

Annual Security Report | 2026

The federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires colleges and universities, both public and private, participating in federal student aid programs to disclose campus safety information, and imposes certain basic requirements for handling incidents of sexual violence and emergency situations. Disclosures about crime statistics and summaries of security policies are made once a year in an Annual Security Report.

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Greetings,

On behalf of the faculty, staff, and administration of Paradise Valley Community College (PVCC), it is my pleasure to welcome you to our community.

The safety and security of our students, employees, and visitors is our top priority. PVCC's professional law enforcement services are provided by the Maricopa County Community College District (MCCCD) Police Department—a dedicated law enforcement agency that operates onsite 24 hours a day, 7 days a week, 365 days a year. Police personnel assigned to PVCC are available every day to provide assistance or information, either in person or by phone.

The MCCCD Police Department office at the PVCC's Union Hills Campus is located in the KSC building, on the north side of campus, in the same building as the Welcome Center. For assistance, you may contact the MCCCD Police Central Communications Center at (602) 787-7900 for non-emergencies or (480) 784-0911 for emergencies.

PVCC's campus is located within the boundaries of the City of Phoenix, adjacent to the City of Scottsdale. *The MCCCD Police maintain strong working relationships with the Phoenix and Scottsdale and (ASU) Police Departments to ensure a safe learning environment for all.*

Everyone in our college community has a role in safety. If you are the victim of a crime, or if you observe suspicious activity, I encourage you to report it immediately to MCCCD Police. I am confident you will find MCCCD Police officers to be approachable, knowledgeable, and highly professional.

Please take a few moments to review the information in this Annual Security Report. Additional safety resources and links to other Maricopa Community Colleges' Annual Security Reports are available at https://police.maricopa.edu/.

Thank you for your shared commitment to safety and security at PVCC.

Sincerely,



Jana Schwartz, President
Paradise Valley Community College

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Annual Security Report Preparation

The Jeanne Clery Campus Safety Act (formerly known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act), commonly referred to as the Clery Act, is named for Jeanne Clery, a 19-year-old Lehigh University student who was murdered in her residence hall room in 1986. The law was originally enacted in 1990 as the Crime Awareness and Campus Security Act, which amended the Higher Education Act of 1965 (HEA). The Clery Act requires institutions of higher education that participate in federal Title IV student financial assistance programs to disclose certain information about campus security policies, crime prevention and safety programs, and specified crime statistics.

The Annual Security Report (ASR) provides the campus community with information regarding crime reporting procedures, campus security policies and procedures, crime prevention and awareness programs, emergency response and notification procedures, policies addressing sexual assault, domestic violence, dating violence, and stalking, and other required safety and security information. The ASR also includes crime statistics for the three most recent calendar years for specified crimes reported to have occurred on or within the institution's Clery geography.

The Violence Against Women Reauthorization Act of 2013 (VAWA) amended the Clery Act by adding requirements related to domestic violence, dating violence, sexual assault, and stalking. These amendments require institutions to disclose statistics for these offenses and to include specific policies, procedures, and prevention and awareness programs addressing these incidents in the Annual Security Report.

The Stop Campus Hazing Act, enacted on December 23, 2024, further amended the Clery Act by establishing additional institutional requirements related to hazing. Among other requirements, institutions must disclose statistics concerning hazing incidents, establish and publish a policy regarding hazing, and provide additional information regarding hazing prevention and awareness programs. These requirements are being incorporated into the institution's Clery Act compliance program as applicable and in accordance with the implementation timelines established by the U.S. Department of Education.

The U.S. Department of Education is responsible for administering and enforcing the Clery Act and has issued regulations and other guidance concerning institutional responsibilities under the Act. The Maricopa County Community College District (MCCCD) monitors applicable federal requirements and Department of Education guidance to support ongoing compliance. MCCCD may also utilize the Department of Education's 2016 Handbook for Campus Safety and Security Reporting and other federal resources as reference materials when appropriate; however, current federal statutes, regulations, and Department of Education requirements govern the institution's Clery Act reporting and compliance obligations.

The college prepares the text of this Annual Security Report through a collaborative approach,

which involves multiple departments including the Department of Public Safety, Office of Student Rights and Responsibilities, Counseling Services, and Title IX.

The Maricopa Community Colleges Police Department collects statistical data provided by reports to the Police, other identified campus security authorities and other law enforcement agencies. You may view the Scottsdale Police Department website or the Phoenix Police Department website to see crime statistics for the general area around PVCC Main Campus or the Black Mountain Campus.

Phoenix Police Department:

https://www.phoenix.gov/police

Scottsdale Police Department:

https://www.scottsdaleaz.gov/police

The Maricopa Community Colleges do not use any personally identifying information in public record keeping including Clery Act reporting and disclosures such as the Annual Security Report, and Daily Crime Log.

The college distributes a notice of availability of the Annual Security Report by October 1 of each year to every member of the college community. Anyone, including prospective students and employees, may obtain a copy of the report by visiting https://police.maricopa.edu/

Annual Security Report

The 2026 Annual Security Report is prepared to inform you of PVCC's campus crime statistics, security policies, fire statistics, and steps you can take to enhance your safety. It also includes policies, and programs regarding sexual assault, dating violence, domestic violence, stalking, and alcohol and drug prevention campaigns. This report includes information for the PVCC Main Campus, and the Black Mountain Campus for the 2023, 2024 and 2025 calendar years.

Police Jurisdiction on MCCCD Campuses

The MCCCD Police Department is vested with the authority and responsibility to enforce all applicable local, state and federal laws, as well as MCCCD policies. MCCCD Police Officers have the authority and duty to conduct criminal investigations, arrest violators and suppress campus crime. MCCCD Police are empowered by the State of Arizona to provide police and other quality safety services to the Maricopa Community College District.

MCCCD Police officers are duly sworn peace officers under A.R.S. § 13-3871, are authorized to carry firearms, and have the same authority as municipal police officers to use police powers of arrest in the state of Arizona. On-duty Police Officers traveling outside routine patrol areas on official College business may take appropriate law enforcement actions as necessary in the absence of available Local, County or State officers up to and including investigation and final criminal disposition.

The MCCCD Police Department also employs unarmed police aides to assist with campus security. Police aides are full and part-time department employees who serve as the “eyes and ears” of MCCCD Police. They take reports for minor incidents, provide basic emergency services and assist police officers as needed.

The MCCCD Police Department also contracts with an independent security firm, to oversee safety and security in the absence of Police/Public Safety Personnel. They typically provide security during the hours the campus is closed. Police Officers, Public Safety Aides and Contract Security Staff, have distinct uniforms and photo ID’s which allow them to be identified by members of the college and surrounding community.

Public Safety Aides and Contract Security Staff have the authority to enforce College policies. The patrol jurisdiction of Public Safety Aides and Contract Security Staff is limited to any buildings or properties owned or controlled by Paradise Valley Community College.

Agreements with Local Law Enforcement Agencies

The PVCC Police Department works closely with both the Scottsdale and Phoenix Police Departments. The PVCC Police Department does not have written Mutual Aid Agreements or Memorandums of Understanding with those agencies, specifically pertaining to the investigation of criminal incidents.

Monitoring and Recording of Criminal Activity by Students at Non-campus locations of Recognized Student Organizations

PVCC does not have officially recognized student organizations that own or control

hosing facilities outside of the PVCC core campus. Therefore, local Police Departments are not used to monitor and record criminal activity since there aren't any non-campus locations of student organizations.

District Police Department PVCC Office Location

The MCCCD Police Department office at PVCC is located in the center of the Kranitz Student Center building (KSC) located on the north side of campus. The PVCC Black Mountain District Police office is located in the Aquila Hall Building.

MCCCD Police Department Contact Information

- Chandler-Gilbert: 2626 E. Pecos Rd, Chandler, AZ 85225 – (**480) 732-7280**
- Chandler- Gilbert Williams: 7360 E. Tahoe Ave, Mesa, AZ 85212-(**480) 988-8888**
- Estrella Mountain: 3000 N Dysart Rd, Avondale, AZ 85392 – **(623) 935-8915**
- GateWay:108 N 40th St., Phoenix, AZ 85034 - (**602) 286-8911**
- Glendale: 6000 W Olive Ave, Glendale, AZ 85302 - **(623) 845-3535**
- Glendale North: 5727 W Happy Valley Rd, Phoenix, AZ 85310 - (**623) 930-3000**
- Mesa: 1833 W. Southern, Mesa, AZ 85202 – **(480) 461-7046**
- Mesa Red Mountain: 7110 E. McKellips Rd, Mesa AZ 85207 - (**480) 654-7257**
- Paradise Valley:18401 N 32nd St., Phoenix, AZ 85032 - **(602) 787-7902**
- Phoenix: 1202 W. Thomas Rd, Phoenix, AZ 85013 – **(602) 285-7777**
- Rio Salado: 2323 W. 14th St., Tempe, AZ 85281 – (**480) 377-4556**
- Scottsdale: 9000 E Chaparral Rd, Scottsdale, AZ 85256-(**480) 423-6175**
- South Mountain: 7050 S. 24th St., Phoenix, AZ 85042 – **(602) 243-8100**

Crime Logs

The MCCCD Police Department maintains a daily crime log documenting reported crimes in accordance with the Clery Act. Campus Crime Logs can be accessed electronically on the MCCCD Police website https://police.maricopa.edu or viewed in person by going to any of the MCCCD police department locations on our campuses.

Reporting Crimes and Incidents

The Maricopa Community College District has a number of ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to law

enforcement and appropriate college officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire college community that incidents be reported immediately and accurately so MCCCD Police, or the responsible jurisdictional agency, can investigate the situation and determine if follow-up actions are required, including issuing a Timely Warning or emergency notification.

MCCCD students, faculty and staff are encouraged to report all crimes and suspicious activity in an accurate and timely manner. If the victim elects not to or is unable to report, a third party may make the report.

Crimes in progress and serious crimes that have just occurred should be reported by calling 480-784-0911 from any phone or **40911** from any campus phone. Whenever possible, the actual victim of the crime or witness should call directly. First- hand information is usually more accurate and complete. You may report a crime if someone gives you the information and leaves, but include this fact when reporting. Crimes or suspected crimes may be reported by telephone, in person, or with the Maricopa Guardian mobile application. The app is available through Google Play and the Apple App Store.

Non-emergency crimes occurring on MCCCD property can be reported by dialing **480-784-0900** from any phone or **40900** from any campus phone. MCCCD Police Officers or Public Safety Aides will respond to all non-emergency calls for service.

MCCCD Police Communications & Records Bureau

The MCCCD Police Communications & Records Bureau is staffed 24 hours a day, seven days a week, by trained public safety dispatchers. Our communication center is centralized and handles both emergency and non-emergency calls for services. Emergency phone calls and officer radio transmissions take precedence; however, all calls will be answered as soon as possible.

Dispatchers receive emergency and non-emergency phone calls from the college community which are requesting police or other emergency services using a multi-line telephone system while monitoring fire, intrusion and emergency notification systems. Dispatchers also monitor the Maricopa Guardian mobile app dashboard for emergency incidents. Dispatchers enter calls with pertinent information from callers into a Computer Aided Dispatch system to be disseminated to officers who respond.

What to expect when calling 911

When calling to report a crime or incident, be ready to give information on the following questions:

- Where is the incident occurring?
- What is happening?
- When did the incident occur?
- Who is involved?
    - Where and when the suspect(s) were last seen
    - Suspects(s) description (including gender, race, age, height, weight, hair

color/length, clothing, facial hair, tattoos/scars)

- Weapon(s), if any, and a description
- Other relevant information

In addition to the importance of reporting, information assists responders in developing timely warnings for the college community.

Cell phones do not automatically register caller's names and exact location information in the 911 system. When calling 911 from a cell phone, tell the dispatcher you are calling from a cell phone and provide the location of your emergency. Dispatchers will ask questions regarding the emergency and may confirm information for a proper agency response. Cell phone 911 calls may be redirected to another law enforcement agency depending on the location of the emergency.

Campus Security Authorities

While the district encourages the college community to promptly report all crimes and other emergencies directly to the MCCCD Police Department, the district also recognizes that some may prefer to report the incident to other individuals and offices. The Clery Act recognizes certain college officials, and employees and offices as Campus Security Authorities (CSA's). The act defines these individuals as "officials of an institution who have significant responsibility for student and campus activities," including but not limited to, student discipline, student activities, student club advisors and coaches. An example of individuals or college departments are: Dean of Students, Disability Services, Veteran's Services, and Athletic Coaches.

The function of a Campus Security Authority at the colleges is to report to the MCCCD Police those allegations of Clery Act crimes that they receive. CSA's are responsible for reporting allegations of Clery Act crimes that are reported to them in their capacity as a CSA. This means that CSA's are not responsible for investigating or reporting incidents that they overhear students talking about in a hallway conversation; that a classmate or student mentions during an in-class discussion; that a victim mentions during a speech, workshop, or any other form of a group presentation; or that the CSA otherwise learns about in an indirect manner.

When the District Contracted Security Company personnel are working at colleges, they are considered Campus Security Authorities by Federal Law, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. As such, any employee of the company who works at any location that is owned, leased or controlled by district is required to immediately report any crime reported to them to the reporting structure of the Institution, which is the Maricopa County Community District Police Department.

Members of the community are helpful when they immediately report crimes or emergencies to the MCCCD Police Department and/or Campus Security Authorities for purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notices, when deemed necessary.

Confidential or Anonymous Reporting

Professionally licensed counselors and pastoral counselors are exempt from Clery Act

reporting requirements. To be exempt from disclosing reported offenses, pastoral or professional counselors must be acting in the role of pastoral or professional counselors. Currently, MCCCD only employs academic counselors who are not exempt from Clery Act reporting requirements.

However, our counselors are encouraged to inform a person receiving counseling of the procedure for reporting crime on a voluntary, confidential basis for the purpose of including the crime in the annual disclosure of crime statistics. When making such a report, the individual is not required to disclose personally identifying information.

