obtained by calling the Vice President of Student Services at 541-881-5599. All prospective employees may also obtain a copy from Human Resources.

CAMPUS DESCRIPTION

CALDWELL CENTER

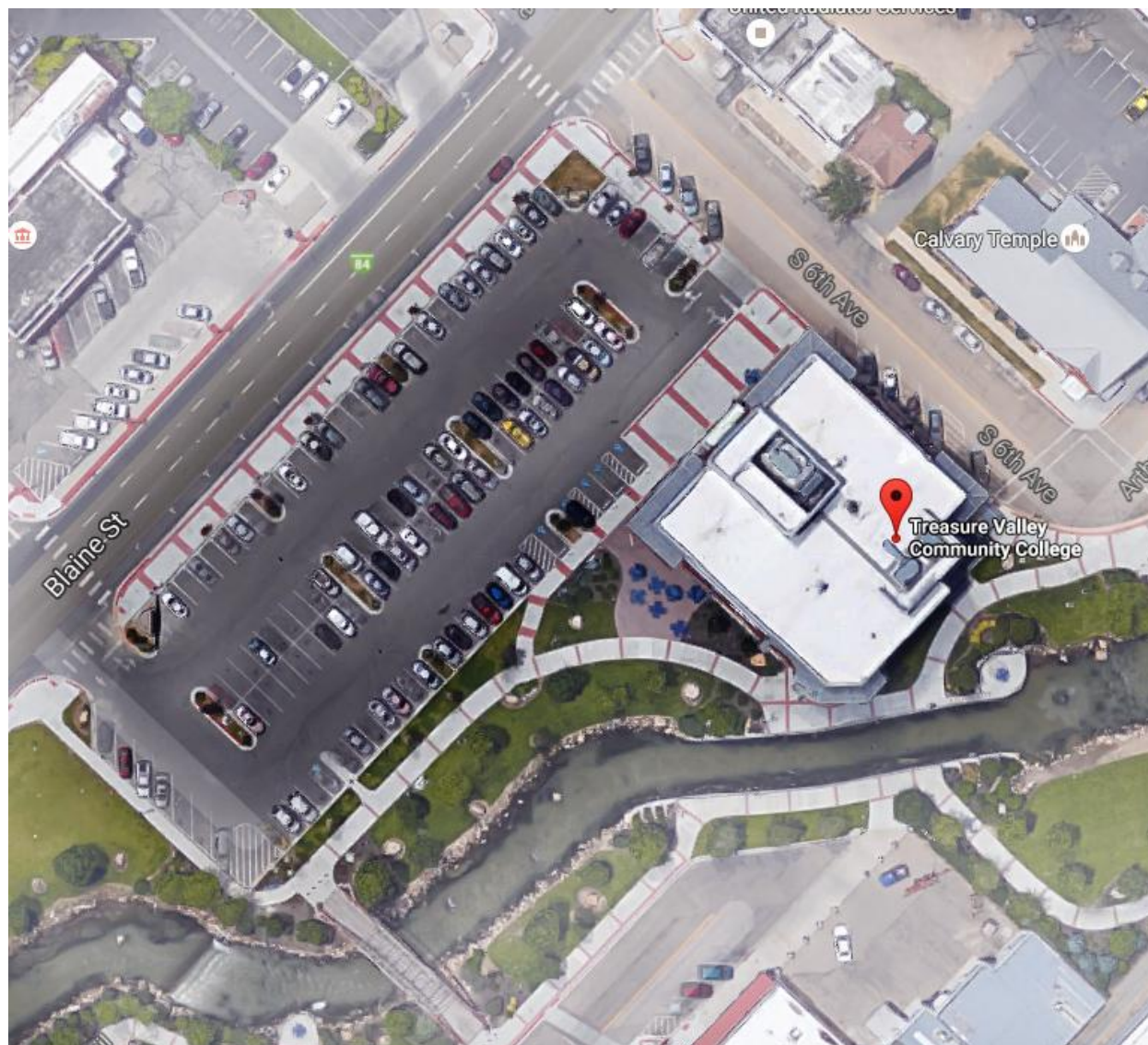
The Caldwell Center is a satellite of TVCC and offers college preparation, college transfer, and professional-technical classes in a beautiful three-story building built in downtown Caldwell. The Caldwell Center offers a broad range of student services including advising, placement testing, registration, financial aid assistance, and career planning. Students also have access to tutorial support and student activities. Classes may be taken face-to-face, via interactive video conference with the Ontario campus, or on the web.

Located on the banks of Indian Creek in downtown Caldwell, at 205 S. 6th Ave - at the intersection of Blaine and 6th, the Student Services office is open from 8:00 a.m. to 5:00 p.m. daily, with available college placement and academic advising services. Office of Admission staff can be contacted during office hours at (208) 455-6820.

As a low-cost alternative to the first two years of a university education, many Caldwell Center students participate in a 2-year block transfer program which enables them to transfer their credits and enroll with junior class standing at 4-year institutions in Idaho and Oregon.

PHYSICAL ON-CAMPUS LOCATION

Treasure Valley Community College – Caldwell Center 3rd Floor
205 S 6th Ave.
Caldwell, ID 83605



CAMPUS FACILITY ACCESS AND SECURITY

Campus facilities generally will be open when classes are in session. Offices, support spaces and some instructional spaces may be locked to protect College property and individuals from injury. Facilities will be locked when classes are not in session. TVCC is considered an “open” campus in that there is public access to buildings and spaces.

Keys or access control cards will be issued to College staff or students with a continuing need to enter specific locations and monitored by the department of physical plant.

WEAPONS ON CAMPUS

Individuals on campus are subject to BP 5500 Standards of Student Conduct in relation to weapons on campus. Possession, sale, or otherwise furnishing any firearm, knife, explosive, or other dangerous object, including but not limited to any facsimile firearm, knife, or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from a College employee, which is concurred in by the President.

CRIME REPORTING

When the victim of a crime, elects to, or is unable to, make such a report to TVCC officials that they have been a victim or witness to a crime, whether or not the offense occurred on or off campus and when the victim of a crime elects to will be provided with a written explanation of victim or witness rights after reporting an incident. The information applies to all students and staff of TVCC.

PROCEDURES FOR VICTIMS TO FOLLOW AFTER BEING A VICTIM OR WITNESS TO A CRIME

- Evidence preservation - It is important for a victim of an attack to preserve any physical evidence of a crime for standard reporting. For specific evidence preservation of domestic violence, dating violence, sexual assault, and stalking see appendix C of the Report.
- Report the alleged offense to:

Position	Name	Contact Information
Director Equity and Student Relations	Daniel Liera-Huchim	(541) 881-5595 (office)
Director of Legal and Human Resources	Anne Marie Kelso	(541) 881-5738 (office)
VP of Student Services	Travis McFetridge	(541) 881-5599 (office)
Title IX Coordinator	Travis McFetridge	(541) 881-5825 (office)

- Any of the above staff will assist a victim or witness in notifying law enforcement if the victim or witness chooses.
- TVCC reviews sanctions relating to the student code of conduct which will allow victims to voluntarily report crimes to campus officials.

VOLUNTARY AND CONFIDENTIAL REPORTING

Victims of a crime who do not want to pursue action through the criminal justice system or the Student Rights, Freedoms and Responsibilities	Conduct Process may make a confidential report and are strongly encouraged to do so if there is hesitation in reporting. With the victim's and
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witness' permission, Campus Security will file a report regarding the details of the incident without revealing the victim's identity. The purpose of a confidential report is to comply with the victim's wish to keep the matter confidential, while taking steps to ensure the future safety of the victim and others. With such information, the College is able to keep an accurate record of the number of incidents involving students and staff, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Victims or witnesses may report crimes on a voluntary or confidential basis to the Vice President of Student Services; staff incidents may be reported to the TVCC Human Resources Department. Victims will be asked by campus authorities they report an incident to if they wish to report to local law enforcement for criminal investigation. Victims may inform campus authorities that they do not wish to file a police report; however, the law mandates that in cases of domestic violence or if the victim is a minor, TVCC staff must report this to local law enforcement.

Clergy, Professional Counselor, Psychologist, Social Worker and Doctor Reporting.

TVCC does not have any of these positions on campus, however, your communication with these individuals is privileged, which means they cannot share that information without your written permission. The person must be acting in the professional capacity that creates that privilege in order for it to apply. A conversation with one of these professionals may be helpful because they do not have a duty to the College's Title IX Coordinator.

Treasure Valley Community College has an MOU with Insight Counseling. Insight provides walk-in hours to students twice a week and a phone number to call for after hours, 208-405-0020.

Information sharing is kept on a need to know basis including any information about a victim's personally identifiable information which is limited to only staff and authorities who require this information as noted above.

FOLLOW UP/ACCOMODATIONS/PROTECTIVE MEASURES FOR VICTIMS

Below is a list of resources available in the TVCC area for counseling, health, mental health, victim advocacy, legal assistance, visa and immigration, financial aid and other services available for victims both on campus and in the community.

Campus Security	(541) 212-9598
Title IX Coordinator	(541) 881-5599
VP of Students Services	(541) 881-5599
Caldwell Police Department	(208) 454-7531
St. Alphonsus Medical Center	(208) 463-5000
Lifeways Behavior Health	(208) 454-2766
National Domestic Violence Hotline	1-800-799-7233 (SAFE)
Human Resources	(541) 881-5838
TVCC Financial Aid	(541) 881-5833
Admissions/Enrollment	(541) 881-5815
Caldwell Center	(208) 455-6820
Immigration Office (USCIS)	1-800-375-3283
Sexual Assault Victims' Emergency	(503) 378-5348

Students or staff who are victims may request changes in academic, living, or work situations if they are reasonably available. These requests are available to victims whether or not they chose to report crimes to campus security or local law enforcement.

Students – For academic, living, or work resources, contact the VP of Student Services at 541-881-5599

Staff – For work situations, contact Human Resources 541-881-5838

- **No contact orders**
 - The Caldwell Police Department can assist victims in filing orders of protection, no contact orders, restraining orders, or similar lawful orders. If a victim files such an order, they are encouraged to contact Campus Security or the VP of Student Services who will then be better able to respond in the event of an incident. It is much easier for Campus Security to be informed of what they are walking into if they know about an abusive situation beforehand.
- **Academic, Financial Aid, Campus Employment accommodations**
 - Students – Contact VP of Student Services 541-881-5599
 - Staff – Contact Human Resources (541) 881-5838
 - Financial aid accommodations – Contact Financial Aid (541) 881-5833
- **Any accommodations or protective measure provided to the victim are maintained confidential.**

All community members, students, faculty, staff and crime victims and witnesses are strongly encouraged to immediately report crimes and campus safety related incidents occurring on property owned, leased, or otherwise controlled by TVCC to TVCC Campus Security, Office of Student Conduct and the appropriate local law enforcement agency depending on where the crime/incident occurs.

Prompt reporting will assure timely warning notices on campus and timely disclosure of crime statistics. For incidents that do not pose a threat to the campus, are not in progress, or are potentially violations of school policy only, please contact TVCC Security. In cases of emergency, violent crime or crime in progress, call 911 and request assistance from local law enforcement. Campus Security should also be notified after local law enforcement is contacted. An Incident Report should also be completed and sent to Campus Security or the Office of Student Conduct. Incident Report forms are available on the TVCC website under [Student Right to Know Page](#). Incident reports are forwarded to the Office of Student Conduct for review and potential follow up.

Criminal offenses may also be reported to the following authorities on campus who will in turn contact Caldwell Police Department or the appropriate local law enforcement.

TVCC encourages anyone who is a victim or witness of any crime to promptly report the incident to the police. Violations of the law will be referred to law enforcement agencies and when appropriate, the Office of Student Conduct for review. When a potentially dangerous threat to the College community arises, timely reports or warnings will be issued through e-mail announcements, in-class announcements, or other appropriate means.

CAMPUS SECURITY AUTHORITIES (CSAs)

Additionally, individuals responsible for student and campus activities, campus security, event security, and others, as a result of their role at the College, may also be classified as CSAs under the Clery Act and TVCC [Board Policy ECA-AR\(2\) Compliance with the Clery Act](#). This means they have specific crime reporting obligations under the law.

The following individuals must assist with the College's Clery Act compliance:

- Individuals who work for Campus Security;
- Any individual with responsibility for an aspect of campus security, but who does not constitute or is not a member of Campus Security, such as contract security officers and event security staff;
- Any individual or organizational unit identified by a College policy as one to which students and employees should report criminal offenses;
- Any official with significant responsibility for student and campus activities, including but not limited to:
 - Security Personnel
 - An administrator of students
 - Athletic Directors
 - Athletic Coaches
 - Faculty advisors of student organizations
 - Resident Assistants/Advisors
 - Coordinators of student Affairs
 - Title IX Coordinator(s)
- College vice presidents, deans, and department directors shall assist, annually, the Clery Coordinator in identifying people within their units who may be CSAs for purposes of the Clery Act. Because personnel and job positions change, someone who is a CSA one year might not be a CSA the following year. To determine which individuals are CSAs, the function served by that individual must be considered. If someone has significant responsibility for student and campus activities, he or she is a CSA. CSAs must immediately notify the Student Conduct Officer of any reported crime. CSAs are not responsible for determining whether a crime actually took place.