A victim's personally identifying information (e.g., name, home or other physical address, contact information, social security number, date of birth) will never be included in the Clery crime log, the Annual Security Report, or any other publicly available recordkeeping related to the Clery Act.

If you would like to report a crime, whether as a victim or witness, but do not wish to reveal your identity, you may contact the MCCCD Police at 480-784-0900 or use the Maricopa Guardian mobile application available through Google Play and Apple App Store. Additional information is helpful to fully investigate and prosecute crime; however, MCCCD Police will respond to all reports of suspicious or criminal activity.

If you are the victim of a crime and do not want to pursue action within the College system or the criminal justice system, you may still want to consider making a confidential report. With your permission, a MCCCD PD officer can file a report on the details of the incident without revealing your identity (except to the Title IX Regional Director in the event of a reported sex offense or sexual harassment). The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to enhance the future safety of yourself and others. With such information, the PVCC police department can keep an accurate record of the number of incidents involving students, employees and visitors; 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. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

Services to Help You Stay Safe and Prevent Crime

Community Policing

Community-based policing is a collaborative effort between a police department and community that identifies problems of crime and disorder and involves all elements of the community in the search for solutions to these problems. It is founded on close, mutually beneficial ties between police and community members.

In addition to partnering with the community, collecting and analyzing reported crime data plays an important part in this process. The data is reviewed and then educational, enforcement, and deterrent strategies are employed to reduce the occurrence of crime in our community.

The MCCCD Police Department believes that preventing crime is a shared responsibility. For every crime committed, there must be a desire, an opportunity, and

the ability to commit the crime. While you cannot control another's desire or ability to commit a crime, you can control the opportunity by doing the following:

- Always remain alert and aware of your surroundings.
- Always secure valuable items with a proper lock.
- Do not walk alone at night.
- Never leave valuable items unattended.
- Record the make, model and serial numbers of your valuables.
- Report any unusual or suspicious activity you witness.

Safety Escort Services

A Campus Safety Escort Program has been established, as part of the MCCCD Police Department's commitment to value-added community-oriented policing. Escorts are limited to the boundaries of MCCCD properties. Safety escorts are provided by MCCCD Police Officers and or Public Safety Officers. To request a safety escort at any time, contact the MCCCD Police at 480-784-0900.

Emergency Call Boxes

Some colleges have emergency call boxes located throughout their campuses. They are easily identifiable by the blue light on the top of the blue pole. To operate the call box, simply press the call button, District Police personnel will answer immediately and provide assistance. If the area remains unsafe, you may move to the next call box location and activate it until police arrive. Your location is identifiable to police with each activation. The emergency phones are not only located near campus buildings but also in many of the college operated parking lots and parking structures. The emergency phones are directly linked to the District Police on their corresponding campuses.

Alertus & Rave Communicators

Alertus

At various locations, flashing strobes indicate an incident has or is about to occur in an immediate area. The strobes are supported by electronic message boards that provide directives for evacuation, lockdown, or shelter in place. Students and employees are expected to comply with these directives.

Rave Alert

The Maricopa Emergency Management System (MEMS) is an emergency notification system being used by Maricopa districtwide to communicate emergency messaging to all students, employees, and interested parties in the form of a Rave Alert. All students and employees are automatically enrolled in MEMS for text and email notifications. In the event of an emergency on any campus, MCCCD will use the Rave Alert Emergency Notification System to alert students, faculty and staff via text and email. Alerts are sent

when there is an ongoing emergency on or near campus that presents a threat to the safety of the campus community. Messages can be pre-recorded or altered depending on the severity of the situation. Follow up text messages will be sent once the emergency is all clear. It is important to ensure that your contact information is correct and up to date. Contact Information for emergency messaging is ultimately being populated by the data stored in other systems.

Students can manage their Contact Information in SIS (Student Center). Be careful not to confuse your “Emergency Contact” with your Contact Information. To update your Contact Information, scroll to the bottom of the screen and find your Contact Information listed in the “Personal Information” section. Click on the appropriate hyperlinks to edit your Contact Information.

Employees can manage their Contact Details in HCM. Be careful not to confuse your “Emergency Contacts” with your Contact Details. To update your Contact Details, click on “Personal Details” under “Employee Self Service.” Next, click on “Contact Details.” Click on the appropriate hyperlinks to edit your Contact Details.

Interested parties who do not have logon credentials to SIS (Student Center) or HCM should register to receive emergency alerts from Maricopa’s Opt-In Portal: https://www.getrave.com/login/maricopa-community

Maricopa Guardian App

The Maricopa Guardian app is an additional step MCCCD takes to improve the safety and security of the campus community. MCCCD community members gain more mobile reporting power for reporting crimes and emergencies with the free mobile app available through Google Play or Apple App Store. Smartphone users who download the app can report tips to MCCCD Police, make emergency calls, and perform other functions that help enhance their personal safety and security, including requesting Safety Escorts on campus. The app allows users to communicate anonymously with MCCCD Police in real-time via audio and text messages.

Users can also create a network of guardians consisting of family, friends and others they trust to look after them. Friends and family also can virtually walk an app user home. The app’s Safety Timer feature uses the phone’s GPS to locate an app user’s progress on a Web-based map. Users may deactivate the Safety Timer once they have reached their destination safely. Users have total control over who they invite to use this feature, and they also may disable access at any time. The feature is a one-time use, and cannot be used by a family member or friend to monitor a person’s location at a later time.

Crime Awareness & Prevention

General Crime Prevention

Maricopa Community Colleges strives to maintain a safe and secure college environment for students, staff and visitors. Offices, laboratories and classrooms are

secured when not in use and our officers who discover defective doors and locks, interior/exterior lighting problems, or other safety hazards, immediately report the situation to the appropriate college department for action. To further improve safety, the college encourages all campus community members to take an active role and immediately report any observation of a suspected crime, unusual or suspicious activity, emergency, or hazardous condition to their District Police Departments.

Prevention Programs

Police officers conduct presentations relating to crime prevention and safety policies during orientations and at other times, when requested by staff or students. Crime prevention materials are distributed to incoming students.

Safety Presentations

Members of the District Police Department office routinely provide safety presentations during class orientations. They are also available to talk to any department or groups of students. The orientations and talks are designed to educate members of the college community about the services provided and how to avoid becoming the victim of a crime at the college. During the 2023-2024 academic year, PVCC offered crime prevention and security awareness programs. Topics such as personal safety, standard response protocol, emergency preparedness, active shooter are some examples of programs offered during the prior academic year.

All crime prevention and security awareness programs encourage students and employees to be responsible for their own security and the security of others.

Bicycle Registration Program

The Maricopa County Community District Police are asking for your help in combating bicycle thefts on campus. Please register your bike with our department and always lock your bicycle to a secure authorized bike rack whenever it is unattended. Please contact our department for more information.

Theft Prevention Tips

- Never leave your bicycle unattended! Lock it up to an authorized/secure bike rack in a well-lit area with frequent pedestrian traffic.
- Report suspicious activities! Report any suspicious activity near bike racks - if you see something, say something.
- Register your bike! Register your bike with the District Police to ensure we have the information needed

Title IX Sexual Harassment Policy

Sexual Harassment and Discrimination Policy

The policy of the MCCCD is to provide an educational, employment, and business environment free of sexual violence, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting Sexual Harassment as prohibited by state and federal law. Discrimination under this Policy is an unequal treatment of a student based on the student's actual or perceived sex, gender, sexual orientation, or pregnancy. This Policy prohibits Sexual Harassment and Discrimination in any college education program or activity, which means all academic, educational, extracurricular, athletic and other programs.

Sexual Harassment

The 2020 Title IX Regulations define sexual harassment broadly to include any of three types of misconduct that—on the basis of sex—jeopardize the equal access to education and the educational programs/activities that Title IX is designed to protect. These three types of misconduct are:

1. Any instance of quid pro quo harassment by a school's employee;
2. any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access;

3. any instance of sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA). For definitions of sexual assault, dating/domestic violence, and stalking, please see the Title IX Sexual Harassment Policy.

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as Amended by the Violence Against Women Reauthorization Act of 2013 (VAWA)

Paradise Valley Community College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the College community. Toward that end, Paradise Valley Community College issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a College official.

Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

- **Domestic Violence:**
    i. A Felony or misdemeanor crime of violence committed—
        A) By a current or former spouse or intimate partner of the victim;
        B) By a person with whom the victim shares a child in common;
        C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
        D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
        E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
    ii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **Dating Violence**: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
    i. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
    ii. For the purposes of this definition—
        A) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
        B) Dating violence does not include acts covered under the definition of domestic violence.
    iii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **Sexual Assault** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim if incapable of giving consent."

    - **Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

    - **Fondling** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age

or because of his/her temporary or permanent mental incapacity.

- **Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

- **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.

- **Stalking:**

  i. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
     A) Fear for the person's safety or the safety of others; or
     B) Suffer substantial emotional distress.

  ii. For the purposes of this definition—
     A) *Course of conduct* means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
     B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
     C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

  iii. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

- **Domestic Violence:** The state of Arizona defines domestic violence as a felony or misdemeanor crime of violence committed –
  - By a current or former spouse or intimate partner of the victim;
  - By a person with whom the victim shares a child in common;
  - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
  - By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

- **Dating Violence:** The state of Arizona defines dating violence as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of

the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
    - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    - Dating violence does not include acts covered under the definition of domestic violence.
- **Sexual Assault:** The state of Arizona defines sexual assault as Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.
    - **Rape** – the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
    - **Fondling** – the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
    - **Incest** – sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
    - **Statutory Rape** – sexual intercourse with a person who is under the statutory age of consent.

- **Stalking:** The state of Arizona defines stalking engaging in a course of conduct directed at a specific person that would cause a reasonable person to –
    - Fear for the person's safety or the safety of others; or
    - Suffer substantial emotional distress.
        - **Course of conduct** – two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
        - **Reasonable person** – a reasonable person under similar circumstances and with similar identities to the victim.
        - **Substantial emotional distress** – significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

- **Consent:** The state of Arizona defines Without consent as any of the following:
    - The victim is coerced by the immediate use or threatened use of force

against a person or property.

- The victim is incapable of consent by reason of mental disorder, mental defect, drugs, alcohol, sleep or any other similar impairment of cognition and such condition is known or should have reasonably been known to the defendant. For the purposes of this subdivision, "mental defect" means the victim is unable to comprehend the distinctively sexual nature of the conduct or is incapable of understanding or exercising the right to refuse to engage in the conduct with another.
- The victim is intentionally deceived as to the nature of the act.
- The victim is intentionally deceived to erroneously believe that the person is the victim's spouse.

In the Maricopa County Community Colleges District (MCCCD), consent can only be given by a person of legal age, cannot occur when a person is mentally or physically incapacitated (which includes intoxication), and requires that all parties understand the who, what, when, where, why, and how of the sexual interaction.

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.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied.

For example, if someone kisses you, you can 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 within a reasonable time.

Consent to some 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.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on the MCCCD 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. Obtaining and giving consent is the most important part of protecting yourself against sexual violence. The following list are some examples of how to gain consent from and give consent to your intimate partners:

1. Clarifying or summarizing what the other person shared
2. Communicating your expectations and limits
3. Asking for permission, approval, or acceptance when seeking intimacy
4. Understanding why someone did or chose something
5. Expressing discomfort with acts of physical intimacy
6. Talking about sexual intimacy when sober
7. Confirming the feelings of the other person
8. Starting with small decisions
9. Sharing when you want to stop, slow down, or wait

Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it."[1] We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list[2] of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911.This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas.** It is more difficult to get help if no one is around.

3. **Walk with purpose.** Even if you don't know where you are going, act like you do.
4. **Trust your instincts.** If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cab money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
    a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
    b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
    c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
    d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

Primary Prevention and Awareness Programs

Preventing Sex Discrimination and Harassment is a mandatory online training course. This course will foster a safe and productive work environment by training employees on what is considered sexual harassment, prevention training, and what to do if they see or experience sexual harassment. This course is required by Federal Law and will provide information on preventing sex harassment and the federal laws dealing with this topic. Current faculty, employees, and Persons of Interest (POI)* must complete the course within the Employee Learning Center. New employees will be required to complete the course within 30 days of start date.

Preventing Sexual Harassment and Sexual Violence course is now available to all students. Please check for your self-enrollment link in your Message Center within your Online Student Center via www.maricopa.edu/students.

Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible. In Arizona, evidence may be collected even if you chose not to make a report to law enforcement. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to College adjudicators/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with District Police or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the College at a later date to

assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

Sexual Assault Response Team Centers Family Advocacy Center

2120 N. Central Ave. #250
Phoenix, AZ 85004-1453
602-534-2120
https://www.phoenix.gov/humanservices/programs/victims/fac

Glendale Family Advocacy Center

4600 W. Glendale Ave.
Glendale, AZ 85301
623-930-3030
https://www.glendaleaz.gov/Live/City-Services/Police-Department/About-Us/Glendale-Family-Advocacy-Center

Mesa Family Advocacy Center

130 N. Robson
Mesa, AZ 85201
480-644-4075
https://acfan.net/advocacy-centers

Salt River Pima Maricopa Indian Community Family Advocacy Center

10177 East Osborn Rd.
Scottsdale, AZ 85256
480-362-5425
https://acfan.net/advocacy-centers

Scottsdale Family Advocacy Center

3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251
480-312-6300
https://www.scottsdaleaz.gov/human-services/advocacy-center

Southwest Family Advocacy Center

2333 N. Pebble Creek Pkwy
Suite A-200
Goodyear, Az 85395
623-333-7900
https://acfan.net/advocacy-centers

Sexual Assault and Violence Support Services

Those seeking support in the wake of a sexual assault, domestic violence, dating violence, stalking, or other forms of abuse can find help from a variety of community organizations.