CRIME PREVENTION PROGRAMS/SAFETY/SECURITY TRAINING

During New Student Orientation, students are informed of services offered by Campus Security and the Office of Student Conduct. Students are informed of crime on-campus and in surrounding neighborhoods. Students receive regular emails from Campus Security to discuss safety issues including prevention of burglary and vandalism. New students are notified of where to get information regarding safety issues, and crime prevention. Emphasis is placed on teaching

students to be responsible for one another to ensure the safety of the TVCC community.

Similar information is presented to all employees, faculty and staff during the Fall In-Service and regularly throughout the year as deemed necessary.

Annually, links to TVCC safety and security information are sent to staff and students via campus e-mail.

MONITORING AND RECORDING CRIMINAL ACTIVITY AT OFF-CAMPUS LOCATIONS

Campus Security officers do not patrol off campus residences or off campus activities. As stated above, Campus officials maintain a close working relationship with the Caldwell Police Department who do patrol the City of Caldwell.

Criminal actions and other emergencies that occur during off-campus college activities will be reported by the appropriate College representative to the Office of Student Conduct and Caldwell Police Department.

MISSING STUDENT NOTIFICATION

Treasure Valley Community College Student Housing takes student safety very seriously. The following process has been developed in order to assist in locating TVCC Student Housing residents who, based on the facts and circumstances known to the College, are determined to be missing. Housing students are given the option of identifying a contact person(s) whom TVCC will notify within 24 hours of determining that the student is missing. This information is registered confidentially and will be accessible only to authorized campus officials. This information may not be disclosed except to law enforcement personnel in furtherance of a missing person investigation.

Housing residents will be determined missing if it is reported that a resident has changed their normal routine and failed to inform roommates, friends, faculty, or staff of the change. If a member of the College community has reason to believe that a resident is missing, all efforts will be made to immediately (no waiting period) locate the resident to determine his or her state of health and well-being. The following procedures shall be followed at minimum within 24 hours of College personnel being notified of the possibility of a student's absence.

If you become aware that a Student Housing resident has been missing for 24 hours, or have immediate concerns, please immediately contact one of the following TVCC employees:

Position	Name	Contact Information
Campus Security	Officer on Duty	(541) 212-9598 (cell) (541) 881-5730 (office)
Director of Equity and Student Relations	Daniel Liera-Huchim	(541) 881-5595 (office)
Director of Legal and Human Resources	Anne Marie Kelso	(541) 881-5738 (office)
VP of Student Services	Travis McFetridge	(541) 881-5599 (office)

After Campus Security is notified, they will alert Housing staff and together will perform the following:

- Call missing student's cell phone and send a text message if available.
- Interview roommates, suite mates, and known friends.
- Look at social networking sites such as Facebook for any activity.
- Check with Dining Services to see when the last time the resident's ID was scanned.
- Check the Housing door access database to see if resident used an Exterior Card to enter the Residence Halls.
- Check with faculty members to see when the resident last attended class or when they last had contact with missing student.
- Attempt to locate resident's vehicle on campus if it is determined the resident has a vehicle.
- Campus Security will contact Ontario or Caldwell Police Department within 24 hours of the student being missing.

If, after an investigation by Campus Security and other appropriate TVCC staff, the resident is determined to be missing, a staff member will contact the student's parent (if missing student is under 18) or designated missing student contact person within 24 hours. Law enforcement will be called to report the person as missing. A description with any other information will be provided to the law enforcement agency. Campus Security will also coordinate its efforts with the Ontario or Caldwell Police Department in full compliance with legal obligations and established police procedures. Campus Security will continue its investigative procedures in collaboration with staff. An e-mail alert will be sent to appropriate faculty and staff seeking any information or knowledge of the missing resident.

STUDENTS UNDER 18

If a missing student is under 18 years of age and not emancipated, TVCC must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. TVCC will notify local law enforcement within 24 hours of the determination that the student is missing.

EMERGENCY NOTIFICATION

TVCC will, without delay, and taking into account the safety of the college community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, response to, or otherwise mitigate the emergency.

Treasure Valley Community College has partnered with Rave Mobile to provide emergency messaging and alerts on college closings, delays and other important notifications.

Emergency notifications/timely warning may include but are not limited to:

- Bomb threats or other imminent violent threats
- Fire alarms, gas leaks and hazardous spills affecting the entire campus
- Building evacuations and lock downs affecting the entire campus
- Biological or pandemic emergency notifications
- Natural disasters
- Power outages and utility failures resulting in an imminent threat
- Campus closure due to declared civil emergency or rioting
- Approaching tsunami, hurricane or other extreme weather conditions
- Earthquake
- Terrorist incident
- Armed intruder
- Explosion

In case of emergency or weather closures, TVCC currently sends alerts to anyone with a College-provided e-mail account. This new system, **TVCC Alert**, lets the College rapidly communicate with students, faculty, and staff by also sending a voice message and/or instant text message to cell phones.

In order to send emergency text messages and voice mail alerts, TVCC needs individuals to sign up and provide their cell phone information.

Please login to **TVCC Alert** online at https://my.tvcc.cc/ICS/Help/TVCC_Alert_System.jnz and follow the instructions to update your contact information. TVCC will then be able to contact you through the system in the event of any campus emergency or closure. The information students supply is confidential and **will not** be shared off campus.

TVCC Alert also allows students to choose multiple email addresses or cell phone numbers to receive emergency messages and notices. In addition, when students go to the TVCC Alert website they also have the option of signing up for other optional notifications such as campus activity and event changes.

Please contact the Help Desk at 541-881-5777 if you need assistance.

REPORTING EMERGENCIES

The Vice President of Student Services is to be notified immediately of all emergencies involving students. He/she has the authority and the responsibility for coordinating the efforts made by the College to assist the student and the student's family.

Situations involving students which are to be reported include, but are not limited to, the death* of a student; life-threatening injuries resulting from attempted suicides, fires, explosions, traffic crashes or other accidents; life threatening illnesses; and missing students. When emergencies involving students occur within on-campus housing units and are known to the Residence Life staff, the Residence Life staff will be responsible for notifying either the designated Vice President of Student Services according to established protocols.

** NOTE: The investigation of any death on a TVCC campus will be the responsibility of the local law enforcement agency and the county coroner. In these situations, the police and the coroner will be in-charge of the situation until the investigation is completed. The coroner will determine the most appropriate person to notify the next of kin and the means of making such notification. This notification may be made by hospital staff, police, or, in some cases, a College official.*

The Vice President of Student Services will have the responsibility for notifying the following persons or departments about student emergencies as soon as possible:

1. College President's Administrative Team
2. College C.A.R.E. Team
3. Human Resources
4. Office of Disability Services
5. Any other directly related College Department as deemed necessary

NOTIFICATIONS TO FAMILIES OF STUDENTS INVOLVED IN EMERGENCIES

The office of the Vice President of Student Services shall be responsible for insuring that the family of a student involved in an emergency is notified of the emergency and shall coordinate assistance to the family of the student on behalf of the College. In the case of the death of a student, notification of the next of kin is the responsibility of the coroner. Any death notifications will be done at the direction of the county coroner.

EMERGENCIES INVOLVING STUDENTS WHILE ENGAGED IN COLLEGE TRAVEL

Whenever a student is involved in an emergency situation while traveling on a College sponsored trip, e.g. trips with student organizations and athletic teams, the staff member or other person in-charge of the activity shall contact the Director of Campus Security. This office is open 24 hours a day. The Campus Security shall notify the Vice President of Student Services of the emergency. The staff member or other person in-charge of the activity should also make appropriate notifications within his/her college or administrative unit. The Director of Campus Security also serves the point of contact after normal business hours for emergencies involving students.

REPORTING ACCIDENTS OR ILLNESSES

After the necessary initial assistance has been given to an injured or suddenly ill person, an immediate report of the circumstances should be made to College Security to be issued to the Director of Campus Security.

TIMELY WARNINGS

In the event that a situation arises, either on or off campus, that in the judgment of the CARE Team on campus constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The decision about whether or not to issue a timely warning is made on a case-by-case basis taking into consideration a number of factors, including the possible risk of compromising law enforcement efforts. The warnings will be issued through the College e-mail, voice mail, and emergency notification system to students and staff, as deemed appropriate, excluding victim names and other identifying information to ensure confidentiality.

Depending on the particular circumstance of the crime, especially in all situations that could pose an immediate threat to the community and individuals, Campus Security and other staff may post hard copy notices in residence halls, campus classrooms, or other building doors on campus. Timely warnings may include the following information:

- Information about the crime the triggered the warning
- Date, time and location of the crime
- Suspect information and description (if applicable and available)
- Who to contact at TVCC to report additional information about the crime

When notified of a potential threat, the CARE Team will confirm with Campus Security and local law enforcement the fact surrounding the threat. Depending on the situation, not all parts of the campus may be notified. For example, if a fire were reported in the Weese Dining area, only the Weese building would be evacuated and Staff and students utilizing that area would receive notification.

Following a campus emergency, TVCC will provide follow up information to campus via email and sent either by the CARE Team or the Associate Vice President of Public Information.

Timely warnings are addressed in TVCC [Board Policy ECA-AR\(2\) Compliance with the Clery Act](#).

EMERGENCY RESPONSE PLAN

The emergency plan is to provide protection to the lives, property and operations through the effective use of college, community, county and state resources. This policy has been developed to provide an organizational and procedural framework for the management of emergency situations. The plan provides for the coordination between the College and other government and emergency units. Additionally, it has been designed to provide a basic contingency manual for administration of the College in order to plan for campus emergencies. The plan cannot cover every conceivable situation; however, it does supply the basic administrative guidelines necessary to cope with most campus emergencies.

This plan applies to all faculty, staff, students and visitors and encompasses all buildings and grounds owned by and operated by the College. See Appendix D for the Emergency Response Plan in its entirety.

EMERGENCY RESPONSE AND EVACUATION TESTS & TRAINING

TVCC will, on an annual basis, test the Emergency Response and Evacuation Procedures. These test and trainings may be announced or unannounced. Annually the TVCC Caldwell Center conducts a response training during its annual Fall Adjunct Orientation where adjunct and staff are both present.

DRUGS AND ALCOHOL

Treasure Valley Community College has responsibility in establishing a safe and productive work environment free of the influence of drugs and alcohol for the benefit of its employees, students, and the public at large. As a result, the College is implementing a drug and alcohol-free workplace policy. This policy applies to all current College employees (faculty and staff) while at the workplace. Certain positions (for example: Bus Driver) may be subject to federal Department of Transportation rules and regulations. See Appendix E for policy.

As stated in the TVCC Student Rights, Freedoms and Responsibilities, illegal or unauthorized distribution or possession (unless lawfully prescribed by an authorized medical professional) of any controlled substance as defined by current federal or state law, ORS, local law or statute on any college owned, leased or rented property or at college sponsored functions or events. Regardless of age, any possession, use, being perceptibly under the influence, furnishing, or distribution of alcoholic beverages on any college owned, leased, or rented property or at college sponsored functions or events is prohibited. See Appendix B for Document.

ALCOHOL

Treasure Valley Community College policy prohibits the possession or consumption of alcoholic beverages by any student on college property, in the college residence hall, or at any college sponsored event or activity. This includes off-campus alcohol consumption that results in disturbances or problems on campus. Regardless of the age of the student, TVCC prohibits the possession or consumption of alcohol on campus. Any student who purchases alcohol for another student may receive additional judicial fines or disciplinary action.

ALCOHOL REFUSE & DRUG/ALCOHOL DISCIPLINARY PROCEEDINGS

Possession of empty alcohol containers also constitutes a violation of the TVCC Alcohol policy. Depending on the severity of the violation, local authorities may be contacted and immediate discipline may be levied (including temporary or permanent expulsion from the residence hall). The Office of Student Conduct may require an individual to receive a drug/alcohol evaluation through a certified local community resource at the expense of the student.

CONTROLLED SUBSTANCES/DRUGS

Student involvement in the use, possession, distribution, or sale of illegal or prescription drugs or narcotics on TVCC property is strictly prohibited. Students involved in an incident involving drugs, even if not under the influence, will face judicial hearings and possible legal action. Off-campus drug use that results in disturbance or problems on campus will also be treated as a drug violation. Violations will result in disciplinary action by the Student Conduct Officer. Disciplinary action may require an individual to be evaluated for a drug problem or addiction by a certified local resource at the expense of the student.