- **The Phoenix Center** 910-485-7273
- **Empact: 24-Hour Crisis Intervention** 480-784-1500
- **RAINN Sexual Assault Hotline (National)** 800-656-4673
- **National Domestic Violence Hotline** 800-799-7233

Involvement of Law Enforcement and Campus Authorities

Although the College strongly encourages all members of its community to report violations of this policy to law enforcement (including on campus law enforcement and/or local police), it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, the college will assist any victim with notifying law enforcement if the victim so desires.

Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Regional Directors by calling, writing or coming into the office to report in person and Campus Public Safety (if the victim so desires.) Reports of all domestic violence, dating violence, sexual assault and stalking made to District Police will automatically be referred to the Title IX Regional Directors for investigation regardless of if the complainant choses to pursue criminal charges.

Procedures the College Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported

The College has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as changes to housing, academic, protective orders, transportation and working situations, if reasonably available. The College will make such accommodations or protective measures, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the (District Police Department) or local law enforcement.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the College, below are the procedures that the College will follow:

Sexual Assault

1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care
2. Institution will assess immediate safety needs of complainant
3. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department
4. Institution will provide complainant with referrals to on and off campus mental health providers
5. Institution will assess need to implement interim or long-term protective measures, if appropriate.
6. Institution will provide the victim with a written explanation of the victim's rights and options
7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate
8. Institution will provide written instructions on how to apply for Protective Order
9. Institution will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution
10. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is
11. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation

Stalking

1. Institution will assess immediate safety needs of complainant
2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department
3. Institution will provide written instructions on how to apply for Protective Order
4. Institution will provide written information to complainant on how to preserve evidence
5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate
6. Institution will provide the victim with a written explanation of the victim's rights and options
7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate

Dating Violence

1. Institution will assess immediate safety needs of complainant
2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police

department
3. Institution will provide written instructions on how to apply for Protective Order
4. Institution will provide written information to complainant on how to preserve evidence
5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate
6. Institution will provide the victim with a written explanation of the victim's rights and options
7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate

Domestic Violence

1. Institution will assess immediate safety needs of complainant
2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department
3. Institution will provide written instructions on how to apply for Protective Order
4. Institution will provide written information to complainant on how to preserve evidence
5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate
6. Institution will provide the victim with a written explanation of the victim's rights and options
7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate

Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- information about how the institution will protect the confidentiality of victims and other necessary parties;
- a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action

Rights of Victims and the Institution's Responsibilities for Orders of Protection, "No Contact" Orders, Restraining Orders, or Similar Lawful Orders Issued by a

Criminal, Civil, or Tribal Court or by the Institution

MCCCD administration does not issue orders of protection or injunctions against harassment but may issue “no contact” orders through the Dean of Students Office. If a “no contact” order is deemed appropriate, it will be issued, and the involved parties will be contacted. The stipulations may include, but are not limited to, no contact via phone calls, e-mails, voicemails, text messages, letters, cards, gifts, social networking messages or any other type of correspondence. This also includes both direct communication and indirect communication. i.e., you may not use other people or social networking sites as a means of communication. A “no contact” order is an administrative order. Violations of the “no contact” order are subject to the student disciplinary policy and procedures. You may contact the Dean of Students office at your college to make the report of the violation. The report will be reviewed by the Dean’s Office and a determination made.

Any person who obtains an order of protection from Arizona should provide a copy to District Police and the Office of the Title IX Regional Director. A complainant may then meet with District Police to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but in not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, etc.) The College cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s).

Orders of Protection and Injunctions Against Harassment

Civil court orders are issued in an attempt to prevent continuing acts of violence or harassment. A person who is being victimized has the right to file a petition with a magistrate, justice of the peace, or superior court judge for an order of protection or injunction against harassment.

The relationship of the petitioner and the defendant, as defined in [A.R.S. § 13-3601], determines which order applies for orders issued within Maricopa County.

Protection Orders

Protection Orders are civil court orders prohibiting a specific person from contacting you such as coming near your home, work site, school, or other locations as listed on the order. Protection orders are based on the relationship you have with the party you are seeking protection from and must be issued by a judge and served by a police officer, deputy sheriff or process server. The protection order will be effective for 2 years from the service date unless voided by the court.

Protection Orders can restrain a defendant from continuing acts of violence and harassment by prohibiting the individual from contacting or coming in contact with you. A protection order can also provide you with legal recourse if the defendant violates the

order. Protection Orders cannot resolve landlord/tenant disputes, change custody or visitation orders, or guarantee your safety.

Injunction Against Harassment

An Injunction Against Harassment does not depend upon relationships and is available if the conduct of any person is “Harassment” as defined by law [A.R.S. § 13-2921]. In Arizona, harassment is a series of acts (at least two events) over any period of time that is directed at a specific person, and that would cause a reasonable person to be seriously alarmed, annoyed or harassed and the conduct, in fact, seriously alarms, annoys, or harasses the person and serves no legitimate purpose.

Applying for an Order of Protection or Injunction Against Harassment

To apply for an order in Maricopa County, the courts developed the Arizona Protective Order Initiation and Notification Tool https://azpoint.azcourts.gov/. Through an interview in this portal, you can quickly fill out the forms that you need to ask for an Order of Protection at an Arizona court.

You will need to provide information on what acts of violence or threatening conduct occurred leading you to apply for protection, and addresses to which you do not want the defendant to come. In conjunction, you need to provide the names and relationships of other persons for whom you may request protection, whether the defendant has access to or possesses firearms, the nature of your relationship to the defendant, and whether there are any courts involved in the relationship (divorce, child custody, etc.).

To complete the process for an Order of Protection, you must file your petition with an Arizona court. You will then appear before a Justice of the Peace who will hear your sworn testimony and review evidence. The Justice will decide whether your order will be issued immediately or whether a hearing will be set. There are no fees associated with applying for any of these protection orders at the time of publication of this document.

Once issued by the Justice Court, the order or injunction will be in effect when a private process server, a law enforcement officer, or a constable serves it to the defendant. It remains in effect for one year from the date it is served. If the defendant violates the order or injunction, contact local law enforcement immediately. If you are in physical danger, call 911. Victims are reminded to remain cautious and have a personal safety plan.

Emergency Orders of Protection for Domestic Violence or Dating Violence

If the court has closed for business, an Emergency Order of Protection can be granted by a judicial officer in writing, verbally, or telephonically to protect a person who is in imminent danger of domestic or dating violence. Emergency Orders of Protection are obtained through local law enforcement agencies. If you need an emergency order of protection and are in immediate danger, call 911.

The local law enforcement agency will dispatch an officer to review your situation. If appropriate, the officer will contact the court after hours to request the court grant an Emergency Order. If the order is granted, it will be a temporary valid until the close of the next day of court business following the day the Emergency Order was issued. You will need to go to court the very next business day, to complete and file a petition for a permanent order of protection.

Enforcement of Orders

Any person on MCCCD property who has obtained an order of protection or injunction against harassment may contact their college or local police department for enforcement.

Justice Court Locations

If you need to determine which court serves your area, enter an address on the Maricopa County Interactive Elections Map. This will give you a list of all the government bodies that serve your location.

All courts are open from 8:00am to 5:00pm Monday through Friday, excluding holidays.

Accommodations and Protective Measures Available for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, PVCC will provide written notification to students and employees about accommodations available to them, including academic, transportation, protective orders and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, College offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, working, protective measures or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, transportation and/or working situations or protective

measures, a victim should contact the Title IX Regional Director. If the victim wishes to receive assistance in requesting these accommodations, she or he should contact their respective college Dean of Students.

On and Off Campus Services for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, PVCC will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement.

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

The Phoenix Center 910-485-7273

RAINN – Rape, Abuse and Incest National Network (800) 656-4673

OVW- Department of Justice, Office on Violence Against Women (202) 307-6026

OCR Department of Education, Office for Civil Rights (800) 421-3481

Confidentiality

Victims may request that directory information on file with the College be withheld by request with the Registrar's Office.

Regardless of whether a victim has opted-out of allowing the College to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The College does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

Adjudication of Violations

The College ’s disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution’s policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within the timeframe specified in each policy the institution maintains. However, each procedure allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. College officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Furthermore, each policy provides that:

1. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
2. The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
4. The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The College will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. A Title IX Advisor accompanies a party to a Title IX case to meetings related to the resolution process, advises the party on that process, and conducts cross-examination for the party at the hearing, if one is held.
5. The accuser and the accused will be notified simultaneously, in writing, of the any initial, interim and final decision of any disciplinary proceeding; and
6. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

Whether or not criminal charges are filed, the College or a person may file a complaint under the provisions outlined in AR 5.1.16, generally known as the Title IX policy.

(HEOA) Notification to Victims of Crimes of Violence

The College will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of

such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Campus Sex Crimes Prevention Act

The Campus Sex Crimes Prevention Act mandates that convicted sex offenders who are required to register under state law must also disclose their association with institutions of higher education when applicable. Specifically affected are those registered sex offenders who attend as students, are employed by or employed at, or volunteer at institutions of higher education. The CSCPA amends the Family Educational Rights and Privacy Act of 1974 to clarify that nothing in FERPA can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

The Arizona Department of Public Safety has established the Arizona Sex Offender Info Center according to the requirements of A.R.S. § 13-3827. Arizona DPS is responsible for maintaining the site and annually verifying the addresses of registered sex offenders in the State of Arizona. For more information, visit https://www.azdps.gov/services/public/offender.

MCCCD Police, will compare both the employee and student databases on an annual basis with the state sex offender database to ensure that students and employees are safe from unreported sex offenders. MCCCD Police, will notify the college community of a registered sex offender, as required by law. Notification also can be found on the MCCCD Police website at https://district.maricopa.edu/consumer-information/sex-offender-information-notification

Sexual Assault and Violence Support Services

Those seeking support in the wake of a sexual assault, domestic violence, dating violence, stalking, or other forms of abuse can find help from a variety of community organizations.

- **The Phoenix Center** 910-485-7273
- **Empact: 24-Hour Crisis Intervention** 480-784-1500
- **RAINN Sexual Assault Hotline (National)** 800-656-4673
- **National Domestic Violence Hotline** 800-799-7233

Timely Warnings and Emergency Notifications

Timely Warnings

Timely warnings are initiated by crimes that have already occurred, but represent an ongoing or serious threat to the campus community. MCCCD may issue a timely warning

for any Clery Act crime committed on its campuses and or Clery Geography, which has been reported to a campus security authority or local law enforcement agency, and that is considered by MCCCD to represent a serious or continuing threat to students, staff, and/or faculty.

Clery Geography is defined as the core campus boundaries (which includes all district/college owned or controlled property on campus and public property that is within or immediately adjacent to the campus) and on non-campus properties.
The MCCCD Police Department issues timely warnings as soon as the pertinent information is available in a manner that withholds the names of victims as confidential, and with the goal to aid in preventing similar crimes, enable people to protect themselves, and may seek information that may lead to an arrest or conviction of an offender.

The MCCCD Police Department is responsible for determining if a timely warning will be issued once notified a Clery Act crime has been reported to a campus security authority, local law enforcement, or directly to the District Police Department. Timely Warning Notices are typically written and distributed by the Police Commander, or designee. Timely Warnings are disseminated using a variety of methods to include, but not limited to:

- Rave text messages
- Mass email notifications
- Flyers

Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

- Murder/Non-Negligent Manslaughter
- A string of Burglaries or Motor Vehicle Thefts that occur in reasonably close proximity to one another;
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger PVCC community)
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice, but will be assessed on a case-by-case basis)
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount information known by the Police Commander, or designee). In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a “timely” warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Major incidents of Arson
- Other Clery crimes as determined necessary by the Police Commander, or his or her designee in his or her absence.

When deciding whether to issue a Timely Warning, the primary considerations are (1) the nature of the crime and (2) whether there is a continuing danger that members of the campus community may become victims of a similar or related crime.
These warnings advise the community about violent crimes against persons, a series of crimes against property, or threats to persons or property in an effort to inform the community about potential risks and allow individuals to protect themselves against such risks. Timely Warnings may also provide details of the crime or threat, a description of the suspect (if known), information on who to contact about the investigation, and crime prevention tips. A Timely Warning Notice will typically include the following, unless issuing any of this information would risk compromising law enforcement efforts:

- Date and time or timeframe of the incident
- Location
- Nature of the crime
- Information that will promote safety and potentially aid in the prevention of similar crimes (crime prevention or safety tips)
- Suspect description(s)
- Police agency contact information
- Other information as deemed appropriate by the Chief or his/her designee

The description of subjects in a case will only be included in the notice if there is a sufficient amount of detail to describe the individual. If the only known descriptors are sex and race, then this information will not be included in the notice.

MCCCD Police works closely with individuals reporting serious crimes to ensure the victim's privacy, while also ensuring the community has adequate information regarding potential risks. The names and identifying information of victims will not be released in a Timely Warning.

The institution is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor. MCCCD does not employ pastoral or professional counselors.

Emergency Notifications

The MCCCD is duty-bound to immediately notify the College Community upon confirmation of a significant emergency or dangerous situation involving an imminent threat to health and/or safety. The MCCCD Police Department shall utilize the Emergency Mass Notification system to promptly notify the District and/or local College Community for any significant emergency or dangerous situation involving an immediate threat to the health and/or safety of students, employees or visitors. The only reason MCCCD Police will not immediately issue an emergency mass notification for a confirmed emergency presenting an identified risk to health and/or safety will be under a unique circumstance that would compromise efforts to:

- Assist a victim or victims;
- Contain the emergency;

- Respond to the emergency;
- Otherwise mitigate the emergency

The MCCCD Police Chief or designee in conjunction with other College administrators, local first responders, Public Health Officials and/or the National Weather Service, will confirm that a significant emergency or dangerous situation exists, determine the emergency notification content, identify the segments of the campus community to receive the notification, and initiate the notification system.

Paradise Valley Community College will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless doing so will, based on the Chief or the designee's professional judgement, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. The MCCCD Department of Public Safety has the sole authority to issue emergency notifications, as it deems necessary, to maximize public safety.