DRUG/ALCOHOL ABUSE EDUCATION PROGRAMS

The College has developed a Drug and Alcohol Abuse Prevention Program that complies with section 120(a) through (d) of the HEA. The program provides services related to drug use and abuse, including dissemination of informational materials, educational programs, counseling services, referrals, and College disciplinary actions.

The College recognizes that alcohol and drug abuse is a disease that requires treatment and assistance to combat. Insurance benefits available to employees may cover the cost of treatment programs. Students with abuse problems are encouraged to visit with Staff for Resources. Information about these agencies is available by request in the Human Resources office, Office of Student Conduct and Disability Services.

To view the Drug and Alcohol Abuse Prevention Program please visit the [Students Right to Know Page](#) for the full Program.

SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING PREVENTION AND RESPONSE

TVCC prohibits sexual assault, domestic violence, dating violence and stalking as defined below. TVCC's Sexual Harassment and Sexual Violence Policy is regulated by General Institutional Policies under General Institution (Chapter 3) on the TVCC Website.

Sexual Assault is defined as any offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the FBI. These include rape, fondling, incest, or statutory rape.

[BP 3430 Prohibition of Harassment](#)

[BP 3433 Prohibition of Sex Discrimination Under Title IX](#)

[BP 3540 Sexual and Other Assaults on Campus](#)

[AP 3430 Prohibition of Harassment](#)

[AP 3433 Prohibition of Sex Discrimination Under Title IX](#)

[AP 3434 Responding to Sex Discrimination Under Title IX](#)

[AP3540 Sexual and Other Assaults on Campus](#)

Consent

Under [ORS 163.315](#), the state of Oregon identifies the following regarding the Incapacity to consent as:

1. A person is considered incapable of consenting to a sexual act if the person is:
 - a. Under 18 years of age;
 - b. Mentally defective;
 - c. Mentally incapacitated; or
 - d. Physically helpless
2. A lack of verbal or physical resistance does not, by itself, constitute consent but may be considered by the trier of fact along with all other relevant evidence. [1971 c.743 §105; 1999 c.949 §2; 2001 c.104 §52]

- Consent is knowing, voluntary, and clear permission by word or action to engage in sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in the activity.
- If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.
- For consent to be valid, there must be a clear expression in words or actions that the other individual has consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, it is reasonable to kiss them back (if you want to) without the need to explicitly obtain their consent to being kissed back.
- Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease. For example, if you kiss someone back, but they indicate that they do not want you to kiss them back, you must stop.
- Consent to one kind of sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.
- How TVCC Evaluates Consent:
 - Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on TVCC to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced. Consent in relationships must also be considered in context. When parties consent to BDSM or other forms of kink, non-consent may be shown by the use of a safe word. Resistance, force, violence, or even saying “no” may be part of the kink and thus consensual, so TVCC’s evaluation of communication in kink situations should be guided by reasonableness, rather than strict adherence to policy that assumes non-kink relationships are the default.

If you are a victim of domestic violence, dating violence, stalking, or a sexual assault at TVCC, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. The Campus Security Department and Office of Student Conduct strongly advocates that a victim of the above crimes report the incident in a timely manner in which it will be shared with TVCC Title IX Coordinator. Time is a critical factor for evidence collection and preservation. Preserving evidence may assist in proving the criminal offense occurred, and may help in obtaining a protective order.

Except in the case of domestic violence or if the victim is a minor, no formal police investigation will be initiated, if the victim wishes the information to remain confidential. Filing a report with the above staff will not obligate the victim to prosecute and will not necessarily result in Campus Security filing a report with the Ontario Police Department. See Appendix C for a full description of Confidential Reporting. A victim will be guided by TVCC staff through the below process:

- ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim
- provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam)

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- assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

If one of the above crimes should occur, staff on the scene, including Campus Security, will offer the victim a variety of services whether or not the victim chooses to file a report with local law enforcement. Campus Security will guide the victim through the available options and support the victim in his or her decision. If an offense occurs, services available for victims include counseling.

Position	Name	Contact Information
Campus Security	Officer on Duty	(541) 212-9598 (cell) (541) 881-5730 (office)
Director of Equity and Student Relations	Daniel Liera-Huchim	(541) 881-5595 (office)
Director of Legal and Human Resources	Anne Marie Kelso	(541) 881-5738 (office)
VP of Student Services	Travis McFetridge	(541) 881-5599 (office)
Title IX and Clery Coord.	Travis McFetridge	(541) 881-5825 (office)

Victims do not have to notify and seek assistance from law enforcement as described above, but are highly encouraged to do so. Campus Security, the Student Conduct Officer, and AVP of Students will assist victims in notifying law enforcement authorities if the victim chooses. All the aforementioned incidents will be investigated by the AVP of Students as required under Title IX.

Students or employees who report they have been a victim of sexual assault, domestic violence, dating violence or stalking shall be provided with a written explanation of their rights and options at the time of an incident (Appendix C). They will receive written notification of available counseling, health, mental health, victim advocacy, legal assistance, and other services available—whether they are part of the on-campus community or live in the community.

The College will change a victim's academic and living situation (if living in College housing) after an alleged offense listed above, if requested by the victim and the changes are reasonably available regardless of whether the victim chooses to report the crime to Campus Security or local law enforcement. Options could also include enrollment in a different section of a class, withdrawal without penalty, change of campus employment, Campus Security escort, or other reasonable accommodations. For a written list of Victim's Rights, please see Appendix C.

If the victim wishes to seek available options for, or assistance in requesting changes regarding transportation or other protective measure they may meet with the Title IX Coordinator to discuss these options and the Title IX Coordinator will assist the victim accordingly.

Below is a list of resources available in the TVCC area for counseling, health, mental health, victim advocacy, legal assistance, visa and immigration, financial aid, housing, transportation and other local services available for victims both on campus and in the community.

Campus Security	(541) 212-9598	Caldwell Police Department	(208) 454-7531
Title IX Coordinator	(541) 881-5599	St. Alphonsus Medical Center	(208) 463-5000
VP of Student Services	(541) 881-5599	Lifeways Behavior Health	(208) 454-2766

National Domestic Violence Hotline 1-800-799-7233	Caldwell Center (208) 454-9911
Human Resources (541) 881-5838	Immigration Office (USCIS) 1-800-375-3283
TVCC Financial Aid (541) 881-5833	Sexual Assault Victims' Emergency (503) 378-5348
Admissions/Enrollment (541) 881-5815	

SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING AWARENESS TRAINING

The College offers sexual assault awareness programs during the Fall or Winter Quarters, that are sponsored by the Office of Student Life and Activities. TVCC staff are also welcome to attend these student events. The Office of Disability Services offers sexual assault education to TVCC students and employees upon request. Literature on date rape education, risk reduction, and TVCC response is available through the office of Student Conduct. Domestic violence, dating violence and stalking are also topics that are also addressed at Residence Life orientation.

There are many potential signs of an abusive relationship. The most predominant sign is fear of the abuser. Below is a chart you may use to help determine if you or someone you may know is in an abusive relationship:

VICTIM'S THOUGHTS/FEELINGS/ACTIONS	PARTNER'S BEHAVIOR
Fear of partner	Humiliates/yells at you
Avoids discussing specific topics you feel may anger your partner	Criticizes/humiliates you
Feels you never do anything right with respect to your partner	Treat you so badly you'd be embarrassed for your friends or family to witness it
Believes you deserve to be hurt/mistreated	Ignores you/puts you down
Believes you may be the one who is crazy	Blames you for their abusive behavior
Feels emotionally numb/helpless	Views you as a sex object or property rather than a person
Goes along with whatever your partner says	Has a bad, unpredictable temper
Frequently misses work, school, other social activities without explanation	Acts overly jealous or possessive
Wears clothing that will hide bruises/scars (e.g., sunglasses inside, long sleeved shirt on hot days, etc.)	Tries to isolate you from friends/family
Has frequent injuries	Threatens suicide if you were to leave
Talks about partners temper, jealousy, possessiveness	Threatens to hurt/kill you
Seems depressed, anxious, suicidal	Controls where you go/what you do
Shows a marked change in personality (perhaps was very outgoing, but is now very withdrawn)	Limits your access to money, phone, transportation
	Constantly checks up on you
	Forces you to have sex
	Destroys your belongings
	Threatens to take your children away or hurt them

ON AND OFF CAMPUS COUNSELING AND ASSISTANCE PROGRAMS FOR SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING VICTIMS

Below is a list of resources available in the Treasure Valley Community College Caldwell Center Area for counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on campus and in the community.

Campus Security	(541) 212-9598
Title IX Coordinator	(541) 881-5599

VP of Student Services	(541) 881-5599
Caldwell Police Department	(208) 454-7531
Insight Counseling (MOU with TVCC)	(208) 405-0020
St. Alphonsus Medical Center	(208) 463-5000
Lifeways Behavior Health	(208) 454-2766
National Domestic Violence Hotline	1-800-799-7233 (SAFE)

DISCIPLINARY ACTION IN ALLEGED SEX OFFENSES, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING

TVCC disciplinary action in cases of domestic violence, dating violence, sexual assault or stalking shall be prompt and fair, with an impartial investigation and resolution. To file a disciplinary complaint, contact the Title IX Coordinator (541-881-5599). The Title IX Coordinator then assesses the report and takes into account the severity of the incident, and any related circumstances and facts. The victim's safety is of the highest priority when conducting a hearing and making decisions about sanctions and protective measures. The process for resolving such complaints is outlined [HERE](#), in the Procedures for Resolving Title IX Policy Violations. The standard of evidence used during conduct proceedings will be a reasonable preponderance of evidence gathered during the

investigation of an incident; preponderance meaning "more likely than not". This determination does not require a standard beyond a reasonable doubt and the technical rules of evidence applicable to civil and criminal procedures shall not apply.

Appeal rights are outlined [HERE](#), in the Appeals for Title IX Policy Violations.

Additional sanction for infractions of the TVCC Student Rights, Freedoms and Responsibilities may be waived for violations of the Student Code of Conduct to reduce barriers for the reporting of Sex Offenses, Domestic Violence, Dating Violence & Stalking ([Student Amnesty Policy](#)).

Sanctions imposed on students for College-related criminal actions, including sexual assault, domestic violence, dating violence or stalking may include but are not limited to:

- Disciplinary probation - A verbal or written warning by the Student Conduct Officer or other administrator
- Temporary expulsion - Removal from classes or privileges, for a specified period of time.
- Expulsion - Termination of student status
- Temporary or permanent trespassing from Campus or specific Facilities
- Administrative withdrawal

The College will change a victim's academic and living situation (if living in College housing) after an alleged offense listed above, if requested by the victim and the changes are reasonably available, regardless of whether the victim chooses to report the crime to Campus Security or local law enforcement. Options could include enrollment in a different section of a class, withdrawal without penalty, or other reasonable accommodations.

SEX OFFENDER INFORMATION

To comply with The Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the

Family Educational Rights and Privacy Act of 1974, TVCC provides students with information on how to access the Idaho State Police Sex Offender registry. These acts require institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. Registry information provided under this section shall be used for the purposes of the administration of criminal justice, screening of current or prospective employees, volunteers, or otherwise for the protection of the public in general and children in particular.

A list of registered Idaho sex offenders is available from the Idaho State Sex Offender Registry. Contact numbers to obtain hard copy lists are by telephone to a voicemail box at 208-8847305 or on the web at https://www.isp.idaho.gov/sor_id/

CLERY CRIME STATISTICS – Caldwell Center

Criminal Offenses - On campus

For each of the following criminal offenses, enter the number reported to have occurred On Campus.

Criminal offense	Total occurrences On campus		
	2022	2023	2024
a. <u>Murder/Non-negligent manslaughter</u>	0	0	0
b. <u>Manslaughter by Negligence</u>	0	0	0
c. <u>Rape</u>	0	0	0
d. <u>Fondling</u>	0	0	0
e. <u>Incest</u>	0	0	0
f. <u>Statutory rape</u>	0	0	0
g. <u>Robbery</u>	0	0	0
h. <u>Aggravated assault</u>	0	0	0
i. <u>Burglary</u>	0	0	0
j. <u>Motor vehicle theft</u> (Do not include theft from a motor vehicle)	0	0	0
k. <u>Arson</u>	0	0	0

Criminal Offenses - Public Property

For each of the following criminal offenses, enter the number reported to have occurred on Public Property.

Criminal offense	Total occurrences on Public Property		
	2022	2023	2024
a. <u>Murder/Non-negligent manslaughter</u>	0	0	0
b. <u>Manslaughter by Negligence</u>	0	0	0
c. <u>Rape</u>	0	0	0
d. <u>Fondling</u>	0	0	0
e. <u>Incest</u>	0	0	0
f. <u>Statutory rape</u>	0	0	0
g. <u>Robbery</u>	0	0	0
h. <u>Aggravated assault</u>	0	0	0
i. <u>Burglary</u>	0	0	0
j. <u>Motor vehicle theft</u> (Do not include theft from a motor vehicle)	0	0	0
k. <u>Arson</u>	0	0	0

Hate Crimes - On campus

For the criminal offenses listed below, first enter the total number of Hate Crimes that were reported to have occurred On campus. Then break down each total by category of bias (e.g., race, religion).

2022, 2023 & 2024

Criminal offense	Total	Occurrences of Hate crimes (Category of Bias for crimes)							
		Race	Religion	Sexual orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. <u>Murder/ Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0
c. <u>Rape</u>	0	0	0	0	0	0	0	0	0
d. <u>Fondling</u>	0	0	0	0	0	0	0	0	0
e. <u>Incest</u>	0	0	0	0	0	0	0	0	0
f. <u>Statutory rape</u>	0	0	0	0	0	0	0	0	0
g. <u>Robbery</u>	0	0	0	0	0	0	0	0	0
h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u> (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/ vandalism of property</u>	0	0	0	0	0	0	0	0	0

Hate Crimes - Public Property

For the criminal offenses listed below, first enter the total number of Hate Crimes that were reported to have occurred on Public Property. Then break down each total by category of bias (e.g., race, religion).

2022, 2023 & 2024

Criminal offense	Total	Occurrences of Hate crimes (Category of Bias for crimes)							
		Race	Religion	Sexual orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. <u>Murder/ Non-negligent manslaughter</u>	0	0	0	0	0	0	0	0	0
c. <u>Rape</u>	0	0	0	0	0	0	0	0	0
d. <u>Fondling</u>	0	0	0	0	0	0	0	0	0
e. <u>Incest</u>	0	0	0	0	0	0	0	0	0
f. <u>Statutory rape</u>	0	0	0	0	0	0	0	0	0
g. <u>Robbery</u>	0	0	0	0	0	0	0	0	0
h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u> (Do not include theft from a motor vehicle)	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/vandalism of property</u>	0	0	0	0	0	0	0	0	0

VAWA Offenses - On Campus

For each of the following crimes, enter the number reported to have occurred On Campus.

Crime	Total occurrences On Campus		
	2022	2023	2024
a. <u>Domestic violence</u>	0	0	0
b. <u>Dating violence</u>	0	0	0
c. <u>Stalking</u>	0	0	0

VAWA Offenses - Public Property

For each of the following crimes, enter the number reported to have occurred on Public Property.

Crime	Total occurrences on Public Property		
	2022	2023	2024
a. <u>Domestic violence</u>	0	0	0
b. <u>Dating violence</u>	0	0	0
c. <u>Stalking</u>	0	0	0

Arrests - On campus

Enter the number of Arrests for each of the following crimes that occurred On Campus.

Crime

Number of Arrests

	2022	2023	2024
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

Arrests - Public Property

Enter the number of Arrests for each of the following crimes that occurred on Public Property.

Crime

Number of Arrests

	2022	2023	2024
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

Disciplinary Actions - On Campus

Enter the number of persons referred for disciplinary action for crimes that occurred On Campus for each of the following categories.

Do not include disciplinary actions that were strictly for school policy violations.

If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.

Crime	Number of persons referred for Disciplinary Action		
	2022	2023	2024
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

Disciplinary Actions - Public Property

Enter the number of persons referred for disciplinary action for crimes that occurred on Public Property for each of the following categories.

Do not include disciplinary actions that were strictly for school policy violations.

If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.

Crime	Number of persons referred for Disciplinary Action		
	2022	2023	2024
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

Unfounded Crimes



Of those crimes that occurred On Campus, in On-campus Student Housing Facilities, on or in Noncampus property or buildings, and on Public Property, enter the number of crimes that were unfounded.

The total number of unfounded crimes should include all criminal offenses, hate crimes, domestic violence, dating violence, or stalking incidents that have been unfounded. Arrests and disciplinary actions cannot be unfounded.

	Number		
	2022	2023	2024
a. <u>Total unfounded crimes</u>	0	0	0

APPENDICES

Appendix A – Timely Warning

Appendix B – TVCC Student Rights, Freedoms and Responsibilities Policy

Appendix C – Victim’s Rights/Procedures for Victims to follow for Domestic Violence, Dating Violence, Sexual Assault, or Stalking

Appendix D – Example of Emergency Response Guidelines Posted on Campus

Appendix E – Drug and Alcohol Free Workplace Policy

[ASR and ASFR Preparing, Publishing and Distributing Process](#)

[Emergency Management for Students Process](#)

[Process for Dissemination of Consumer Information](#)

[Emergency Response and Evacuation Policy](#)

[Compliance with the Clery Act Policy](#)

[Designating and Training Campus Security Authority Policy](#)

[Emergency Response Plan Policy](#)

All other applicable college policies can be found here [\(Click Here\)](#).

Appendix A

Policy and Procedures for Issuing Timely Warnings **Procedure**

Purpose

The purpose of this procedure is to establish a process by which Treasure Valley Community College (hereinafter the “College”) will issue timely warnings in compliance with The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. § 1092(f)) (the “Clery Act”).

Commitment

The College will issue a Timely Warning Notice (also known as Crime Alerts) in all instances in which (1) a crime is committed; (2) the perpetrator has not been apprehended; and (3) there is a substantial risk to the physical safety of other members of the campus community because of this crime. Such crimes include, but are not limited to: (1) Clery Crimes that are reported to any Campus Security Authority or the local police; or (2) the College determines that the incident represents an ongoing threat to the campus community. The College may, in some circumstances, issue a Timely Warning Notice when there is a pattern of crimes against persons or property. The College may issue a Timely Warning Notice for an off-campus crime if the crime occurred in a non-College-owned property used and frequented by the College community members.

Definitions

CSAs are individuals at the College who, because of their function for the College, have an obligation under the Clery Act to notify the College of alleged Clery Crimes that are reported to them in good faith, or alleged Clery Crimes that they may personally witness.

“Clery Crimes” are defined by the Clery Act as any of the following: (1) Murder/Non-Negligent Manslaughter; (2) Negligent Manslaughter; (3) Rape; (4) Fondling; (5) Incest; (6) Statutory Rape; (7) Robbery; (8) Aggravated Assault; (9) Burglary; (10) Motor Vehicle Theft; (11) Arson; (12) Arrests and referrals for disciplinary action for any of the following: (a) Liquor Law Violations; (b) Drug Law Violations; and (c) Carrying and possessing illegal weapons; (13) Hate Crimes, including Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that are motivated by bias (14) Dating Violence; (15) Domestic Violence; and (16) Stalking.

“Clery Arrests/Referrals” include arrests and referrals for disciplinary action for: (1) weapons violations; (2) drug abuse violations; and (3) liquor law violations.

“Clery Crimes” include both Clery Criminal Offenses and Clery Arrests/Referrals.

“Timely Warning Designee” is defined as the person or group of persons at each campus responsible for the determination and issuance of Timely Warning Notices for that campus.

Timeliness of Notice

A Notice is considered “timely” if it issued as soon as pertinent information is available and as soon as reasonably practicable after an incident has been reported to any CSA, the appropriate campus security or police, or to the Timely Warning Designee. The timeliness of a notice shall be determined and evaluated on a case-by-case basis.

Responsibility for Determination to Issue Timely Warning Notice

Each campus shall designate a Timely Warning Designee.

The Timely Warning Designee shall be responsible for determining whether a Timely Warning Notice should be issued.

Timely Warning Decision Matrix

When determining whether to issue a Timely Warning Notice, the Timely Warning Designee shall consider whether the alleged Clery Crime represents a serious or continuing threat to the campus community, and in doing so, shall consider: (1) the nature of the incident and/or crime; (2) the time and location of the alleged incident; (3) whether the alleged perpetrator was apprehended or in custody; (4) the likelihood of reoccurrence; (5) the continuing danger to the campus community; (6) the possible risk of compromising law enforcement efforts; and (7) all other facts and circumstances of which the College Security or Local Police are aware concerning the incident.

The Timely Warning Designee must review and approve the completed Timely Warning Decision Matrix for each alleged Clery Crime reported. If the Timely Warning Designee is an entity, then a supervisor, director, or appropriate manager of the entity must review and approve the completed Timely Warning Decision Matrix for each alleged crime reported.

Timely Warning Notice

Once the decision has been made to issue a Timely Warning Notice, the Timely Warning Designee shall prepare a draft Timely Warning Notice by completing the appropriate, crime specific Timely Warning Template.

The Timely Warning Notice shall contain all information that would promote safety and that would aid in the prevention of similar crimes including, but not limited to: (1) a statement of the incident or crime alleged, and when and where it occurred; (2) any possible connection to previous incidents, if applicable; (3) a physical description of the suspect, if possible; (4) the date and time of the Timely Warning Notice; (5) contact information for the appropriate campus security and local law enforcement; and (6) other relevant and important information including recommendations and tips for prevention of similar crimes.

Dissemination of the Timely Warning and the Timely Warning Dissemination Checklist

The Timely Warning Designee shall use and complete the Timely Warning Dissemination Checklist (hereinafter “Dissemination Checklist”), which is incorporated by reference, to ensure proper and timely dissemination of the final Timely Warning Notice. Upon approval of the final Timely Warning Notice, the

Timely Warning Designee shall prepare and complete all required steps of the Dissemination Checklist. The Timely Warning Designee shall confirm completion of all required steps contained within the Dissemination Checklist and must sign and date the Dissemination Checklist. If the Timely Warning Designee is an entity, then a supervisor, director, or appropriate manager of the entity must confirm completion of all required steps contained within the Dissemination Checklist and must sign and date the Dissemination Checklist.

Upon completion, the Timely Warning Designee must submit the Dissemination Checklist, the final Timely Warning Notice that was issued, and any supporting documentation, to the Colleges CARE Team, who shall be responsible for maintaining an accurate and complete record of all final Timely Warning Notices issued.

The Timely Warning Designee shall disseminate the final Timely Warning Notice on behalf of the College. When disseminating the final Timely Warning Notice, the College will use one or more of the following means of dissemination, depending upon the technology available and the campus.

Electronic Mail (E-Mail)

The final Timely Warning Notice may be distributed to students and employees by e-mail to all @tvcc.cc and @student.tvcc.cc email addresses. The Timely Warning Designee may issue a mass e-mail that contains a copy of the final Timely Warning Notice to all @tvcc.cc and @students.tvcc.cc email addresses.

Text Message

The final Timely Warning Notice may be distributed by text message to all individuals who are enrolled in the Colleges message alert service. The Timely Warning Designee may also e-mail the final Timely Warning Notice to the Public Information Office, which may issue a mass text message that contains the Timely Warning Notice to all students and employees enrolled in College's message alert system.

Web Publication

Upon receipt of the final Timely Warning Notice from the Timely Warning Designee, the Public Information Office may post the contents of the Timely Warning Notice on the College's website, where applicable, based upon the campus.

Facebook

Upon receipt of the final Timely Warning Notice from the Timely Warning Designee, the Public Information Office may post the contents of the Timely Warning Notice on the College's Official Facebook page, to the extent that social media is an option.

Media

Upon receipt of the final Timely Warning Notice from the Timely Warning Designee, the Public Information Office may prepare a press release that contains the contents of the Timely Warning Notice and may transmit the press release to all appropriate media outlets, crime prevention organizations, governmental and state agencies, and news stations for further dissemination.

Campus Posters and Residence Halls

The Timely Warning Designee may forward a copy of the final Timely Warning Notice to the Office of Residence Life. The Office of Residence Life may oversee the distribution of flyers, which contain a copy of the Timely Warning Notice, in all common areas of the residence hall located within the general geographic area(s) of campus affected by the alleged crime, or in which the alleged crime occurred.

Where applicable, the appropriate campus security personnel may post and distribute posters that contain a copy of the final Timely Warning Notice in all common areas of campus and the surrounding campus community located within the general geographic area(s) affected by the alleged crime, or in which the alleged crime occurred. The head of the appropriate campus security personnel, or a designee, shall oversee the process by which the posters are posted and the common areas in which they are posted.

Additional Means of Dissemination

The College may adopt additional measures and may take additional steps as may be appropriate and necessary under the circumstances in order to further disseminate the Timely Warning Notice.

Review of Timely Warning Process

In its efforts to ensure that its Policy and Procedures For Issuing Timely Warnings is properly implemented, the CARE Team and College Security, shall compile a monthly Timely Warning Notice Report, and shall distribute it to CARE Team for further review, oversight, and correction of the College's processes.

The Timely Warning Notice Report shall contain the following information:

1. A list of all alleged Clery Act crimes and incidents reported to the Timely Warning Designee for each month and for which a Timely Warning Notice was issued; and
2. A list of all alleged Clery Act crimes and incidents reported to the Timely Warning Designee for each month and for which a Timely Warning Notice was not issued.