For an emergency response to fires and ill or injured persons, MCCCD relies upon the municipal Fire Department emergency services in the city where each campus is located. Therefore, the Incident Commander may be a member of the local fire department. They will utilize the Incident Command System but follow their own agency's policies and procedures while responding to the emergency. An Incident Commander has the authority on scene and should be consulted to determine the content of the notification. There are other local, county, state and federal agencies which may be consulted during an emergency, such as FEMA during a dangerous weather event, or the Public Health Department to confirm a serious virus outbreak.

A determination regarding what segment of the campus community will receive the notification shall be based on the nature, severity, and location of the emergency. The same procedures will be used to notify the larger campus community.
Given the severe consequences that could result, every member of the community is encouraged to report emergencies immediately. Dial 911 to reach police. The police department answering the call will notify the police department with jurisdiction so emergency services can be dispatched. Your first priority is to get to safety; your second priority is to call 911.

Notification Procedures

In the event of a serious incident that poses an immediate threat to members of the campus community, MCCCD has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus community. These methods of communication are:

- Rave text messages
- Mass email notifications
- VOIP phone announcements
- Alertus internal/external speakers (where available)

- Emergency intercoms (where available)
- Fire alarms
- Digital Signage
- Social media
- District/College website

The notification system's purpose is to provide brief and immediate instructions to the campus community and to provide other resources where additional information can be obtained. If any of these systems fail or the College deems it appropriate, in person communication may be used to communicate an emergency.

All students, faculty and employees are enrolled in the emergency notification system. To opt-out for emergency text and voice messaging, students, faculty, and staff can do so through https://police.maricopa.edu/emergency-preparedness/about-mems/mems-notifications

Follow-up information will be distributed using some or all of the identified communication systems (except fire alarm).

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties. The larger community can also access emergency information via the Paradise Valley Community College homepage and/or social media.

If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.

Community Notifications

Community Notifications are developed and distributed to the community for security and safety related incidents that do not meet the legal standards or requirements for the distribution of an Emergency Notification or Timely Warning Notice per the Clery Act. Examples of such incidents and situations include:

- A crime or pattern of crimes that are not one of the 15 reportable Clery crimes.
- A crime that occurs outside of the PVCC Clery Geography (the decision to issue a Community Notification for an off-campus crime will be made on a case-by- case basis depending on an assessment of various factors, which include but are not limited to: the nature of the crime, the exact location, the time of the incident, the local police response, and guidance to campus officials and the potential direct effect on the campus community).
- A minor security or safety issue.
- Facilities-related issues that may cause a disruption to one or more campuses.

Community Notifications are typically written by the Chief of Police or designee and are

distributed via email and may be distributed to the entire campus community or to a segment of the community that is affected, as deemed appropriate by MCCCD Police.

Emergency Preparedness

Emergency preparedness at MCCCD is managed and maintained by the Office of Emergency Management and Safety within the Public Safety Department. Emergency preparedness doctrine is based on Administrative regulations and organizes its structure within the District Emergency Preparedness Plan, District Office and College Emergency Operations Plans and additional supporting documentation. These plans provide MCCCD with a management tool to facilitate a timely, effective, efficient, and coordinated response to a variety of situations including emergencies.

These plans are based upon integrating MCCCD emergency response resources with those of other jurisdictional emergency response agencies. The colleges and District Office (DO) will typically rely on their local city and other agencies to provide resources for law enforcement, fire, and emergency medical services (EMS).

All plans utilize the National Incident Management System-Incident Command System (NIMS-ICS) for managing major events, emergency situations and disasters. They are intended to be fully NIMS compliant. The Incident Command System (ICS) is designed to be used for all types of incidents and is applicable to routine day-to-day emergency situations as well as large scale complex disasters. ICS provides a system for managing emergency operations involving a single agency within a single jurisdiction; multiple agencies within a single jurisdiction; and multiple agencies from multiple jurisdictions.

The organizational structure of the ICS may not resemble the day-to-day organization of the college or District Office. Employees may report to other employees to whom they do not usually have a reporting relationship. Furthermore, as the severity of the incident increases, employee assignments may change in the ICS organizational structure. This means that an employee's position in the ICS structure may change during the course of a single incident.

These plans are part of a larger integrated Emergency Management & Continuity of Operations Program at MCCCD that focuses on mitigation, preparedness, response, continuity and recovery activities
.
The plans are based on the fact that MCCCD and local governments (e.g., the City of Phoenix, Mesa, Glendale, Avondale, Chandler, Tempe and the Salt River Indian Community) will most likely respond to emergencies that occur on a MCCCD campus. Operations are designed to protect lives, stabilize the incident, minimize property damage, protect the environment and provide for the continuation and restoration of essential services.

These plans provide a framework for emergency preparation, response and recovery efforts. Leadership, preparation, good judgment and common sense overall by personnel directing these efforts will determine the effectiveness of the response and outcome. Given the nature of some emergencies, the Incident Commander or Unified Command may alter the ICS structure for more effective response or to accomplish strategic priorities.

The guidelines and procedures included in these plans have utilized the most current information and planning assumptions available at the time of preparation. There is no guarantee in outcome or performance implied by this plan. In an emergency, resources may be overwhelmed and essential services may be delayed, inadequate or in extreme cases are not available at all. Deviation from these guidelines may be necessary given the facts of any particular situation.

Emergency Response and Evacuation Procedures

In the event of an emergency, the District Police Department has the responsibility for responding to and summoning any immediate necessary resources. The district relies upon the municipal Fire Department in the city where each campus is located. Therefore, during a fire, hazardous materials situation, or medical emergency the Incident Commander may be a member of the local fire department. They will use the Incident Command System but will follow their own agency's policies and procedures while responding to the emergency. There are other local, county, state and federal agencies which may be consulted during an emergency, such as the Public Health Department being asked to confirm a serious virus outbreak.

Training Objective

Training is a vital element of preparedness to ensure college leadership, District Police staff, safety coordinators and the CMT is prepared for an effective and timely response during emergencies. Training will occur on a continuing basis with all portions of the plan. The goals of emergency preparedness training, including drills and exercises, include the following:

- Testing and evaluating plans and procedures (announced or unannounced).
- Identifying plan weaknesses.
- Identifying gaps in resources.
- Clarifying roles and responsibilities.
- Training personnel in roles and responsibilities.
- Establishing college community confidence and support.
- Improving interagency/jurisdictional coordination.
- Meeting regulations and requirements.

Schedule of Training and Exercises

Emergency preparedness training and exercises are to be conducted at college campus every semester. Simulated emergency situations allow first responders, employees and students to become familiar with procedures, facilities, evacuation assembly points and communications systems that will actually be used in emergency situations. Training is conducted in several formats:

Orientation - scheduled on an ongoing basis for new employees, safety coordinators and crisis management team members. Orientation may include an overview of the college emergency preparedness program; crisis management team roles and responsibilities; and / or introduction or review of the emergency

preparedness plan.

Each College conducts emergency response and evacuation tests at least annually to assess and evaluate its emergency plans, procedures, and capabilities. Tests may be announced or unannounced and are designed, conducted, evaluated, and documented using principles consistent with the Homeland Security Exercise and Evaluation Program (HSEEP).

Tests may include drills, discussion-based exercises, and operations-based exercises involving members of the College community, including faculty, staff, students, first responders, College Incident Management Team (CIMT) members, and external emergency response agencies, as appropriate. Activities may test specific operations, functions, equipment, personnel capabilities, emergency notification systems, evacuation procedures, or other components of the College's emergency plans. Exercise activities may include drills focused on a specific capability, such as evacuation, lockdown, shelter-in-place, or emergency notification procedures, as well as tabletop, functional, and full-scale exercises. Participants perform roles and responsibilities consistent with those expected during an actual emergency.

Each test is documented and includes a description of the exercise, the date and time it was conducted, and whether the test was announced or unannounced. Exercise evaluations may identify strengths, areas for improvement, corrective actions, and lessons learned. When appropriate, findings are documented in an After-Action Report/Improvement Plan (AAR/IP) to support continuous improvement of the College's emergency preparedness capabilities.

PVCC Drills and Exercises

Evacuation Drill:

During the academic year 2024/2025, PVCC conducted a fire/evacuation drill testing both evacuation procedures and participant knowledge and understanding of evacuation zones and assembly areas. This exercise included validation of working emergency strobes and fire alarm speakers throughout the impacted building.

Evacuation Procedures

Limited Evacuation

District policy requires immediate evacuation when any fire alarm sounds within a building. All students, faculty, staff, and any other individuals within the building must immediately depart the building using available exit routes if safe. All building occupants will follow instructions issued by MCCCD Police personnel.

Conditions for temporary evacuation of a building or area also include, but are not limited to, incidents of mechanical, electrical, or other facility-related failures, health, safety, and/or environmental issues such as hazardous spills, and other emergency conditions. MCCCD Police Department, in consultation with other campus offices, will decide if a limited evacuation is warranted.

Campus-wide Evacuation

For any event that significantly threatens Paradise Valley Community College, the MCCCD Police Department in consultation with the College President or designee will determine if a campus-wide evacuation is warranted.
If a decision is made to evacuate a campus building, you will be notified by activation of the Emergency Intercom System, audible/visual fire alarm system (horns and/or white strobe lights), a phone call, text alert, verbally, or by VOIP (some phones can be used as a speaker system) announcement. Once you are notified, evacuation is required.

- If possible, take the most important personal items with you (e.g. medications, keys, purse, and jacket).
- Close doors behind you, but do not lock them.
- Do not use elevators.
- Evacuate the area by using the exits, follow directions, and go to the assigned outdoor evacuation area.
- If you are unable to leave the building, or there is no ground floor access, notify District Police of your situation and tell them what type of assistance you require (e.g. wheelchair user, breathing difficulties, visual impairment).

Once the campus is evacuated, it will be secured and no one will be allowed to re-enter without proper authorization.

The campus will remain closed until the decision to reopen is made by emergency responders and College Administration. Campus re-opening will be broadcasted through email, text alert, web, local radio and television stations. For more information on what to in an emergency, go to: https://www.paradisevalley.edu/college-police/policies-and-statistics

Special Assistance

Individuals with disabilities are encouraged to prepare for emergencies ahead of time by discussing their need with appropriate personnel. Employees should discuss questions or concerns about emergencies with their supervisor and/or the EEO/ADA office. Students should discuss questions or concerns about emergencies with the Disability Resources (DRS) office on campus:

Shelter-in-Place Procedures

If an incident occurs and the building(s) or areas around you become unstable or unsafe, or if the air outdoors becomes dangerous due to toxic or irritating substances, it may be

safer to stay indoors. Leaving the area may expose you to that danger caused by high winds, limited visibility, and respiratory-related issues, to name a few. Thus, to "shelter-in-place" means to "make a shelter" using the building that you are in, and with a few adjustments, this location can be made even safer and more comfortable until it is safe to go outside.

Basic "Shelter-in-Place" Guidance

During an incident, if the building you are in is not damaged and still affords protection, stay inside. If possible, move to an interior room and away from glass or items that might become dangerous flying objects. Stay inside until you are told the area is safe by designated staff or it is obvious the incident has passed and no longer affords protection from the incident. Take your belongings needed for personal care (purse, wallet, medications) as long as it does not slow your exit. Follow the evacuation protocols for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators, etc.). Do not remove personal items (e.g., pictures, computer, etc.) Once evacuated, seek shelter at the nearest safe building. Follow all instructions given by first responders if they are already on scene.

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

A shelter-in-place notification may come from several sources, including District Police, College employees or other authorities utilizing the colleges' emergency communications tools such as:

- Rave text messages
- Mass email notifications
- VOIP phone announcements
- Alertus internal/external speakers (where available)
- Emergency intercoms (where available)
- Digital Signage
- Social media
- District/College website
- In person

How to "Shelter-in-Place"

No matter where you are, these basic steps should assist and should be considered unless instructed otherwise by emergency personnel.

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies you may need if you must evacuate immediately. Supplies will also include any items you may need if utilities are severed, and you must remain inside for a prolonged period. (e.g., a flashlight, extra batteries, etc.).

2. If you are caught outdoors, move quickly to the nearest undamaged building and

take shelter.

3. If possible, your shelter area should be:
    a. an interior room.
    b. above ground level.
    c. without windows or with the least number of windows possible.
4. Shut and lock all windows (tighter seal) and close exterior doors.
5. Turn off air conditioners, heaters, and fans.
6. Close ventilation system vents if able. University staff will turn off the ventilation as quickly as possible.
7. Turn on a radio or TV (if power is still available) and listen for more information about the incident.

Security and Access to Campus Buildings and Grounds

As a public community college district, most campus buildings and facilities are open to the public during the day and evening hours, when classes are in session and events are occurring. At other times, College buildings are generally locked and only faculty, staff, and authorized individuals are admitted. Consequently, regardless of the time of day or night, and no matter where you may be on campus, it is important for you to be alert and aware of your surroundings and exercise personal safety at all times. Do not leave doors propped open or unlocked after hours.

Electronic Card Access

Most campuses utilize an electronic access control system for access to buildings and classrooms. Electronic access data is used strictly for purposes of investigative incident management or may be anonymized for general reporting. It is prohibited for tracking individuals.

If your campus keys/access cards are lost or stolen, report the loss immediately to the District Police Department.

PVCC does not maintain on campus student housing facilities.

MCCCD Police Officers conduct routine patrols of campus buildings to evaluate and monitor security related matters.

Security Maintenance

Facilities and landscaping are maintained in manner that minimizes hazardous conditions. District Police at PVCC regularly patrols the campus and reports

malfunctioning lights and other unsafe conditions to Facilities Maintenance and Operations for repair. Other members of the campus community should promptly report hazardous or unsafe conditions to either District Police or Maintenance and Operations.