Appendix B

Treasure Valley Community College Student Rights, Freedoms, and Responsibilities

Treasure Valley Community College (TVCC) resolves to provide an atmosphere conducive to academic success and campus involvement without external pressure, interference or disturbance. Students have the responsibility to obey and follow College policy and procedures, federal and state statutes and city ordinances, to respect the rights of others, to fulfill academic requirements of their courses, to contribute to a positive, productive learning environment at the College, and to take responsibility for personal decisions and conduct. The following rights and responsibilities apply to all registered students.

The prescribed document adopted by the Board of Education as an Administrative Regulation is the "Students Rights, Freedoms and Responsibilities," (SRF&R) policy that should be exercised responsibly by students, staff, administration and faculty at Treasure Valley Community College.

The basic purpose of the Student Rights, Freedoms, and Responsibilities Administrative Regulation is to:

1. Recognize fundamental provisions for student rights and freedoms in an academic setting.
2. Identify student responsibilities and conduct guidelines while clarifying the process for resolution to alleged violations.

Students enrolled at Treasure Valley Community College extension centers will enjoy the same rights and responsibilities as the students at the Ontario campus and must comply with the Student Rights, Freedoms, and Responsibilities and follow the same guidelines established herein.

Copies of the Student Rights, Freedoms, and Responsibilities may be obtained online at www.tvcc.cc or at the Student Services office of Treasure Valley Community College located at 650 College Blvd. Ontario, OR 97914. Copies of the Student Rights, Freedoms, and Responsibilities at extension sites are located at the main service area at the respective sites.

Freedom of Discrimination and Access to Higher Education:

TVCC maintains an environment of learning and work that is free of unlawful discrimination. In compliance with state and federal laws, Treasure Valley Community College does not discriminate on the basis of race, religion, color, national origin, age, gender, veterans' status, sexual orientation, gender identity, pregnancy, familial relationship, citizenship status, marital status or physical or mental disability in employment, or in any of its educational programs, or in the provision of benefits and services to students. Treasure Valley Community College shall be open to all applicants who are qualified according to current admission requirements.

Providing access to education and campus facilities.

1. The college shall be open to applicants who are qualified according to current admission requirements within the limits of its resources and facilities.

2. Students have the right to be informed about class requirements and college policy and procedures. Students' access to education shall not be inhibited by prejudiced or capricious academic evaluation.
3. Students have the right to participate in evaluations of programs, course content and educational objectives (when applicable) through the Student Government appointed representation in the governance process.
4. If a student is charged with a violation of law not related to his/her activities on campus, the matter shall be of no disciplinary concern to the college, unless the student is incarcerated and cannot comply with educational requirements. If the student's violation of the law not related to his/her activities on campus violates an established and approved TVCC agreement with their particular activity (i.e. athletics, clubs/organizations etc.) it shall be handled appropriately by the advisor to that organization and the Student Conduct Officer.
5. Students, official clubs/organizations may use available college facilities for events and activities that are appropriately sponsored and approved according to college policy and procedures. Facilities and services of the college will be open to all of its enrolled students, provided the facilities and services are used in a manner appropriate to the academic and student life community and in compliance with college procedures.

Access to Student Records

Inspection of Records

1. All students shall have the right of access to their personal educational records through written request to the Vice President of Student Services of Treasure Valley Community College. Requests shall be processed within five (5) working days of the request.
2. A student may request to change or modify the information in his/her individual record(s) by providing the Registrar (or the appropriate campus official) with new information in writing. The Registrar (or the appropriate campus official), within a reasonable time, will notify the student whether the records will be modified.
3. Students also have the right to request a hearing in writing with the Vice President of Student Services and Registrar (or the appropriate campus official), should they choose to challenge the content of educational records. A request can be made to insure that the records are accurate, not misleading, or in violation of their privacy or other rights. Hearings must be convened within five (5) working days of the written request.
4. The Registrar (or the appropriate campus official) maintains a permanent record of student transcripts and provides for retention of permanent records in a manner secure from accidental destruction or intentional tampering.

Release of Information

In compliance with the Family Educational Rights and Privacy Act (FERPA), it is the policy of TVCC not to release information other than directory information about enrolled students without written permission of the student. However, the college will release in accordance with the law, enrollment verification and dates of enrollment, verification of certificate or degree earned and date of graduation, participation in intercollegiate sports, including athletic statistics and honors awarded.

1. A student may request in writing, that "directory" information not be released. The Registrar (or the appropriate campus official) will set the privacy flag in the student record to provide warning not to disclose directory information.
2. **College staff** may access student records to facilitate the educational process or provide services, advising, and accomplish college functions. The Registrar (or the appropriate campus official) or his/her designee will, using professional judgment, release student record information to other college staff (as "education officials") with a legitimate educational need.
3. **A parent or legal guardian for whom the student is a dependent or persons with a written release from the student** may request in writing to inspect official academic records. Upon presentation of acceptable identification, including student ID card or valid driver's license, to the Registrar (or the appropriate campus official) or her/his designee in the Student Services Office. The school official will verify the identification, dependency status, or signature. The college will assess a fee for the copies as appropriate and provide access to the student's own records within five (5) working days.
4. **Another school or institution**, where the student intends to enroll, may request the transfer of student records. The Registrar (or the appropriate campus official) will make a reasonable effort to notify the student at the student's last known address.
5. **Other authorities** may request student record information under federal or state laws or legislative directive with responsibility to conduct audits, accreditation, program reviews or reports, or to fulfill other legal requirements. The Registrar (or the appropriate campus official) will send a copy of any court order or subpoena and relevant records to the student at the last known address, as appropriate, and provide the authorities with the required student record information under the relevant laws, directives or other legal requirements.
6. **Researchers** may request student record information for legitimate academic research. The Registrar (or the appropriate campus official), within a reasonable time, will supply the requested information provided that no personally identifiable information is revealed. Personally identifiable information may be provided to other organizations operating under the same federal or state laws as the college in accordance with the requirements of the state or federal government.
7. **Any person** may request "directory information." The Registrar (or the appropriate campus official) will provide student record information, unless the student has requested that no information be released.
8. **In an emergency**, designated college employees may use their professional judgment to release student record information and student location on campus.

Protection of confidential student records and information.

Student records and information are protected and governed by federal and state laws and the college's Student Records Policy and Guidelines.

Students are given **Protection Against Improper Disclosure** at Treasure Valley Community College. Information about student views, beliefs, private activities, and political associations which is acquired or learned by college employees in the course of work is to be treated with professional judgment and confidentiality.

The Family Educational Rights and Privacy Act (FERPA) of 1974 will insure the privacy of student education records. The intent of the legislation is to protect the rights of students and protect the privacy and accuracy of education records. The Act applies to all institutions that are the recipients of federal aid administered by the Secretary of Education.

Freedom of Inquiry and Expression:

Free inquiry and free expression are essential attributes of a community of scholars. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on campus, through involvement in college sponsored clubs/organizations and activities/events, and in the community at large. The responsibility to secure and respect general conditions conducive to learning and involving the freedom to learn is shared by all members of the college community. Students should strive to develop the capacity for critical judgment and the ability to engage in a sustained and independent search for truth, while endeavoring to exercise their freedom with maturity and responsibility. As students undertake the task of fulfilling the obligations and duties outlined in this document, the college community of which they are a part undertakes to respect the basic freedoms of inquiry and expression of students.

1. Students are free to take reasoned exception to the data, information or views presented in any course of study and to reserve judgment about matters of opinion. Regardless of the differences in opinions and views expressed, students are still responsible for achieving the specified course objectives and learning outcomes even if they disagree with the course content.
2. Students and student organizations will be free to examine and discuss all items of interest and to express opinions publicly and privately. Students will always be free to support causes by orderly means, in ways that do not disrupt the operation of the institution or violate college policies and procedures. Students may be subject to disciplinary action when their acts or actions cause or lead to substantial disruption or interference with the regular and essential operation of the College.
3. As constituents of the academic community, TVCC students shall be free, individually and collectively, to express their views on issues of institutional policy and procedures which shall include the examination and discussion of issues of interest to them and expression of opinions both publicly and privately. They shall be free to invite and to hear persons of their choosing and to support causes by orderly means that do not substantially disrupt the regular and essential operations of the College.
4. Students and student organizations shall be free to examine and to discuss all questions of interest to them, and to express opinions publicly and privately. They must always be free to support causes by orderly means which do not disrupt the regular and essential operation of the institution. At the same time, it should be made clear to the academic and the larger community that in their public expressions or demonstrations, students or student organizations speak only for themselves. Actions by individuals or groups to prevent speakers invited to the campus from speaking, to disrupt the operations of the institution in the course of demonstrations, or to obstruct or restrain other members of the academic community and campus visitors by physical force are destructive of the pursuit of learning and of a free society. All components of the academic community are under a strong obligation to protect its processes from these tactics.

5. Freedom of Association in Higher Education:

Students bring a variety of previously acquired interests while developing new interests as members of Treasure Valley Community College. Students are free to organize and join associations to promote their common interests by following the established guidelines in the **Associated Student Government Clubs and Organizations Packet**. Students shall be free to organize and join associations to promote their common interests as long as they do not disrupt the college or violate its rules and regulations.

1. All clubs/organizations must have a full-time faculty/staff advisor in order to meet accreditation and insurance requirements of the college. Club advisors are responsible for the financial transactions of the club/organization and must follow the established institutional financial procedures.
2. Students who would like to start a new organization or join an existing organization should contact the Associated Student Government of Treasure Valley Community College office for information.
3. Student organizations must abide by existing college and ASTVCC policies and may not restrict membership or participation in events. Clubs/Organizations that have established requirements for GPA or credit load must still allow students to be involved, but can establish qualified membership and non-qualified membership status.
4. Student clubs/organizations must adhere to the **Freedom of Access to Higher Education** clause in the Student Rights, Freedoms, and Responsibilities document with regards to the non-discrimination of membership.
5. A recognized club or organization may lose its official recognition or be suspended by a two-thirds majority vote of the Associated Student Government or by the Board of Education of Treasure Valley Community College if actions of its officers or members, or activities of the organization as a whole, violate college policies and procedures or substantially disrupt the regular and essential operations of the College.

Protection Against Improper Academic Evaluation

1. Students have the right to be informed by the faculty at the beginning of each course about the course requirements, evaluation procedures, and evaluation criteria to be used and the right to expect that those criteria will be fairly employed.
2. Students have the right to be evaluated solely on relevant academic criteria and be protected against arbitrary or capricious academic evaluation.
3. Students have the right to timely assessment and fairness in grading of their academic work.
4. Student grades will be based solely on academic achievement, unless otherwise specified by the professor in writing. Complaints about class requirements and grades must first go through the instructor and the division/departments chair. Students may appeal grades received by following the process described in **Faculty Complaint Procedure**.

Student Participation in College Governance

The Student Government shall annually appoint representatives to institutional college governance committees, other institutional committees and councils which require student input. Students are free to express their views, individually and collectively, on issues of institutional policy and on matters of general interest to the student body through the Associated Student Government of Treasure Valley Community College. The ASTVCC President is responsible for representing student interests to the Board of Education and administration.

Student Sponsored Programs, Publications, and Web Content:

Student programs and publications, whether in written or electronic form, are valuable aids in establishing and maintaining an atmosphere of free and responsible discussion and intellectual exploration at the college.

1. Treasure Valley Community College serves as the legal publisher of all recognized and approved student publications. Any web content bearing the name of Treasure Valley Community College (or other form that characteristically represents the college including the mascot name) will be administered or advised by an established college representative.
2. The college administration, in conjunction with ASTVCC, may adopt written clarification of the role of student publications and web pages, standards used in evaluation, and degrees of operational control. The editorial freedom granted by the college to student editors and leaders entails taking personal responsibility to ensure ethical conduct and journalism, such as the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity and the techniques of harassment and innuendo.
3. The college has the responsibility to develop informed, critical thinking programs and an objective thinking atmosphere for the student population ensuring a free interchange of ideas. Therefore, TVCC student organizations have the freedom to sponsor and hear any person(s) of their choosing in compliance with administrative regulations governing scheduling, publicity, and management of campus activities.
4. The education of students is not limited to classroom activities. Therefore, students have the right to hear a variety of outside speakers and topics. Institutional control of campus facilities cannot be used to censor activities. Sponsorship of guest speakers may be withheld if there are reasonable administrative concerns that the controversial nature of the speaker or content of the speech would lead to disruptions on campus. It is the responsibility of the students sponsoring the event to make it clear to the campus and community that all views expressed are not necessarily those of the students, staff or administration of Treasure Valley Community College.
5. If student publications or web pages are created and approved through the established process, the Code of Ethics of the Society of Professional Journalists, the Oregon Code of Ethics for Journalism (of the Oregon Newspaper Publishers Association) shall be adopted and utilized by students participating in the production of approved publications.
6. College staff advisors have the responsibility to review copy to protect the institution from legal actions relating to obscenity, criminal or civil libel, or copyright infringement.