Weapons prohibited on campus

Arizona State law A.R.S. § 13-2911 provides for the Maricopa County Community College District Governing Board to regulate deadly weapons, which includes firearms, on District campuses. The Maricopa County Community College District does not allow firearms or any deadly weapon on any of its campuses. Police officers do have exemptions from these laws. However, contact the District Police Department to ascertain who may have authority to carry a firearm on campus. [BOARD REGULATION BP 12.1.2]

Any person violating the policy shall be ordered to leave the campus. Any person, who refuses to leave, shall be subject to arrest under A.R.S. § 13-1502 Third Degree, Criminal Trespass. Any student/employee violating this policy is also subject to applicable college disciplinary procedures. If a person having a weapon appears dangerous, is acting suspicious, is threatening, or is behaving irrationally, stay away from the individual and call MCCCD Police at **480-784-0911** or **9-1-1** immediately.

Witness a Crime Involving a Weapon?

If you are a witness to a crime involving a weapon, call 911 immediately. If you see a weapon of any kind on campus, alert the police by contacting the corresponding district police department.

Hate Crimes

MCCCD is also required to disclose statistics for Hate Crimes. Hate Crimes are not separate distinct crimes, but instead involve any traditional criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Bias is an expressed negative opinion or attitude toward a group of persons based on actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability. Before an incident can be classified as a Hate Crime, sufficient objective facts must be present to lead a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or in part, by bias.

MCCCD takes a strong stance against Hate Crimes, violent acts, property damage, intimidation, and threats because of a person's perceived personal characteristics. Hate Crimes will not be tolerated or dismissed as "pranks" or "bad behavior." Hate crimes should be reported to the appropriate college departments and organizations so proper follow-through can occur. Immediately report any hate crime incident.

Witness a Hate Crime?

Reporting hate crime is a key part of stopping such acts. If you or someone you know reports a hate crime, the matter will be taken seriously. A thorough investigation will be conducted and, if evidence warrants, administrative and/or criminal proceedings will follow. Call or report the hate crime incident to police the corresponding District Police Department at 480-784-0911.

Student Code of Conduct

According to the laws of the State of Arizona, jurisdiction and control over the MCCCD are vested in the MCCCD Governing Board. The MCCCD Governing Board and its agents-the Chancellor, administration, and employees are granted authority to regulate student behavior subject to basic standards of reasonableness.

In developing responsible student conduct, the MCCCD prefers mediation, guidance, and admonition. However, when these means fail to resolve problems of student conduct and responsibility, appropriate disciplinary procedures will be followed. The MCCCD reserves the right to levy discipline rather than attempt mediation and guidance, based on the severity of the conduct.

The purpose of this Student Code of Conduct is to help ensure a productive and safe environment for students, employees, and visitors. This conduct code is not a stand-alone policy. This code is subject to the provisions outlined in AR 5.1.16, generally known as the Title IX policy, and AR 6.24, generally known as the Free Expression policy, and AR 5.1, generally known as the Non-Discrimination policy. There are other policies that may intersect with other administrative regulations.

Article I: Definitions

The following are definitions of terms or phrases contained within this Code:

1. "**College**" means a Maricopa County Community College District (MCCCD) College or center/site.

2. "**College premises**" means all land, buildings, facilities and other property in the possession of or owned, used, or substantially controlled by the college or MCCCD.

3. "**College official**" means any person employed by the college or MCCCD, performing assigned administrative or professional responsibilities pursuant to this Student Conduct Code. The college President shall designate the college/center official who is responsible for the administration of the Student Conduct Code.

4. "**Complainant**" means any person who submits a complaint alleging that a student violated this Student Conduct Code. When a student believes they have

been a victim of another student's misconduct, the student who believes they have been a victim will have the same rights under this Student Conduct Code as are provided to the Complainant, even if another member of the college community submitted the complaint itself.

5. "**Day**" means business day when college is in session, and shall exclude weekends and college/MCCCD holidays.

6. "**Disruptive behavior**" means conduct that materially and substantially interferes with or obstructs the teaching or learning process in the context of a classroom or educational setting/ facility, which includes educational or professional internships, clinical placements, or other experiential learning opportunities. Disruptive behavior also includes conduct that materially interferes with or obstructs college business operation.

7. "**District**" means the Maricopa County Community College District (MCCCD).

8. "**Faculty member**" means any person hired by the college or MCCCD to conduct classroom or teaching activities or who is otherwise considered by the college to be a member of the faculty in credit / non-credit courses and clock hour courses and programs.

9. "**Member of the college community**" means any person who is a student, faculty member, college official, or any other person employed by the college or center/site. A person's status in a particular situation shall be determined by the college President.

10. "**Organization**" means any number of persons who have complied with the formal requirements for college recognition.
11. "**Policy**" is defined as the written regulations of the college and/or MCCCD as found in, but not limited to, this Student Conduct Code and MCCCD Governing Board policy.

12. **"Respondent"** means any student accused of violating MCCCD's Student Conduct Code. Respondents enjoy the presumption of innocence until such time as the Respondent is adjudicated to have violated the Student Conduct Code.

13. **"Student"** means any individual who is currently admitted or registered in credit or non-credit college programs on a full or part time basis, or who participates in a college function (such as orientation, in anticipation of enrollment) or who was enrolled in the immediate previous term or is registered for a future term, including college employees so admitted, registered, or enrolled.

14. **"Student Conduct Administrator"** means a college official authorized by the college official responsible for administration of the Student Conduct Code to impose sanctions upon students found to have violated this Student Conduct Code.

15. **"Threatening behavior"** means any written or oral statement, communication, conduct or gesture directed toward any member of the college community, which causes a reasonable apprehension of physical harm to self, others, or property. It does not matter whether the person communicating the threat has the ability to carry it out, or whether the threat is made on a present, conditional, or future basis.

Article II: Judicial Authority

1. Decisions made by a Student Conduct Administrator shall be final, pending the normal appeal process.

2. Matters pertaining to sexual harassment must always be referred first to the college Title IX Coordinator for review under AR 5.1.16. Conduct that does not meet the definition of sexual harassment as outlined in AR 5.1.16, or otherwise do not meet the definition of an educational program or activity, do not occur against a person within the United States, or are otherwise dismissed either under the mandatory or discretionary dismissal provisions will be referred by the Title IX Coordinator back to the college's respective Student Conduct Administrator for investigation and adjudication under the Student Conduct Code.

Article III: Prohibited Conduct

1. Jurisdiction

The Student Conduct Code shall apply to conduct that occurs on any college or MCCCD premises, or at any center/site or MCCCD-sponsored event or activity that adversely affects the college community and/or the pursuit of its objectives.

A. Jurisdiction may be applied against student behavior conducted online, via email, or other electronic medium provided that it meets the criteria listed above. Further, jurisdiction under this policy applies to any person who is currently admitted or in credit or non-credit college programs or who participates in a college function (such as orientation, in anticipation of enrollment) or who was enrolled in the immediate previous term or is registered for a future term, including college employees so admitted, registered, or enrolled.

B. The Student Conduct Code shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending.

2. Title IX Sexual Harassment

Matters pertaining to sexual harassment/misconduct that do not meet the definition of sexual harassment as outlined in Administrative Regulation 5.1.16 or otherwise do not meet the definition of an educational program or activity and do not occur against a person within the United States will be referred by the Title IX Coordinator to the college's respective Student Conduct Administrator for investigation and adjudication under the Student Conduct Code.

3. Disruptive Behavior in Class (Temporary Removal of Student)

Disruptive behavior includes conduct that distracts or intimidates others in a manner that interferes with instructional activities, fails to adhere to a faculty member's appropriate classroom rules or instructions, or interferes with the normal operations of the college. Students who engage in disruptive behavior or threatening behavior may be directed by the faculty member to leave the classroom or by the college official responsible for administration of the Student Conduct Code to leave the college premises. (Academic Misconduct AR 2.3.11). If the student refuses to leave after being requested to do so, district police may be summoned to provide assistance. For involuntary removal from more than one (1) class period, the faculty member should invoke the procedures outlined below. Obstruction of teaching, research, administration, disciplinary proceedings or other college activities, including its public service functions on campus, in clinical settings or other authorized non-college activities, when the conduct occurs on college premises a faculty member may remove a student from a class meeting for disciplinary reasons. If a faculty member removes a student for more than one class period, the faculty member shall notify the college official responsible for administration of the Student Conduct Code in writing of the problem, action taken by the faculty member, and the faculty member's recommendation. If a resolution of the problem is not reached, the student may be removed permanently pursuant to appropriate due process procedures.

4. Conduct - Rules and Regulations

Any student found to have committed the following misconduct is subject to the disciplinary sanctions outlined in Article IV:

A. Acts of dishonesty, including but not limited to the following:

i. Knowingly furnishing false information to any college official or officer (including filing a false report or complaint), including during an official investigation (i.e. Title IX, conduct, or campus police investigation).
ii. Forgery, alteration or misuse of any college document, record or instrument of identification, even if there is no reliance on the forged or altered document in the posting of grades or other academic/financial benefit.
iii. Tampering with the election of any college- recognized student organization.
iv. Financial aid fraud or corresponding behaviors that would allow a student to receive a monetary benefit for which they are not eligible.
v. Misrepresentation of one’s identity (see also Identity Theft Red Flag and Security Incident Reporting AR 6.11).
vi. Misuse of the colleges copyrighted content and trademark (Copyright Act Compliance AR 2.4.5).
vii. Knowingly filing a false report (Title IX, conduct, or campus

police investigation) to a college official or campus police.

B. Obstruction or disruption of teaching, research, administration, disciplinary proceedings or other college activities, including its public service functions on campus, in clinical settings or other authorized non-college activities.
C. Conduct that intentionally or recklessly causes physical harm or that otherwise threatens or endangers the health or safety of any person.

    i. Physical abuse – hitting, pushing, use of a weapon, beating or other such activity resulting in or, intended to cause physical harm.
    ii. Making a threat(s) of violence (including verbal, written, or virtual communication) that does or could cause(s) a reasonable expectation of harm to the health or safety of a specific person.
    iii. Substantial or repeated acts and/or harassment directed at a person or group of people that would cause a reasonable person to feel fearful and/or find intimidating, hostile, or offensive, including but not limited to, bullying, stalking, and hazing (Hazing Prevention Regulation AR 2.7) as defined in Article I.
    iv. Any form of retaliation towards a Complainant or any participant in an investigation or conduct process.

D. Attempted or actual theft of, damage to, or unauthorized use of property of the college or property of a member of the college community or other personal or public property.

E. Trespassing or unauthorized access to physical or virtual/cyber property or services of the college.

F. Having an animal in a campus building, other than in accordance with MCCCD policy (Domesticated Animals on Campus AR 3.9 and Guidelines for Service Animals on Campus) and ADA laws, such as permitted service animals individually trained to perform tasks for the benefit of an individual with a disability.

G. Failure to comply with direction of college officials or law enforcement officers in the performance of their duties and/or failure to properly identify oneself to these persons when requested to do so.
H. Unauthorized possession, duplication or use of keys to any college premises, or unauthorized entry to or use of college premises.

I. Violation of any college or MCCCD policy, rule or regulation published in hard copy or online, such as a college catalog, handbook, etc. or available electronically on the college's or MCCCD's website.

J. Violation of federal, state or local law.

K. Use, possession, manufacturing or distribution of illegal or other controlled substances except as expressly permitted by law, unless such use is prohibited due to a program of study for fields that are deemed safety sensitive positions. (Abuse-Free Environment AR 2.4.7, S-16 statement on the Arizona Medical Marijuana Act Proposition 203).

L. Illegal use, possession, manufacturing or distribution of alcoholic beverages or public intoxication.

M. Smoking tobacco products, using e-cigarettes, or any other violation of the Smoke-Free/Tobacco-Free Environment policy (AR 4.12).

N. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on college premises, or use of any such item, even if legally possessed, in a manner that harms, threatens, or causes fear to others, or property damage (Weapons policy BP 12.1.2).

O. Participation in a demonstration, riot or activity that disrupts the normal operations of the college and infringes on the rights of other members of the college community; leading or inciting others to disrupt scheduled and/or normal activities within any college building or area.

P. Obstruction of the free flow of pedestrian or vehicular traffic on college premises or at college-sponsored or supervised functions.

Q. Conduct that is disorderly, lewd or indecent; breach of the peace; or aiding, abetting or procuring another person to breach the peace on college premises or at functions sponsored by or participated in by the college or members of the academic community. Disorderly conduct includes but is not limited to: any unauthorized use of electronic or other devices or to make an audio or video record of any person while on college or MCCCD premises without their prior knowledge, or without their effective consent or when such a recording is likely to cause injury or distress. This includes, but is not limited to, secretly taking pictures of another person in a gym, locker room, or restroom.

R. Engaging in individual conduct that materially and substantially infringes on the rights of other persons to engage in or listen to expressive activity is subject to discipline under this conduct code. (Free Expression policy AR 6.24).

S. Attempted or actual theft or other abuse of technology facilities or resources, including but not limited to:

   i. Unauthorized entry into a file, to use, read or change the contents or for any other purpose.

   ii. Unauthorized transfer of a file.

   iii. Unauthorized use of another individual's identification and/or

password.

iv. Use of technology facilities or resources to interfere with the work of another student, faculty member or college official.

v. Use of technology facilities or resources to send obscene or abusive messages.

vi. Use of technology facilities or resources to interfere with normal operation of the college technology system or network.

vii. Use of technology facilities or resources in violation of copyright laws (Copyright Compliance AR2.4.5).

viii. Any violation of the MCCCD's technology resource standards (Technology Resource Standards AR4.4).

ix. Use of technology facilities or resources to illegally download files.

x. Unauthorized use of intellectual property (Intellectual Property Policy).