However, staff advisors are not responsible for the content of student publications unless they explicitly engage in a direct ethical, libel, or copyright violation.

7. All approved TVCC published student publications, whether written or electronic, shall explicitly state (on the editorial page) that the opinions expressed are not necessarily those of the college or student association.

Off-Campus Representation of the College:

1. Students and student organizations officially representing TVCC may not sponsor, join in sponsoring, hold, or attend off-campus events without securing prior permission from the appropriate college official within the department, faculty advisor or the Director of Student Programs or his/her representative.
2. TVCC students participating in an activity, event, or college sponsored function off campus will be held responsible for their actions, and the implications of their actions in their individual or group representation of the college, whether it be a social, recreational, athletic, extracurricular, or academic event/activity.
3. Treasure Valley Community College students are both members of the campus and citizens of the community. As citizens, students shall enjoy the same freedom of speech, peaceful assembly, and right to petition that other citizens enjoy without recourse from the college.
4. Activities of students may occasionally result in violation of law. Students who violate the law may incur penalties prescribed by civil authorities. The institution may levy disciplinary actions where the institution's interests as an academic community are distinct and clearly involved.

Student Conduct and Disciplinary Standard

Students assume the responsibility to conduct themselves in accordance with the standards established in Treasure Valley Community College Student Rights, Freedoms, and Responsibilities. Students will also conduct themselves in a manner that is compatible with the college's function as an educational institution. In addition, students are expected to respect the rights of others, fulfill academic requirements of their courses, contribute to a positive, productive learning environment at the College, and take responsibility for personal decisions and conduct.

The Student Rights, Freedoms, and Responsibilities document applies to anyone accepted for college admission, registered for one or more classes and/or enrolled in any special program approved by Treasure Valley Community College. The TVCC Student Rights, Freedoms, and Responsibilities document ensures that each member of the campus community has an opportunity to experience success and ensures fair and equal treatment as a student of the institution. Although TVCC is dedicated to an open, free society, there are some actions, as determined by the college, which are incompatible with an institution of higher education. Many times, action is warranted for protection of individuals, property and a positive learning climate at the college.

If requested by a college official, students are required to provide identification such as a student identification card, driver's license, or class schedule on demand to campus security personnel, staff, faculty or administration.

Charges of Student Misconduct

Faculty, staff, administration, and students are encouraged to resolve student misconduct on an informal basis whenever possible. However, when the misconduct of a student escalates to a level in which informal resolution is not possible, an individual may initiate action through the **Office of Student Conduct**.

Any individual charging a student with or witnessing misconduct must complete a Behavioral/Incident Report Form which is submitted to the **Student Conduct Officer** or his/her designee within seven (7) working days of the alleged misconduct. These charges could include any violation of the *Student Rights, Freedoms, and Responsibilities* as set forth in the "Grounds for Disciplinary Action."

Grounds for disciplinary action include but are not limited to:

The following conduct shall constitute good cause for discipline, including but not limited to the removal, suspension, or expulsion of a student, except for conduct that constitutes sex discrimination under Title IX, which shall be addressed under BP 3433 Prohibition of Sex Discrimination under Title IX: • Causing, attempting to cause, or threatening to cause physical injury to another person. • Possession, sale, or otherwise furnishing any firearm, knife, explosive, or other dangerous object, including but not limited to any facsimile firearm, knife, or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from a College employee, which is concurred in by the President. • Unlawful possession, use, sale, offer to sell, or furnishing, or being under the influence of, any controlled substance, an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia. • Committing or attempting to commit robbery or extortion. • Causing or attempting to cause damage to College property or to private property on campus. • Stealing or attempting to steal College property or private property on campus, or knowingly receiving stolen College property or private property on campus. • Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college or the College. • Sexual assault or sexual exploitation regardless of the victim's affiliation with the College. Student Services Page 2 of 2 • Committing sexual harassment as defined by law or by College policies and procedures. • Engaging in harassing or discriminatory behavior based on disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other status protected by law. • Engaging in intimidating conduct, hazing or bullying against another student through words or actions, including direct physical contact; verbal assaults, such as teasing or name-calling; social isolation or manipulation; and cyberbullying; • Willful misconduct which results in injury or death to a student or to employees or which results in cutting, defacing, or other injury to any real or personal property owned by the College or on campus. • Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, college personnel. • Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty. • Dishonesty, forgery, alteration or misuse of college documents, records or

identification; or knowingly furnishing false information to the College. • Unauthorized entry upon or use of College facilities. • Lewd, indecent, or obscene conduct on College-owned or controlled property or at College-sponsored or supervised functions. • Engaging in expression which is obscene, libelous, or slanderous; or which so incites students as to create a clear and present danger of the commission of unlawful acts on college premises, or the violation of lawful College administrative procedures, or the substantial disruption of the orderly operation of the College. • Persistent, serious misconduct where other means of correction have failed to bring about proper conduct. • Unauthorized preparation, giving, selling, transfer, distribution, or publication, for any commercial purpose, of any contemporaneous recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to handwritten or typewritten class notes, except as permitted by any board policy or administrative procedure.

Summary Suspension

In emergency situations, the Vice President of Student Services, The Chief Campus Safety Officer, The Director of Student Life, and the Residence Life Manager may levy a written summary suspension of a student. A faculty member reserves the right to remove a student from their classroom if a violation of the Student Rights, Freedoms, and Responsibilities has occurred. A summary suspension is defined as immediate suspension pending an investigation and based on the determination that allowing the student to continue with all rights, freedoms, and responsibilities would put members of the college at risk. A summary suspension is levied when a situation arises that is of immediate threat or danger to the institution or is likely to cause substantial disruption or interference with the regular and essential operation of the College.

Disciplinary Procedures

Once an individual who has charged or witnessed misconduct has completed a Behavioral/Incident Report Form it is submitted to the Student Conduct Officer or his/her designee within seven (7) working days of the alleged misconduct. If the individual charging or witnessing misconduct is the Student Conduct Officer, the Director of Student Programs will facilitate the disciplinary proceedings. These charges could include any violation of the *Student Rights, Freedoms, and Responsibilities* as set forth in the "Grounds for Disciplinary Action."

1. The charges will be reviewed and evaluated by the Student Conduct Officer or his/her designee to determine whether the circumstances warrant disciplinary action for an alleged infringement of the Student Rights, Freedoms, and Responsibilities.
2. If disciplinary procedures are merited, the Student Conduct Officer or his/her designee will notify the accused of the alleged misconduct within five (5) working days of receipt of the Behavioral/Incident Report Form.
3. The Student Conduct Officer, or his/her designee may exclude a student from classes, activities, programs, or campus property (summary suspension) if there is an imminent threat for the safety of the campus, other students, or faculty, staff or administration. The Student Conduct Officer may also exclude a student from classes, activities, programs, or campus property pending an investigation or if the presence of the accused is likely to interfere with the orderly operation of the campus.

4. The accused will be afforded the opportunity to provide a written statement which will be submitted to the Student Conduct Officer or his/her designee within five (5) working days of notification. Both the college and the accused may seek legal advice at their own expense, however because the discipline process is not a legal proceeding neither the college nor the student will be represented or advised by a lawyer during any disciplinary meeting or hearing involving the college and the student.
5. The Student Conduct Officer or his/her designee may direct a designee or Campus Security Officer to conduct an investigation as needed. The Student Conduct Officer or his/her designee reserves the right to interview the appropriate parties in order to clarify their written statements.
6. If a student chooses to withdraw or leave the college on his/her own volition at any time during the process, the disciplinary procedures will not be interrupted and resolution will be sought by the Student Conduct Officer or his/her designee.
7. The Student Conduct Officer or his/her designee will review all of the appropriate documentation and statements and determine the appropriate action as prescribed in the Student Rights, Freedoms, and Responsibilities within a reasonable time frame.
8. After the investigation is completed The Student Conduct Officer or his/her designee will issue a written Statement of Findings to the accused including any disciplinary action that will be levied against the student.

Sanctions

The following are disciplinary measures that can be taken by the Student Conduct Officer or the Campus Assessment Response and Evaluation (CARE) Team in the event of an appeal.

1. **Censure:** A written statement and warning by the Student Conduct Officer that rebukes the actions or conduct of an individual. The censure of a student may also contain other sanctions as deemed appropriate by the Student Conduct Officer of the college.
2. **Restitution:** A requirement by the institution to be reimbursed for the theft of college property or the theft of personal property on campus or leased property of the campus, or damage to, college or personal property. Restitution may also take the form of appropriate services to repair or otherwise compensate for the damages and or compensate for college wages for personnel dealing with the investigation and/or issues surrounding the incident.
3. **Disciplinary Probation:** Immediate removal of a student from the specified class(es), or activity(s), building, or from campus for a specified period of time. Loss of student privileges until the probationary period has elapsed.
4. **Suspension:** Immediate suspension from a specified campus and forbiddance to attend classes and/or participate in activities for the period of no less than one academic year. The student may request for reinstatement at the end of the suspension period.
5. **Expulsion:** Immediate and indefinite expulsion of a student from all areas of campus including their ability to be a guest or visitor on campus, including attendance at events not sponsored by the college but held on campus.

6. **Other** : As deemed appropriate by the Student Conduct Officer, further disciplinary action can be issued to the student including, but not limited to, requirement of educational courses at the student's expense, judicial fines, research essays addressing a topic related to the infraction, community service on campus, letters of apology or other items as determined by the Student Conduct Officer.

Appeal of Levied Disciplinary Action

The student has the right to appeal any disciplinary action to the CARE Team committee which is annually appointed by the Vice President of Student Services. The CARE Team will have 5 voting members with the Vice President of Student Services annually serving as the chairperson. In addition to the Vice President of Student Services, the CARE Team will consist of one staff member, one administrator, one faculty member, and one student. The Student Conduct Officer will provide a copy of the appeal process once the Statement of Findings has been issued to the student(s). If a student chooses to appeal the Statement of Findings, The Director of Student Programs and Residence Life or his/her designee will assist the appellant by informing them of the appropriate deadlines and help guide the student through the appeal process.

If the student desires to appeal a decision levied by the Student Conduct Officer, he/she shall file a written request to the Director of Student Programs and Residence Life.

1. The request for an appeal shall be submitted within five (5) working days of the written date of the Statement of Findings issued by the Student Conduct Officer.
2. If a request is not filed within the time specified, the request for a hearing shall be deemed waived and the decision of the Student Conduct Officer shall be upheld.
3. Appeals can only be granted solely on the basis of alleged procedural violation(s) of the Disciplinary Procedures or if additional information has been revealed since the Statement of Findings was issued to the student.

Disciplinary Appeal Procedures

Once an individual has completed a written appeal (including the specific procedural violation (s) and/or additional information pertaining to the incident) and submitted it to the Director of Student Programs and Residence Life (within five working days) the Disciplinary Appeal Process will commence.

1. Within ten (10) working days of receiving the student appeal, the CARE Team will review the appeal, investigation process, findings and sanctions.
2. The CARE Team may interview witnesses or person(s) noted in the investigation process, the Student Conduct Officer, or any other parties involved in the incident to ensure that the appeal is investigated thoroughly. The CARE team has the ability to uphold, reduce or dismiss the findings of the Student Conduct Officer.
3. The CARE Team will report the findings and conclusions on the final appeal to the student complainant and Student Conduct Officer within three (3) working days of the appeal review.

4. The appeal to the CARE Team is the only appeal and the decision of the CARE Team is final.

Approved by the TVCC Board of Education 08/19/14

Appendix C

Victim's Rights/Procedures for Victims to follow for Domestic Violence, Dating Violence, Sexual Assault, or Stalking

A student or employee who reports to TVCC that they have been a victim of domestic violence, dating violence, sexual assault, or stalking incident, whether or not the offense occurred on or off campus, will be provided with the below written explanation of victim rights after reporting an incident. The information applies to all students and staff of TVCC.

PROCEDURES FOR VICTIMS TO FOLLOW AFTER AN ATTACK

- Evidence preservation - It is encouraged that a victim of sexual assault not wash, douche, use the toilet, or change clothing prior to a medical/legal exam. If possible, bring clothing with you to an exam. Preserving evidence may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order.
- Report the alleged offense to:

Position	Name	Contact Information
Campus Security	Officer on Duty	(541) 212-9598 (cell) (541) 881-5730 (office)
Director of Residence Life & Student Conduct	Travis McFetridge	(541) 881-5792 (office)
VP of Student Services	Travis McFetridge	(541) 881-5599 (office)
Title IX and Clery Coord.	Travis McFetridge	(541) 881-5599 (office)

- Any of the above staff will assist a victim in notifying law enforcement if the victim chooses.
- TVCC reviews sanctions relating to the student code of conduct which will allow victims to voluntarily report crimes to campus officials.