T. Abuse of the Student Conduct system, including but not limited to:

i. Falsification, distortion or misrepresentation of information before a Student Conduct Board.

ii. Invoking a Student Conduct Code proceeding with malicious intent or under false pretenses.

iii. Attempting to discourage an individual's proper participation in, or use of, the Student Conduct system.

iv. Attempting to influence the impartiality of the member of a judicial body prior to, and/or during the course of, the Student Conduct Board proceeding.

v. Harassment, either verbal or physical, and/or intimidation of a member of a Student Conduct Board prior to, during and/or after a Student Conduct Board proceeding.

vi. Failure to comply with the sanctions imposed under this Student Conduct Code.

vii. Influence or attempting to influence another person to commit an abuse of the Student Conduct Code system.

viii. Failure to obey the notice from a Student Conduct Board or college official to appear for a meeting or hearing as part of the Student Conduct system.

U. Engaging in irresponsible social media conduct. All Student Conduct policies apply to social networking platforms.

V. Attempt to bribe a college or MCCCD employee.

W. Stalking behavior, which occurs if a student intentionally or knowingly maintains visual or physical proximity toward another person on (2) or more occasions over a period of time and such conduct would cause a reasonable person to fear for their safety.

X. Sexual Misconduct, including but not limited to:

i. The use or display in the classroom, including electronic, of pornographic or sexually harassing materials such as posters, photos, cartoons or graffiti without pedagogical justification.

ii. Explicit sexual comments by one (1) or more students about another student, or circulating drawings or other images depicting a student in a sexual manner.

iii. Unwelcome sexual advances, repeated propositions or requests for a sexual relationship to an individual who has previously indicated that such conduct is unwelcome, or sexual gestures, noises, remarks, jokes, questions, or comments by a student about another student's sexuality or sexual experience.

iv. Harassment based on sex, pregnancy, gender identity, gender expression, or sexual orientation that creates a hostile environment. A hostile environment exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the MCCCD education programs and/or activities. The existence of a hostile environment is to be judged both objectively (meaning a reasonable person would find the environment hostile) and subjectively (meaning the impacted individual felt the environment was hostile).

Y. Sexual Exploitation

i. Taking non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited.

Examples of behavior that could rise to the level of Sexual Exploitation include:

a) Recruiting, harboring, transporting, providing, or obtaining another person for the purpose of sexual exploitation;

b) Non-consensual visual (e.g., video, photograph) or audio-recording of sexual activity;

c) Non-consensual distribution of photos, other images, or information of an individual's sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information;

d) Going beyond the bounds of consent (such as letting your friends hide in the closet to watch you having consensual sex);

e) Engaging in non-consensual voyeurism;

f) Knowingly transmitting an STI (sexually transmitted infection), such as HIV, to another without disclosing one's STI status;

g) Exposing one's genitals in non-consensual circumstances, or inducing another to expose their genitals;

h) Possessing, distributing, viewing or forcing others to view obscenity.

5. Violation of Law and College Discipline

A. Disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and this Student Conduct Code (that is, if both possible violations result from the same factual situation) without regard to pending civil or criminal litigation. If a criminal investigation and/or prosecution results from the same factual situation, proceedings under this Student Conduct Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the college official responsible for administration of the Student Conduct Code. Determinations made or sanctions imposed under this Student Conduct Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of college rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

B. When a student is charged by federal, state or local authorities with a violation of law, the college will not request or agree to special consideration for that individual because of their status as a student. If the alleged offense is also being processed under this Student Conduct Code, however, the college may advise external law enforcement and other authorities of the existence of this Student Conduct Code and of how such matters will be handled internally within the college community. The college will cooperate fully with the law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students and faculty members, acting within their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

C. The Student Code of Conduct may apply to off-campus behavior that affects a substantial interest of the college. A substantial college interest means:

   i. Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of themselves or others; and/or

   ii. Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or

   iii. Any situation that is detrimental to the educational mission and/or interests of the college, unless it is protected by a student's constitutional right to free expression.

Article IV: Student Conduct Code Procedures

1. Allegations and Resolution Options

A. Any member of the college community may file a complaint against a student for violations of this Student Conduct Code. A complaint may be in writing or verbally given to the Student Conduct Administrator. Once the complaint has been made, it shall be put in writing and a notice of allegation should be submitted to the Respondent. A Respondent must receive written notice of the allegations before a meeting is held with the Respondent regarding the conduct. The notice of allegations should outline the particulars of the complaint, the presumption of innocence, an outline of the Respondent's due process rights, and the contact information for the Student Conduct Administrator.

B. There is no statute of limitations for bringing a complaint under the Student Conduct Code, but it is advisable to bring a complaint as soon after the conduct being reported occurred.

C. Both the Complainant and the Respondent shall have the right to be assisted by an advisor of their choosing. A party who elects to be assisted by an advisor must notify the Student Conduct Administrator of the name and contact information of the Advisor not less than two (2) days before the scheduled meeting with the party. Advisors may not be an attorney. Both the Complainant and the Respondent are responsible for presenting their own information during the course of the meeting. Advisors are not permitted to speak or participate directly in any Student Conduct meeting or proceeding and can be removed from proceedings by not abiding by these parameters.

D. Misconduct that would fall under the jurisdiction of AR 5.1.16, meaning it alleges sexual harassment, discrimination, sexual assault, dating/domestic

violence, or stalking should be forwarded to the Title IX Coordinator for a jurisdictional review. In such cases where the conduct alleged does not meet the definition of sexual harassment, as outlined in the Title IX Regulations (and MCCCD policy AR 5.1.16) or is otherwise subject to mandatory or discretionary dismissal, the alleged conduct will be referred back to the Student Conduct Code for investigation and adjudication.

E. After receiving information on alleged violations of the Student Conduct Code, the Student Conduct Administrator will review the information, gather facts, and make a determination on the appropriate next steps. Documentation regarding the aforementioned steps must be maintained. Next steps are:

   i. Dismiss the case due to insufficient evidence, lack of jurisdiction, or the alleged behavior, even if proven true, would not violate the code.

   ii. Proceed with a full, thorough, and impartial investigation with formal disciplinary proceedings.

   iii. Initiate an informal resolution outside of formal disciplinary proceedings provided involved parties mutually agree and the Student Conduct Administrator determines this option is appropriate given the nature of the allegations. An informal resolution can also be an option when the Respondent accepts responsibility for the behavior.

   iv. If the informal resolution option is initiated, the determination with regard to responsibility and sanctions is final and cannot be appealed.

2. Informal Resolution Options

A. Informal resolution options include, but are not limited to: administrative dispositions, mediation, facilitated dialogue, and restorative justice practices.

B. Determinations regarding the type of informal resolution offered in a particular case will be made in consultation with the Student Conduct Administrators, other MCCCD leadership, as necessary, and the students at issue. Staff outside of the Student Conduct Administrator's office may be involved in facilitating the agreed upon option.

C. Informal resolutions can result in the same sanctions and institutional responses as are reserved for matters that have been addressed through a full investigation.

D. The Student Conduct Administrator will make the determination with regard to responsibility.

E. Should new facts come forward during the informal resolution process that significantly alter the nature of the allegations, the Student Conduct

Administrator has the discretion to initiate a full investigation. If one of the involved parties decides that the informal resolution option is not appropriate, they may request a full investigation. This request must be submitted to the Student Conduct Administrator before the conclusion of the informal resolution process. If this action is taken, the Student Conduct Administrator will document the end of the informal resolution process and shall initiate a formal investigation.

F. Both the Complainant and the Respondent must sign an agreement to engage in the informal resolution process.

3. Interim Actions

A. If the Student Conduct Administrator is in receipt of information indicating that the Respondent poses a threat of harm or substantial disruption, the Student Conduct Administrator may take administrative action(s) to restrict, suspend, or alter the rights of a student for a temporary period. The interim action(s) will be communicated in writing to involved parties and will remain in place until a final decision on the pending allegations has been made or until the Student Conduct Administrator believes the reason(s) for issuing the interim action(s) no longer exists. These administrative actions are not designed to be punitive, and they are not issued as sanctions.

B. A student who is restricted from campus or suspended due to interim action(s) may appeal the interim action(s) in writing to the Dean or Vice President of Student Affairs (VPSA) who is over the Student Conduct Administrator, and in the case that a VPSA is the Student Conduct Administrator, to the President of the college, no later than five (5) business days following the effective date of the interim action(s). This person will determine, within five (5) business days of receipt of the appeal, if the interim action(s) should remain in place, be modified, or lifted.

C. Examples of interim actions include, but are not limited to, no contact directives, removal from a class or classes or specific MCCCD locations, administrative removal from campus, administrative/enrollment holds, and temporary suspension.

D. Factors considered before issuing interim actions include, but are not limited to, individual safety, community safety, and the need to maintain an academic and work environment free from disruption. If the interim action is temporary suspension or removal from campus, the Student Conduct Administrator will consult with the college's behavioral assessment team as part of the decision-making process.

4. Notice of Allegations and Investigations

A. The notice of allegations letter sent to the Respondent will also be sent to the Complainant. The notice of allegation should specify that the investigation will be

done to determine, under the preponderance of the evidence standard, if a violation of the policy has taken place. The notice of allegations should outline the particulars of the complaint, the presumption of innocence, an outline of the Respondent's due process rights, and the contact information for the Student Conduct Administrator.

B. Investigations will be conducted in a fair and impartial manner. Respondents are treated with a presumption of innocence until such time as it has been adjudicated that a violation of the Student Conduct Code has taken place.

C. If during the investigation additional allegations are presented or if allegations outlined in the original notice of allegations have been retracted, the Respondent must receive an amended notice of allegations and shall be allowed to address the new allegations.

5. Investigation Process

A. At the beginning of the investigation interview, the Student Conduct Administrator will review with the party being interviewed: The Student Conduct Code, the investigation process, how determinations are made, possible sanction(s), the prohibition against retaliation, and appeal options.

B. Students are expected to comply with requests and directives issued by the Student Conduct Administrator performing duties connected to an investigation. Should a student choose to not participate in the conduct process, the Student Conduct Administrator will proceed with the investigation and make determinations without gaining input from the non-participating student.

C. After the investigative interview, Respondents will be given up to five (5) days to reflect upon and respond to the allegations(s) in writing. The written response should be delivered to the Student Conduct Administrator within that time period. Likewise, Complainants and witnesses will be given up to five (5) days to reflect upon and respond to the information presented and outlined during the investigative interview. The Student Conduct Administrator does not need to provide interview notes or additional information to the student to facilitate this process.

D. A student can have an advisor present in all conduct proceedings, but the advisor cannot speak on the student's behalf.

E. Involved parties can identify witnesses who have information relevant to the investigation. These witnesses will be contacted by the Student Conduct Administrator who will assess the relevance of the witnesses and conduct interviews as appropriate.

F. Complainants and Respondents will be notified in writing when an investigation has concluded and the investigative report has been completed, which will encompass all information except for a final determination.

6. Determinations

A. The Student Conduct Administrator will determine whether it is more likely than not that a student and/or student organization violated the Student Conduct Code.

B. The Student Conduct Administrator will consider any mitigating or aggravating factors and determine the appropriate sanctions.

C. Within five (5) business days of the determination, the Student Conduct Administrator will provide the parties a written decision. The written decision will indicate whether or not the charge(s) was substantiated and, if the charge(s) was/were substantiated, will outline the remedial action(s) taken including sanctions if applicable, to be issued by the college. The determination letter will summarize the investigation and outline the determination made regarding the allegations outlined in the complaint, as well as state any issued sanction(s) based on a finding of responsibility.

D. Respondent will be informed of the right to appeal the determination and will be given instructions on how to do so in the decision letter.

7. Appeals

A. The Respondent must submit a written appeal request to the supervising Dean of Students or Vice President of Student Affairs (VPSA), or in the case that the Student Conduct Administrator is the VPSA, the President, no later than five (5) days from the date of the written determination.

B. If no appeal is filed within the five (5) day window, the determination regarding responsibility for a violation under this policy and sanctions is final.

C. Pending the filing of a timely appeal request, the decision by the Dean of Students or VPSA will delay the effective date of the disciplinary sanction.

D. The grounds for an appeal are restricted to the following:

i. Procedural irregularity that affected the outcome of the matter, and

ii. New evidence that was not reasonably available at the time determinations regarding responsibility was made, or that could affect the outcome of the matter.

E. The Dean of Students or VPSA will notify the involved parties of a decision regarding the appeal within five (5) days of receiving the appeal request. Both parties to the original investigation will be notified of the appeal

decision.

i. If the appeal is denied, the decision by the Student Conduct Administrator shall be considered final and binding upon all concerned.

ii. If the appeal is granted, the rationale for the decision will be outlined in the decision letter as will the next steps in the process.

a. The appellate body has discretion upon granting an appeal to refer the matter back to the Student Conduct Administrator for reconsideration, or alter the sanction(s) only (including issuing more severe sanctions).

8. Matters Related to Infringement of the Right to Free Expression

A. As outlined in Arizona Revised Statute 15-1866, any student who engages in individual conduct that materially and substantially infringes on the rights of other persons to engage in or listen to expressive activity is subject to discipline under this conduct code.

B. In all disciplinary proceedings involving students, including proceedings involving expressive conduct, a student is entitled to a disciplinary hearing under published procedures that include, at a minimum, all of the following:

i. The right to receive advance written notice of the allegations.

ii. The right to review the evidence in support of the allegations.

iii. The right to confront witnesses who testify against that student.

iv. The right to present a defense.

v. The right to call witnesses.

vi. A decision by an impartial person or panel.

vii. The right to appeal.

viii. If either a suspension of more than thirty (30) days or expulsion is a potential consequence of a disciplinary proceeding under this section, the right to active assistance of counsel.

9. Sanctions

A. The following sanctions may be imposed upon any student found to have violated the Student Conduct Code:

i. **Warning** - a written notice to the student that the student is violating or has violated institutional rules or regulations.

ii. **Disciplinary Probation** - a written reprimand for violation of specified rules or regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional rules or regulation(s) during the probationary period.

iii. **Loss of Privileges** - denial of specified privileges for a designated period of time which can include, but is not limited to, eligibility for some leadership roles, scholarships, membership in college-affiliated organizations, programs, and activities, and restricted access to college premises.

iv. **Restitution** - compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.

v. **Discretionary Sanctions** - work assignments, essays, service to the college, or community, apology letters, educational programs, or other related discretionary assignments. (Such assignments must have the prior approval of the Student Conduct Administrator and will have specific due dates.)

vi. **Behavioral Requirement** - engagement with services or programs designed to address behaviors of concern through education and skill-building.

vii. **College Suspension** - separation of the student from all the colleges in MCCCD for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. Suspension from ONE college means a suspension from ALL colleges in MCCCD.

viii. **College Expulsion** - permanent separation of the student from all the colleges in MCCCD. Expulsion from one college means expulsion from all MCCCD colleges.

ix. **Degree/Certificate Revocation** – permanent revocation of a student's degree and/or certificate.

x. **Other Sanctions** - additional or alternative sanctions may be created and designed as deemed appropriate to the offense with the approval of the Student Conduct Administrator.

B. More than one of the sanctions listed above may be imposed for any single violation.

C. Disciplinary sanctions are part of a student's educational record.

10. Miscellaneous

A. **Administrative Hold**

The Student Conduct Administrator may place a temporary administrative hold preventing a student's registration, transcript release, or graduation if it is necessary to secure the student's cooperation in the investigation or compliance with an administrative direction. This hold is not a sanction but a necessary step to resolve the complaint promptly.

B. **Academic Consequences**

Violations of the Student Conduct Code can have academic consequences if the violation also constitutes failure to meet standards of performance or professionalism set by the instructor or the program, or if it constitutes cheating, plagiarism, falsification of data, or other forms of academic dishonesty. In such cases, the instructor may award a failing grade for the assignment or the course in such cases, and the program faculty may decide that the student is ineligible to continue in the program. Academic consequences are determined by the faculty and academic administration, and are not dependent on the decisions of the college officials charged with the administration of the Student Conduct Code.

Article V: Interpretation and Revision

Violations of the Student Conduct Code can have academic consequences if the violation also constitutes failure to meet standards of performance or professionalism set by the instructor or the program, or if it constitutes cheating, plagiarism, falsification of data, or other forms of academic dishonesty. In such cases, the instructor may award a failing grade for the assignment or the course in such cases, and the program faculty may decide that the student is ineligible to continue in the program. Academic consequences are determined by the faculty and academic administration, and are not dependent on the decisions of the college officials charged with the administration of the Student Conduct Code.

Employment Standards

The following constitutes grounds for disciplinary action, up to and including termination of any MCCCD employee as outlined by the respective policy manuals:

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1. Willful and intentional violation of any state or federal law, applicable ordinance, MCCCD Governing Board policy, or MCCCD administrative regulation that affects the employee's ability to perform their job.

2. Making a false statement of or failing to disclose a material fact in the course of seeking employment or reassignment of position at MCCCD.

3. Willful and intentional failure to perform job duties that have first been communicated to an employee and are within the employee's scope of employment.

4. Willful and intentional commitment of acts of fraud, theft, embezzlement, misappropriation, falsification of records or misuse of MCCCD funds, goods, property, services, technology or other resources.

5. Conviction of a felony or misdemeanor that adversely affects an employee's ability to perform job duties or has an adverse effect on MCCCD if employment is continued.

6. Fighting with a fellow employee, visitor, or student, except in self-defense. Committing acts of intimidation, harassment or violence, including (but not limited to) oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm.

7. Reporting to work under the influence of alcohol and/or illegal drugs or narcotics; the use, sale, dispensing, or possession of alcohol and/or illegal drugs or narcotics on MCCCD premises, while conducting MCCCD business, or at any time which would interfere with the effective conduct of the employee's work for the MCCCD; the use of illegal drugs; or testing positive for illegal drugs. The exception would include the consumption of alcohol at a reception or similar event at which the employee's presence is clearly within the scope of employment.
8. Possessing firearms or other weapons on MCCCD property, except as may be required by the job or as otherwise permitted by law.

9. Abandonment of one's position.

10. Intentional destruction or threat of destruction of MCCCD property, with malicious intent.
11. Performing acts or executing job responsibilities in a reckless manner that pose a threat to the physical safety of the employee or another person.

12. Failure by the College President, Vice Chancellor, Chancellor or other senior level administrators to notify appropriate law enforcement authorities of any potential theft of District funds or assets.

Statement on Rehiring

Employees (Board approved and otherwise) who are terminated or non-renewed due to a determination that the employee has violated Maricopa Employment Standards as set forth above, or who resign in lieu of such termination or non-renewal by agreement or otherwise, are not eligible for rehire within the Maricopa County Community College District. Employees will be afforded notice of such a determination and an opportunity to be heard pursuant to the applicable employee policy or administrative regulation. The Vice Chancellor for Human Resources or designee is responsible for reviewing documented violations of employment standards, establishing procedures for the review of recommended disciplinary action to be taken, and determining whether the recommended disciplinary action is consistent with the documented violations of the

employment standards. The Vice Chancellor for Human Resources shall have final authority to recommend disciplinary action under this policy and shall document the rationale for all decisions. To the extent that the recommendation for disciplinary action by the Vice Chancellor for Human Resources or designee differs from the recommendation of the employee's College President or Vice Chancellor or other Chancellor's Executive Council Member, the Chancellor shall be consulted and shall make the final recommendation on disciplinary action. The Vice Chancellor for Human Resources shall make recommendations that involve the Chancellor.

Quarterly, a summary report shall be submitted to the Governing Board on disciplinary actions taken pursuant to this policy.

Whistleblower Protection

In response to a legislative directive, the Governing Board has adopted the following policy:

1. It is a prohibited personnel practice for an employee who has control over personnel actions to knowingly take an adverse personnel action against an employee in reprisal for disclosing to a public body, pursuant to A.R.S. § 38-532, information that the employee reasonably believes evidences a violation of any law, mismanagement, a gross waste of monies or abuse of authority to a public body. Any District employee found to have committed a prohibited personnel practice is subject to dismissal and a civil penalty of up to five thousand dollars, except that upon a finding that an employee committed a prohibited personnel practice against an employee who disclosed information that the employee reasonably believed evidenced a violation of any law, the employee who knowingly committed the prohibited personnel practice is subject to a civil penalty of up to ten thousand dollars, the employer shall dismiss the employee and the employee is barred from any future employment by the government entity.

2. The following terms shall have the meaning given to them by A.R.S. § 38-531:

    A. Employee
    B. Former Employee
    C. Law Enforcement Officer
    D. Personnel Action
    E. Public Body
    F. Reprisal

3. It shall not be a violation of this policy to take an adverse personnel action towards an employee whose conduct or performance warrants discipline.

For purposes of this administrative regulation, an adverse personnel action is defined as the following:

A. Termination of employment
B. Demotion, with or without a salary reduction
C. Imposition of suspension without pay

D. Receipt of written reprimand
E. Failure to appoint, promote or reemploy
F. An unsupported negative performance evaluation
G. Withholding of appropriate salary adjustments
H. Involuntary transfer or reassignment
I. Elimination of the employee's position absent a reduction in force, reorganization or by reason of a decrease or lack of sufficient funding, monies or workload
J. Significant changes in duties or responsibilities which are inconsistent with the employee's salary or grade level

4. An employee or former employee who believes he or she has been subjected to an adverse personnel action based on disclosure of information pursuant to A.R.S. § 38-532 may file a complaint with the Governing Board.

   A. The complaint must be in writing, must set forth the basis for the claim or reprisal, and must be filed with the Assistant to the Governing Board within 10 days of the effective date of the action taken against the complainant. In all instances, except those in which the complaint alleges wrongful conduct by the Chancellor, the Assistant to the Governing Board must forward the complaint to the Chancellor or designee immediately, and in no case more than one business day after receipt of the complaint. If the complaint alleges wrongful action by the Chancellor, the Assistant to the Governing Board shall forward the complaint to the President of the Governing Board, or Secretary, if the President is not available, within one business day.

   B. In all instances, except those in which the complaint alleges wrongful actions by the Chancellor, the Chancellor or designee shall, within five business days after receipt of a complaint, establish a Whistleblower Hearing Committee (Committee) to hear the complaint.

   C. In instances in which the complaint alleges wrongful actions by the Chancellor, the Governing Board shall, within five days after receipt of the complaint, name an independent, external Hearing Officer to hear the complaint.

   D. The Committee shall be composed of three persons not associated with the incident or allegations. The make-up of the Committee shall be as follows: one College President from a college not related to the alleged violation to be named by the Chancellor; one District employee named by the complainant; one District employee named by the individual who is accused of committing a prohibited personnel practice.

   E. The Committee or Hearing Officer shall make an initial determination of jurisdiction over the subject matter within 10 business days after receipt of the complaint by the Chancellor. The Committee or Hearing Officer shall decide, based upon the contents of the written complaint and any additional information the parties desire to submit, whether (1) the complainant did, in fact, disclose information to a public body concerning an alleged violation of

law, mismanagement, gross waste of monies or abuse of authority and (2) whether an adverse personnel action as defined herein took place. If the answer to either (1) or (2) is “no,” the Committee or Hearing Officer shall inform the parties that the complaint has been dismissed for lack of jurisdiction.

F. If the answers to both (1) and (2) in paragraph 5(E) are yes, the Committee or Hearing Officer shall accept jurisdiction and set a hearing date no later than 30 calendar days after receipt of the complaint by the Chancellor.

G. The hearing shall be for the purpose of determining whether a prohibited personnel practice occurred.

H. All parties at the hearing may be represented by counsel.

I. The hearing will be open to the public except where the complainant requests a confidential hearing. The hearing will not be subject to the technical rules of evidence, except the rule of privilege recognized by the court. Each side will have the opportunity to call witnesses, present evidence, and cross-examine the other party's witnesses. The hearing will be recorded and transcribed upon the request of either party. The requesting party will bear the cost of transcription.

J. Within 15 days after the conclusion of the hearing, the Committee or Hearing Officer shall issue findings of fact and a recommended decision, including recommendations as to any appropriate discipline and the amount, if appropriate, of a civil penalty pursuant to A.R.S. § 38-532(C). The civil penalty many not exceed $5,000.00, except that a upon a finding that an employee committed a prohibited personnel practice against an employee who disclosed information that the employee reasonably believed evidenced a violation of any law, the employee who knowingly committed the prohibited personnel practice is subject to a civil penalty of up to ten thousand dollars, the employer shall dismiss the employee and the employee is barred from any future employment by the government entity.

K. The findings and recommendations shall be immediately forwarded to the Governing Board. The Governing Board may accept, reject or modify the findings and recommendations.

1. The District shall have Ombudsperson Services that are available to the external (non-employees) community and internal employee community to address complaints and concerns relative to the operations of the Maricopa County Community College District. These services may be staffed by District employees or may be contracted or both. The District shall also maintain a 24-hour reporting hotline (480-731-8084) for the submission of complaints and concerns (anonymous or otherwise). These services are not considered to be services of the "public body" as defined in section 2 of this policy; persons seeking whistleblower protection may avail the services of the public body as defined in section 1.

A. Among the concerns or complaints that may be reviewed by the Ombudsperson are unsolicited, derogatory and anonymous complaints or concerns about employees. These shall not be reviewed separately by the Governing Board.

B. Quarterly, the Chancellor shall submit to the Governing Board and District Audit and Finance Committee summary information on the number of Ombuds and 24-Hour Hotline complaints in the District. Such a report shall protect the identity of Ombuds and 24-Hour Hotline reporters from disclosure. Quarterly, the Chancellor also shall submit to the Governing Board and District Audit and Finance Committee summary information on complaints and concerns submitted to the external and internal Ombudsperson Services. Identities shall be protected from disclosure.

MCCCD Policy on Substance Abuse

Drug Free Schools & Communities Act of 1989 District Policy

Maricopa Community Colleges supports the Drug Free Schools and Communities Act Amendments of 1989, Public Law 101-226, and complies with all federal, state, and local laws pertaining to controlled substances, including alcohol. The possession, use, sale or consumption of an alcoholic beverage in any premises owned and/or leased/rented by the District for approved educational purposes is prohibited.

The Maricopa Community Colleges District prohibits the unlawful possession, use, and sale of illegal drugs on campus. The District Police Department is responsible for the enforcement of state underage drinking laws and enforcement of Federal and State drug laws.

College Response to Alcohol and Drug Violations

Besides the sanctions imposed by federal and state courts concerning controlled substance violation(s), the college will respond administratively when the offense involves a student or employee as the offender. Students and employees are subject to applicable District policies and disciplinary procedures. Sanctions may include suspension or expulsion for student offenders or termination of employment for employees.

S-16 Statement on the Arizona Medical Marijuana Act (Proposition 203)

In 2010, Arizona voters approved the Arizona Medical Marijuana Act (Proposition 203), a state law permitting individuals to possess and use limited quantities of marijuana for medical purposes. Because of its obligations under federal law, however, the Maricopa Community Colleges will continue to prohibit marijuana possession and use on campus for any purpose.