VOLUNTARY CONFIDENTIAL REPORTING

- Victims of a crime who do not want to pursue action through the criminal justice system may make a confidential report and are strongly encouraged to do so. With the victim's permission, Campus Security will file a report regarding the details of the incident without revealing the victim's identity. The purpose of a confidential report is to comply with the victim's wish to keep the matter confidential, while taking steps to ensure the future safety of the victim and others. With such information, the College is able to keep an accurate record of the number of incidents involving students and staff, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Victims or witnesses may report crimes on a voluntary or confidential basis to the Associate Vice President; staff incidents may be reported to the TVCC Human Resources Department. Victims will be asked by campus authorities they report an incident to if they wish to report to local law enforcement for criminal investigation. Victims may inform campus authorities that they do not wish to file a police report; however, the law mandates that in cases of domestic violence or if the victim is a minor, TVCC staff must report this to local law enforcement.
- TVCC has no campus Pastoral or "Professional Counselors". A professional counselor is defined as one whose only role is to provide mental health counseling. As such, the counseling staff at TVCC have many duties including personal counseling, academic advising, and are considered

faculty; they cannot exercise privileged communication and are strongly encouraged to report incidents of which they become aware to a campus security authority. What this means is that all information will be held in confidence, however this information may be subject to subpoena. TVCC understands it is up to the victim to determine whether or not a crime will be reported or not to the school or law enforcement. Given that, TVCC will keep all information confidential only sharing personally identifiable information on a need to know basis to provide resources and support, and to include in incident statistics for annual crime reporting purposes only.

- Information sharing is kept on a need to know basis including any information about a victim's personally identifiable information which is limited to only staff and authorities who require this information as noted above.

FOLLOWING UP/ASSISTANCE IN ACCOMODATIONS/PROTECTIVE MEASURES FOR VICTIMS

Below is a list of resources available in the TVCC area for counseling, health, mental health, victim advocacy, legal assistance, visa and immigration, financial aid and other services available for victims both on campus and in the community.

Campus Security	(541) 212-9598
Title IX Coordinator	(541) 881-5599
VP of Student Services	(541) 881-5599
Ontario Police Department	(541) 881-5312
St. Alphonsus Medical Center	(541) 881-7000
Lifeways Behavior Health	(541) 889-9167
Project Dove – Advocacy Group	(541) 889-6316
Malheur County Health Department	(541) 889-7279
National Domestic Violence Hotline	1-800-799-7233 (SAFE)
Human Resources	(541) 881-5838
TVCC Financial Aid	(541) 881-5833
Admissions/Enrollment	(541) 881-5815
Caldwell Center	(208) 454-9911
Immigration Office (USCIS)	1-800-375-3283
Sexual Assault Victims' Emergency	(503) 378-5348

ASSISTANCE IN ACCOMODATIONS/PROTECTIVE MEASURES FOR VICTIMS

Students or staff who are victims may request changes in academic, living, or work situations if they are reasonably available. These requests are available to victims whether or not they chose to report crimes to campus security or local law enforcement.

Students – For academic, living, or work assistance, contact the VP of Student Services 541-881-5599
Staff – For work situations, contact Human Resources 541-881-5838

- No contact orders
 - The Caldwell Police Department and Project Dove can assist victims in filing orders of protection, no contact orders, restraining orders, or similar lawful orders. If a victim files such an order, they are encouraged to contact Campus Security or the VP of Students who will then be better able to respond in the event of an incident. It is much easier for

Campus Security to be informed of what they are walking into if they know about an abusive situation beforehand.

- Academic, Financial Aid, Campus Employment accommodations
 - Students – Contact VP of Students 541-881-5599
 - Staff – Contact Human Resources (541) 881-5838
 - Financial aid accommodations – Contact Financial Aid (541) 881-5833
- Any accommodations or protective measure provided to the victim are maintain confidential.

DISCIPLINARY ACTION

Below are procedures for TVCC disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking:

- If you wish to file a disciplinary complaint, please contact the Office of Student Conduct at 541-881-5792.
- Disciplinary action shall be prompt, fair, and an impartial investigation/resolution.
- Upon notification of the above alleged incidents, the following will occur in accordance with Title IX requirements:
 - Title IX Coordinator receive reports and begin investigation
 - Staff/Student notification for interviews
 - Student Conduct Officer issues Findings based on Title IX Coordinators investigation
 - Student Conduct Coordinator makes determination of responsibility and appropriate outcomes
 - Student notification of findings

ACCUSER AND ACCUSED RIGHTS, INCLUDE:

- The victim and alleged accused may be accompanied to the interview by an advisor or support person
- Appeal Procedures:
 - The student may appeal a decision by filing a written appeal with the Director of Student Life (or designee) within seven (5) calendar days of the decision made by the VP of Students and Student Conduct Officer.
 - The TVCC C.A.R.E. Team will then accept the appeal and schedule a meeting with the appellant within ten (10) business days. The appeal is heard and findings will be issued within three (3) business days. The C.A.R.E. Team is the final decision.

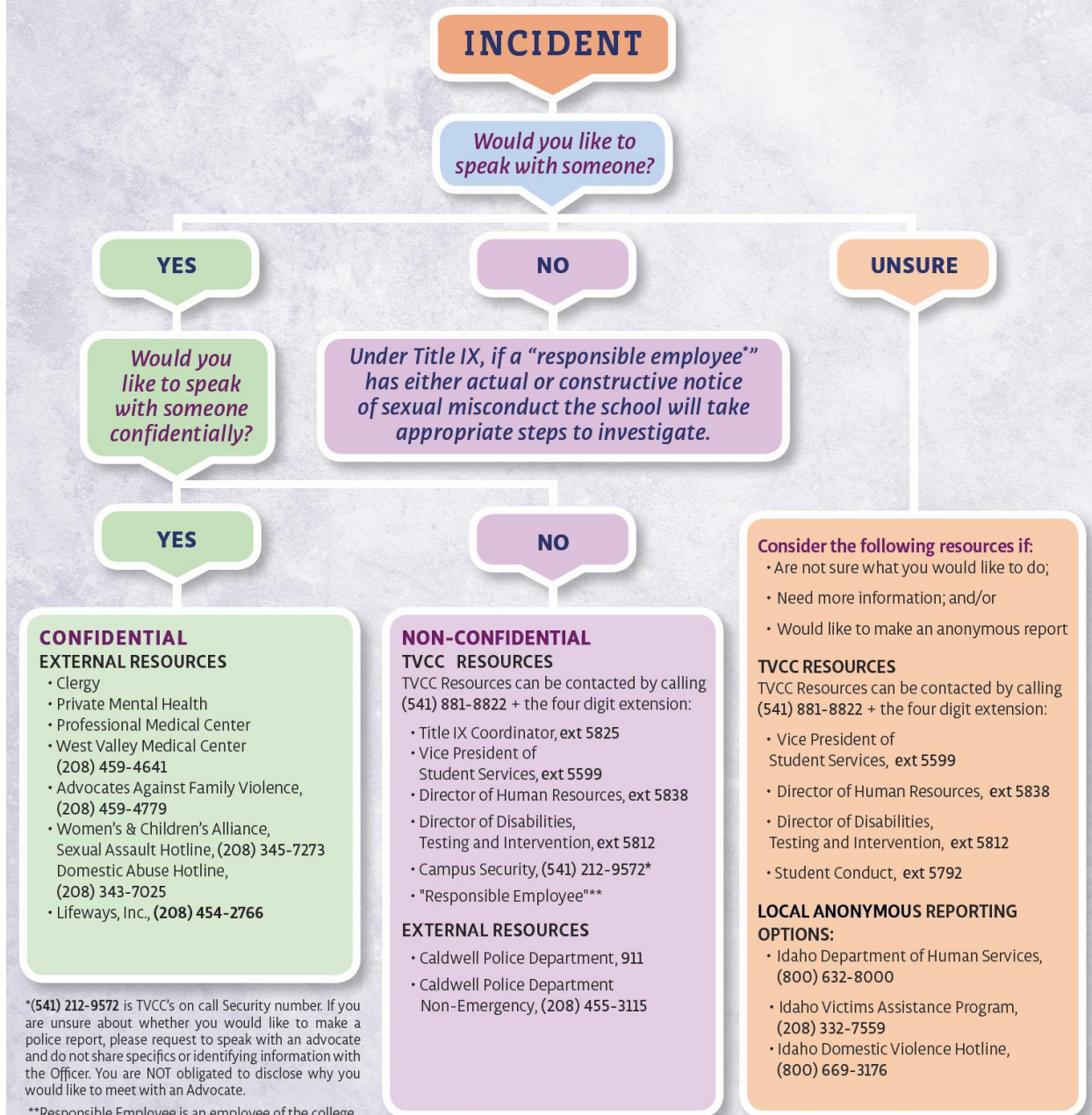
SANCTIONS

Possible sanctions following the final determination in the Student Conduct Procedure may include:

- Mandatory Counseling
- Removal from Sports or Club Activities
- Suspension form Classes and/or Campus Facilities
- No Contact Order
- Administrative Withdrawal
- Trespass from Campus
- Expulsion

GENDER-BASED & SEXUAL MISCONDUCT REPORTING AND SUPPORT OPTIONS

Gender-based and sexual misconduct prohibited by Treasure Valley Community College includes, but is not limited to, sexual assault, rape, sexual harassment, dating violence, and stalking. A detailed list and description can be found in the TVCC Student Rights, Freedoms and Responsibilities policy found at www.tvcc.cc. You may speak with any of the resources below at any time. Reporting is always an option and highly encouraged. Choosing one path does not exclude other options. Pursue the option(s) that you feel will be most helpful for you and your recovery.



*(541) 212-9572 is TVCC's on call Security number. If you are unsure about whether you would like to make a police report, please request to speak with an advocate and do not share specifics or identifying information with the Officer. You are NOT obligated to disclose why you would like to meet with an Advocate.

**Responsible Employee is an employee of the college.

**TREASURE VALLEY
COMMUNITY COLLEGE**

Treasure Valley Community College – Caldwell Center · 205 S 6th Ave., Caldwell Idaho · (208) 454-9911 · WWW.TVCC.CC

Reporting Gender-Based & Sexual Misconduct at Treasure Valley Community College OPTIONS AND CONFIDENTIALITY CONSIDERATIONS

TVCC CAMPUS SECURITY: (541) 212-9572

TVCC Security will address urgent safety and medical needs; report to the appropriate College officials; initially explain the investigation process; and assist with the investigation process if deemed appropriate by the Title IX Coordinator. If you request that TVCC Security NOT initiate an investigation, Security will honor that request to the extent possible. If the report raises significant safety concerns for you and/or other members of the TVCC community, Security may need to report it to the appropriate College officials. All reasonable steps will be taken to protect your privacy if this is necessary.

TITLE IX COORDINATOR: (541) 881-5825

The Title IX Coordinator's role is to coordinate prompt and effective processing of complaints. The Title IX coordinator or investigator will investigate the incident which includes speaking with the complainant, the respondent, and other witnesses. During the investigation, s/he can provide you with resources as well as assist you with safety, housing and academic concerns. If the report raises significant safety concerns for you and/or other members of TVCC's community,

the Coordinator may need to initiate further investigation and/or other action steps in response to the report. The Title IX Coordinator may also need to share the information with Ontario Police Department if it is believed a felony has been committed. In some circumstances, local police may need to contact you for more information and/or initiate an investigation on their own.

RESPONSIBLE EMPLOYEES (TVCC STAFF & FACULTY)

Most employees are required to report to the Title IX Coordinator when they learn of gender-based or sexual misconduct. S/he will connect you to the Title IX Coordinator.

CLERGY, PROFESSIONAL COUNSELOR, PSYCHOLOGIST, SOCIAL WORKER, DOCTOR

TVCC does not provide these positions on campus. Your communication with any of these individuals is privileged, which means they cannot share that information without your written permission. In order for this privilege to apply, the person must be acting in his/her professional capacity.

CIVIL OPTIONS MAY BE PURSUED GENERALLY WITHOUT INVOLVEMENT IN THE CRIMINAL PROCESS

RESTRAINING ORDER: Victims must petition the court for a protective or restraining order.

CIVIL LAW SUIT: Victims can sue perpetrators, or other responsible parties, for personal injury or other civil claims.

EMPLOYMENT: Unemployment may be available if you quit your place of employment due to domestic violence, stalking, sexual assault and other safety reasons. Employers cannot discriminate or retaliate against victims of domestic violence, stalking or sexual assault.

HOUSING: Victims can request that locks be changed and/or be released from their lease. Landlords cannot retaliate or discriminate against victims of domestic violence, stalking or sexual assault.

IMMIGRATION: Immigration relief is available to crime victims in the U.S. but may require participation in the criminal process.