Smart and Safe Arizona Act (Proposition 207)

In 2020 Arizona passed the Smart and Safe Act (Proposition 207), legalizing the adult recreational use of marijuana. The definitions associated with the Arizona Revised Statute can be found in ARS 36-2850. Additional information regarding restrictions, violations, penalties and enforcement can be found in ARS 36-2851, ARS 36-2852 and ARS 36-2853. Under the Drug Free Workplace Act of 1988, and the Drug Free Schools and Communities Act of 1989, “no institution of higher education shall be eligible to receive funds or any other form of financial assistance under any federal program, including participation in any federally funded or guaranteed student loan program, unless it has adopted and has implemented a program to prevent the use of illicit drugs and abuse of alcohol by students and employees.” Another federal law, the Controlled Substances Act, prohibits the possession, use, production, and distribution of marijuana for any and all uses, including medicinal use. This law is not affected by the passage of the Arizona Medical Marijuana Act or the Smart and Safe Arizona Act. Because Maricopa Community Colleges could lose its eligibility for federal funds if it fails to prohibit marijuana, it is exempt from the requirements of the Arizona Medical Marijuana Act. Therefore, Maricopa Community Colleges will continue to enforce its current policies prohibiting the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on its property or as part of any of its activities. Employees and students who violate Maricopa Community Colleges policy prohibiting the use or possession of illegal drugs on campus will continue to be subject to disciplinary action, up to and including expulsion from school and termination of employment. In compliance with the Drug Free Schools and Communities Act, Paradise Valley Community College publishes information regarding the College’s prevention programs related to drug and alcohol abuse prevention which include standards of conduct that prohibit the unlawful possession, use, and distribution of alcohol and illegal drugs on campus and at institution-associated activities; sanctions for violations of federal, state, and local laws and College policy; a description of health risks associated with alcohol and other drug use and abuse; and a description of available counseling, treatment, rehabilitation and/or re-entry programs for PVCC students and employees. A complete description of these topics, as provided in the College’s annual notification to students and employees, is available online at: https://www.paradisevalley.edu/institutional- effectiveness/disclosure.

Alcohol and Drug Use Prevention

Maricopa Community Colleges sponsors and/or participates in the following drug prevention activities:

- Counseling services provide individual sessions on the topic of Substance Abuse. When necessary, counselors will provide referral services to community-based agencies.

- Drug and alcohol awareness workshops are offered through Maricopa Community Colleges Fitness Center Wellness Workshops

Campus community members who may have an alcohol or drug problem can also receive assistance by calling:

- Al-Anon at 1-800-356-9996
- American Council on Alcoholism at 1-800-527-5344
- National Institute on Drug Abuse Hotline at 1-800-662-4357
- DRUGHELP at 1-800-378-4435

Off-campus Student Organizations

District Police do not monitor the activities of off-campus student organizations.

Hazing Policy

The MCCCD strictly prohibits hazing in any form, consistent with MCCCD Administrative Regulation 2.7 and Arizona state law. Hazing is defined as any intentional, knowing, or reckless act committed by a student or other person, whether individually or in concert with others, against another student, and in connection with an initiation into, affiliation with, or continued membership in any student organization, club, athletic team, or other student group, and that causes or is likely to cause physical harm, mental distress, humiliation, or endangerment to the health or safety of any person, regardless of the victim's willingness to participate.

Prohibited Conduct

- Any act of hazing, whether occurring on or off campus, is prohibited under Administrative Regulation 2.7.
- Encouraging, permitting, or participating in hazing activities is also prohibited.

Reporting Hazing

Students, employees, and community members are encouraged to report suspected hazing. Reports may be made to:

- The Dean of Students or Student Conduct Office at each college
- MCCCD's anonymous reporting through the Rave Guardian App
- Campus Security Authorities (CSAs) should report instances of hazing through the electronic CSA Clery Incident Reporting Form

For full policy language, please review Administrative Regulation 2.7 – Hazing Prevention and Reporting.

Sanctions

Individuals or organizations found responsible for hazing may face:

- Disciplinary sanctions up to and including suspension or expulsion
- Loss of recognition for student organizations
- Referral to law enforcement when appropriate

Prevention and Education

MCCCD provides hazing prevention education and awareness programs to students, employees, and student organizations on an annual basis.

Annual Hazing Transparency Report

In compliance with the **Stop Campus Hazing Act of 2023,** MCCCD will publish a **Campus Hazing Transparency Report** beginning December 23, 2025. This report will list all reported hazing incidents for the past five years and will be updated at least twice annually. The report will be posted on the college website and available to the public.

Crime Statistics

The Clery Act requires MCCCD to track and include four general categories of crime statistics:

Criminal Offenses

- Criminal Homicide, including Murder and Non-negligent Manslaughter, and Manslaughter by Negligence.
- Sexual Assault, including Rape, Fondling, Incest and Statutory Rape.
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson

VAWA Offenses

- Domestic Violence
- Dating Violence
- Stalking
- Sexual Assault (which is also a VAWA offense, but is included in the Criminal Offenses category for Clery Act reporting purposes).

Hate Crimes

Any of the offenses listed in the Criminal Offenses category and any of the following offenses if motivated by bias:

- Larceny – Theft
- Simple Assault
- Intimidation
- Destruction/Damage/Vandalism of Property

Arrests and Referrals for Disciplinary Action

Referrals for disciplinary action may result in a disciplinary sanction, administrative action, or educational intervention.

- Weapons – Carrying, Possessing, Law Violations
- Drug Abuse Violations
- Liquor Law Violations

Crime Statistics Definitions

For purposes of crime statistics reporting, the following definitions apply:

Criminal Offenses

1. **Criminal Homicide**
    a. **Murder/Non-negligent Manslaughter** is the willful (non-negligent) killing of one human being by another.

    b. **Manslaughter by Negligence** is the killing of another person through gross negligence.

2. **Sexual Assault (Sex Offenses)**

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

    a. **Rape** is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes rape of both males and females.

    b. **Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent

mental incapacity.

c. **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

d. **Statutory Rape** is sexual intercourse with a person who is under the statutory age of consent.

3. **Robbery** is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

4. **Aggravated Assault** is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

5. **Burglary** is the unlawful entry of a structure to commit a felony or theft.

6. **Motor Vehicle Theft** is the theft or attempted theft of a motor vehicle.
7. **Arson** is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Hate Crimes

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

Under the Clery Act, only the following eight categories of bias are reported:

1. **Race**. A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.

2. **Religion**. A preformed negative attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.

3. **Sexual Orientation**. A preformed negative attitude toward a group of persons based on their actual or perceived sexual orientation.

4. **Gender**. A preformed negative attitude toward a group of persons based on their actual or perceived gender.

5. **Gender Identity**. A preformed negative attitude toward a group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

6. **Ethnicity**. A preformed negative attitude toward a group of persons whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stress common ancestry.

7. **National Origin**. A preformed negative attitude toward a group of people based on their actual or perceived county of birth.

8. **Disability**. A preformed negative attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

In addition to the Criminal Offenses defined above, the following offenses are included in Clery Act statistics if they are Hate Crimes.

1. **Larceny-Theft** is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

2. **Simple Assault** is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

3. **Intimidation** is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

4. **Destruction/Damage/Vandalism of Property** is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

VAWA Offenses

1. **Dating Violence** is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of the reporting party's statement and with the consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition:

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

2. **Domestic Violence** is defined as a felony or misdemeanor crime of violence committed:

   - By a current or former spouse or intimate partner of the victim;
   - By a person with whom the victim shares a child in common;
   - By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
   - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
   - By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

3. **Stalking** is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

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

For the purposes of this stalking definition:

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

Arrests and Disciplinary Referrals for Violation of Weapons, Drug Abuse and Liquor Laws

Arrest for Clery Act purposes is defined as persons processed by arrest, citation or summons.

Referral for disciplinary action is defined as the referral of any person to any official who initiates an action of which a record is established and which may result in the

imposition of a disciplinary sanction, administrative action, and/or an educational intervention.

1. **Weapons: Carrying, Possessing, etc**., is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offense that are regulatory in nature.
2. **Drug Abuse Violations** are defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.
3. **Liquor Law Violations** are defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

Geographical Definitions

For the purpose of crime statistics reporting, the following geographical definitions apply:

1. **On-Campus Property** is defined as any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the area identified in this definition that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or retail vendor).

2. **On-Campus Student Housing Facility** is defined as any student housing facility that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus.
(PVCC does not have an on-campus housing facility)

3. **Non-Campus Property** is defined as any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

4. **Public Property** is defined as public property, including thoroughfares, streets, sidewalks, and parking facilities that are within the campus, or immediately adjacent to and accessible from the campus.

Statistical Overview

The crime statistics in this report have been compiled in accordance with definitions taken from the Federal Bureau of Investigation Uniform Crime Reporting Handbook as required by Clery Act regulations and modified by the Hate Crime Statistics Act and Campus SaVE Act.

The data relates to all reported crimes occurring on Paradise Valley Community College campus, as well as relevant non-campus property and public property as these terms are defined in the aforementioned Geographical Definitions. Also included are crimes reported to District Police by its officers, the local law enforcement agencies having primary jurisdiction, and other college personnel who have significant responsibility for student and campus activities. Although asked to do so, not all law enforcement agencies responded to or were able to provide statistics as required for Clery Act reporting.

MCCCD students can stay in hotels, campgrounds, while traveling with officially recognized groups and clubs. Letters were sent to the applicable police departments in each jurisdiction, requesting Clery Act data, for these stays which required Clery Act reporting.

If rape, fondling, incest, or statutory rape occurs in the same incident as a murder, MCCCD will record both the sex offense and the murder in the statistics.

Incidents and arrests occurring in On-Campus Student Housing Facilities are duplicated in the On-Campus totals and are not in addition to them.

For stalking, MCCCD records a crime statistic every year in which the course of conduct is reported to a local policy agency or a Campus Security Authority. MCCCD also records each report of stalking as occurring only at the first location within MCCCD's Clery geography in which a perpetrator engaged in the stalking course of conduct or a victim first became aware of stalking.

The statistics for drug, liquor law, and weapons violations related to actual offenses occurring on campus property.

Violations Referred for Disciplinary Action are the result of alleged criminal offenses, which did not result in an arrest, but were referred to other responsible college officials for administrative investigation and possible disciplinary action, administrative action, or educational intervention.

Hazing Incidents

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by the Stop Campus Hazing Act, MCCCD maintains and publishes (as necessary) a Campus Hazing Transparency Report.

For the reporting period PVCC received no reports of hazing incidents that resulted in a finding of responsibility through an institutional conduct process.

Because no hazing incidents resulting in a finding of responsibility were identified during this reporting period, there are no hazing findings, sanctions, or organizational disciplinary outcomes to disclose.

Calendar Year	Hazing Incidents	Organizations Found Responsible
2025	0	N/A
2024	N/A	N/A
2023	N/A	N/A

The Stop Campus Hazing Act became effective for Annual Security Reports beginning with the 2026 publication cycle using calendar year 2025 data. Hazing statistics are reported separately from Clery crime statistics because hazing is not a Clery-reportable offense category. Statistics reflect reported hazing incidents involving recognized or established student organizations.

Unfounded Crimes

Pursuant to the Violence Against Women Reauthorization Act regulations, an institution may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report. The recovery of stolen property, the low value of stolen property, refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.

PVCC Main Campus Unfounded Crimes

2025: No unfounded crimes.
2024: No unfounded crimes.
2023: No unfounded crimes.

PVCC Black Mountain Location Unfounded Crimes

2025: No unfounded crimes.
2024: No unfounded crimes.
2023: No unfounded crimes.

PVCC Main Campus Statistics

			GEOGRAPHIC LOCATION		
	OFFENSE	YEAR	ON- CAMPUS PROPERTY	NON- CAMPUS PROPERTY	PUBLIC PROPERTY
CRIMINAL OFFENSES	Murder/Non-Negligent Manslaughter	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Manslaughter by Negligence	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Rape	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Fondling	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Incest	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Statutory Rape	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Robbery	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Aggravated Assault	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Burglary	2023	0	0	0
		2024	0	0	0
		2025	2	0	0
	Motor Vehicle Theft	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Arson	2023	0	0	0
		2024	0	0	0
		2025	0	0	0

PVCC Main Campus Statistics (continued)

	OFFENSE	YEAR	GEOGRAPHIC LOCATION		
			ON- CAMPUS PROPERTY	NON- CAMPUS PROPERTY	PUBLIC PROPERTY
	Domestic Violence	2023	0	0	0
		2024	0	1	0
		2025	0	0	0
	Dating Violence	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Stalking	2023	0	0	0
		2024	0	1	0
		2025	0	0	0

ARRESTS AND DISCIPLINARY REFERRALS	OFFENSE	YEAR	GEOGRAPHIC LOCATION		
			ON-CAMPUS PROPERTY	NON- CAMPUS PROPERTY	PUBLIC PROPERTY
	Weapon Law Arrests	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Weapon Law Referrals	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Drug Arrests	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Drug Referrals	2023	0	0	0
		2024	0	1	0
		2025	0	0	0
	Alcohol Arrests	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Alcohol Referrals	2023	0	0	0
		2024	0	0	0
		2025	0	0	0

Hate Crimes

2025: No hate crimes reported.
2024: No hate crimes reported.
2023: No hate crimes reported

PVCC Black Mountain Location Statistics

CRIMINAL OFFENSES	OFFENSE	YEAR	GEOGRAPHIC LOCATION		
			ON- CAMPUS PROPERTY	NON- CAMPUS PROPERTY	PUBLIC PROPERTY
	Murder/Non-Negligent Manslaughter	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Manslaughter by Negligence	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Rape	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Fondling	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Incest	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Statutory Rape	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Robbery	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Aggravated Assault	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Burglary	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Motor Vehicle Theft	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Arson	2023	0	0	0
		2024	0	0	0
		2025	0	0	0

PVCC Black Mountain Location Statistics (continued)

	OFFENSE	YEAR	GEOGRAPHIC LOCATION		
			ON- CAMPUS PROPERTY	NON- CAMPUS PROPERTY	PUBLIC PROPERTY
	Domestic Violence	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Dating Violence	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Stalking	2023	0	0	0
		2024	0	0	0
		2025	0	0	0

ARRESTS AND DISCIPLINARY REFERRALS	OFFENSE	YEAR	GEOGRAPHIC LOCATION		
			ON-CAMPUS PROPERTY	NON- CAMPUS PROPERTY	PUBLIC PROPERTY
	Weapon Law Arrests	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Weapon Law Referrals	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Drug Arrests	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Drug Referrals	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Alcohol Arrests	2023	0	0	0
		2024	0	0	0
		2025	0	0	0
	Alcohol Referrals	2023	0	0	0
		2024	0	0	0
		2025	0	0	0

Hate Crimes

2025: No hate crimes reported.
2024: No hate crimes reported.
2023: No hate crimes reported