OFFICE OF CIVIL RIGHTS (OCR) COMPLAINTS: (800) 421-3481

- OCR@ed.gov
- www2.ed.gov/about/offices/list/ocr/docs/howto.html
- www.ed.gov

NAME OR IDENTITY CHANGE: (888) 334-4547

- www.ag.idaho.gov/victimAssistance/victimAssistance_index.html

TVCC

A report of sexual assault to a non-confidential school official will trigger a mandatory report to the Title IX Coordinator, and may require an investigation.

- The Title IX investigation must be completed within 60 days and will include interviews with the complainant as well as the respondent.
- The treatment of both the complainant and respondent must be equitable.
- The complainant and respondent are both entitled to utilize the services of an advocate.
- The complainant and accused will be informed of the outcome of the investigation or hearing.

To ensure safety, some intermediary measures may include:

- Housing considerations
- Institutional no contact orders
- Academic accommodations
- Work Accommodations

To make a report against a student, contact:

- Student Conduct Officer | 541.881.5792

To make a report against an employee, contact:

- Director of Legal and Human Resources | 541.81.5838

The campus disciplinary processes for both complaints against another student or employee can be found on the [Student Right to Know](#) and [Title IX](#) webpage. For further inquiries of information and resources please contact the Title IX Coordinator at (541) 881-5825.

CRIMINAL PROCESS STARTS WITH A POLICE REPORT Following an Arrest

EXAMPLES OF AUTOMATIC RIGHTS ARE:

- The Judge will consider the victim's safety at a pre-trial release hearing.
- The victim can refuse to speak to the defendant's attorney or private investigator.

EXAMPLES OF REQUESTED RIGHTS:

- If the complainant wishes to be notified in advance of the perpetrator's release hearing, s/he must request the notification.
- The victim may request they be consulted in regards to plea negotiations or final offer.

If Case Goes to Trial

EXAMPLES OF AUTOMATIC RIGHTS INCLUDE:

- Victims have the right to express views in person or in writing at sentencing.
- Rape shield laws may apply.

EXAMPLES OF REQUESTED RIGHTS INCLUDE:

- The victim may request that the court exclude media, television, photography or recording equipment during proceedings. The request does not have to be honored.

After Sentencing

EXAMPLES OF AUTOMATIC RIGHTS INCLUDE:

- Prompt restitution
- To speak at a hearing on a motion to set aside the conviction.

EXAMPLES OF REQUESTED RIGHTS INCLUDE:

- Being notified when the convicted person is released from prison.
- Being notified of hearings where probation may be revoked.

State and Community Services

NATIONAL SEXUAL VIOLENCE RESOURCE CENTER

- (877) 739-3895 Toll Free • www.nsvrc.org

IDAHO COALITION AGAINST SEXUAL AND DOMESTIC VIOLENCE

- (208) 384-0419 • www.idvsa.org

ADDRESS CONFIDENTIALITY PROGRAM (ACP)

- The ACP is a free mail forwarding service to help survivors of domestic violence, sexual assault, stalking, or human trafficking protect their physical address information.
- (888) 344-4547 • www.doj.state.or.us/victims/confidentiality.shtml

CRIME VICTIMS COMPENSATION

- Idaho Crime Victim's Compensation Program works to ease the financial burden suffered by victims and their family members.
- (888) 334-4547
- www.ag.idaho.gov/victimAssistance/crimeVictimsRights.html

**TREASURE VALLEY
COMMUNITY COLLEGE**

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Treasure Valley Community College does not discriminate on the basis of race, color, sex, marital status, sexual orientation, religion, national origin, age or disability in any educational programs, activities or employment. Persons having questions about equal opportunity and non-discrimination should contact the Human Resources Director located in the Student Services Center on the south side of the Four Rivers Cultural Center building, email HR@tvcc.cc or call 541-881-5838 or TTY 541-881-2723.

Appendix D

TREASURE VALLEY COMMUNITY COLLEGE**Emergency Action Procedures**

Situation	Action	Call
Armed Intruder	▶ Move to a safe location, interior room, out of view ▶ Close doors & lock if possible ▶ Turn off lights and remain quiet ▶ If you cannot escape, seek cover ▶ Try to warn others without endangering yourself	Call 9-911 (from a campus phone) or 911
Bomb Threat	▶ Close all doors, windows ▶ Move to an interior room or hall, windowless if possible ▶ DO NOT evacuate unless told to do so by emergency personnel	Call 9-911 (from a campus phone) or 911
Building Evacuation	▶ Leave the building immediately ▶ Do not use elevators unless instructed to do so by emergency personnel	Call 9-911 (from a campus phone) or 911
Disruptive Person	▶ Remain calm, and have supervisor or co-worker come out to assist you	Call Campus Security (541) 212-9576 or 9-911
Fire	▶ Activate the fire alarm ▶ Evacuate the building	Call 9-911 (from a campus phone) or 911 from a safe location
Gas Leak	▶ Stop what you are doing ▶ Evacuate the building	Call 9-911 (from a campus phone) or 911
Hazardous Material Spill or Release	▶ Close off the area ▶ If necessary call Physical Plant (541) 212-9576 ▶ Move upwind from the area of spill or release	Call 9-911 (from a campus phone) or 911
Medical and First Aid	▶ Do not move the victim unless safety dictates	Call 9-911 (from a campus phone) or 911. For minor injury or illness call (541) 212-9576
Violent or Criminal Behavior	▶ Protect yourself	Call 9-911 (from a campus phone) or 911. Call (541) 212-9576

Appendix E

Drug and Alcohol Free Workplace

Policy Statement

Treasure Valley Community College has responsibility in establishing a safe and productive work environment free of the influence of drugs and alcohol for the benefit of its employees, students, and the public at large. As a result, the College is implementing a drug and alcohol free workplace policy. This policy applies to all current College employees (faculty and staff) while at the workplace. Certain positions (for example: Bus Driver) may be subject to federal Department of Transportation rules and regulations.

College Official

The College designates the Director of Human Resources as the person responsible for answering questions relating to the provisions of this policy. This policy will be enforced and administered with the advice and consent of the Director of Human Resources.

Possession, Use, or Distribution of Illegal Drugs or Alcohol

The possession, use, purchase, sale, or distribution of illegal drugs, hallucinogenic drug, narcotic drug, amphetamine, barbiturate, marijuana, or any other controlled substances, a prescription drug in possession of an individual without a valid prescription, drug paraphernalia, or alcohol by an employee in a College vehicle, on College property, or during work hours, is strictly prohibited. Any employee violating this prohibition will be subject to discipline, up to and including termination.

The College also has a prohibition against employee use of illegal drugs off the worksite. Any employee convicted of a criminal drug statute must notify Human Resources within 5 work days of the conviction. The employee may be asked to submit to drug testing which may result in the employee being suspended from work without pay, and be subject to discipline, up to and including termination.

Alcohol

The College is committed to ensuring that employees are not at work while under the influence of alcohol. Employees are not to report to work or remain at work while under the influence of alcohol, meaning having a blood alcohol concentration (BAC) greater than .02. Employees are also prohibited from using or possessing alcohol while on duty without College approval.

Medication

Employees are cautioned regarding the use of prescription medication that contains a warning label stating that the use of that drug may impair his/her ability to safely operate equipment or machinery. Employees will be allowed to work while using such medication if the drug is prescribed by a licensed medical practitioner who is familiar with the employee's medical history and assigned duties and who has advised the employee that the prescribed drug will not adversely affect his/her ability to safely perform the job.

“Over the counter (OTC) drugs” are included under this policy. OTC drugs are generally available without a prescription and are limited to those drugs which are capable of impairing the judgment of the user to safely perform work duties. Some cold medicines meet this definition.

Self-Referral

Any employees who feels they may be drug or alcohol dependent and who identify themselves as such will be encouraged to seek voluntary treatment for that dependency. The College can provide information from the Employee Assistance Provider for a private treatment program. If an employee seeks treatment voluntarily, accrued paid leave may be used while attending the program.

Employees who demonstrate successful progress or completion of a recommended course of treatment may return to work after taking and passing a drug and/or alcohol test. Any employee returning to work after such treatment will be expected to comply with all aspects of this policy.

A request for rehabilitation may not be made in order to avoid the consequence of a positive drug or alcohol test or to avoid taking a drug or alcohol test when requested to do so under the terms of this policy.

DRUG/ALCOHOL TESTING

Reasonable Cause Testing

The College will require any employee to be tested for alcohol and/or illegal drugs if the employee's physical appearance or pattern of behavior gives a supervisor or College official reason to believe the employee may be impaired. The basis of suspicion may be a specific, contemporaneous event or conduct evidencing impairment observed over a period of time. Reasonable cause testing also includes testing an employee for the presence of prescription medication when the college has reason to believe the employee may be abusing the medication. Before subjecting an employee to a reasonable cause test, the supervisor or Dean must first obtain agreement from the Director of Human Resources or the College President that the information available is sufficient to determine testing.

Random Testing

All employees may be subject to random drug and alcohol testing. Random testing will be unscheduled and every employee will be subject to testing. The random selection method, as well as the percentage of employees who will be tested, will be determined in consultation with the clinic or laboratory conducting the testing.

Post Accident Testing

Any employee who is involved in a work-related accident will be tested for the use of illegal drugs and/or alcohol as soon as practicable after the accident. Accidents that will require an employee to take a post accident test include, but are not limited to, situations where:

1. An employee causes a fatality or bodily injury to another person and where the injured person requires medical treatment away from the accident; or
2. An employee injures themselves, resulting in that employee filing a worker's compensation claim with lost time likely exceeding one work day; or
3. An employee causes damage to property owned by the College, or by a third party that may reasonably be estimated to exceed \$1000.

Employees who are involved in a work-related accident requiring medical attention are to inform their supervisor of the accident as soon as possible so that any needed drug or alcohol testing may be promptly conducted.

Specimen Collection

Only those collectors instructed in the proper methods of collection will conduct specimen collections. The person conducting the collection will utilize proper chain of custody documentation provided by the laboratory. They will also ensure that the donor's specimen is provided in a location and manner that protects a donor's privacy, and that the specimen is properly identified, sealed, and protected against tampering. Direct observation of a donor providing a urine specimen will only be conducted when there is evidence that the donor has submitted or attempted to submit an adulterated or false specimen. Specimen collection, storage, and transportation to the laboratory will be conducted in a manner that precludes specimen contamination or adulteration.

Adulterated or Diluted Specimen

If the collection monitor determines that an employee has submitted an adulterated or diluted specimen, that specimen will be discarded and a second specimen will be requested. It will be the second specimen that will then be tested. If the request for a second specimen is refused, the collector will inform the supervisor of the employee's refusal to submit an acceptable specimen. Such refusal may result in the employee being subject to discipline, up to and including termination.

Drug/Alcohol Testing

All urine specimens will be tested for the presence of illegal drugs.

Any urine specimen that screens positive for the presence of illegal drugs will be confirmed by the Gas Chromatography/Mass Spectrometry (GC/MS) confirmation method at a certified testing laboratory.

Any employee who confirms positive for illegal drugs may request their same specimen be re-tested. This request must be conveyed to the College within 48 hours of the employee being notified of the positive test result.

Alcohol testing will be done by means of testing the employee's saliva and/or breath. Any employee that tests at or above .02 BAC (Blood Alcohol Content) will have a confirmation test conducted upon the employee's breath after at least a fifteen minute waiting period from the first test being conducted.

Any employee who requests a re-test will be done at the employee's expense and suspended during the time of the re-test.

Refusal

An employee may not refuse to take a drug or alcohol test when requested to do so consistent with the terms of this policy. Such a refusal will be considered equivalent to testing positive. An employee will be considered as refusing to test if they:

1. Expressly refuse to take a test when so requested;
2. Fail to provide an adequate breath, saliva, or urine sample without a valid explanation; or
3. Engage in conduct that clearly obstructs the testing process.

Notification of Test Results

All drug test results received from the laboratory will be forwarded to the Director of Human Resources.

In forwarding test results, the laboratory staff will only report results to those College officials authorized to receive them. The College will be notified of both the employee's name and the drug(s) for which they were tested.

Any employee who tests positive will be given the opportunity to discuss that result with the laboratory staff prior to the College taking disciplinary action. In talking with any such individual, the staff will follow up on all information deemed necessary to resolve the employee's positive drug test.

If the laboratory staff determines that an employee's positive test result was due to his/her authorized use of prescription medication they will immediately report that result to the College and no further action will be taken. However, if an employee cannot provide a reasonable explanation for his/her positive test results, the College will then take disciplinary action consistent with the terms of this policy.

Effect of Testing Positive

Any employee who tests positive for the presence of illegal drugs and/or alcohol (a reading of .02 or above) may be allowed to continue working for the College subject to the terms and conditions of the

College's Last Chance Agreement. As part of the Agreement, the employee may also be asked to participate in a drug and/or alcohol treatment program, subject to testing before regaining employment. If the employee fails to satisfy the terms of the Agreement, the employee will be subject to discipline, up to and including termination. The employee is still subject to other disciplinary actions for reasons outside of the Last Chance Agreement.