2025

# Annual Security Report & Annual Fire Safety Report

*Prepared in 2026*

SWCC

Southwestern Community College

**Annual Security Report..... 4**
College Safety Procedures .....4
Access to and Security of Campus Facilities .....5
Security Considerations .....6
Emergency Notification Policy Statement .....7
Timely Warning .....9
Reporting Crimes .....10
Security Awareness Programs for Students and Employees .....11
Crime Prevention .....13
Weapons on Campus .....13
Student Conduct and Criminal Activity at Off-Campus Locations .....15
Sexual Harassment Policy Statement .....15
Defining Sexual Harassment.....15
Procedures for Prevention of Sexual Harassment .....18
Equity/Title IX Coordinator .....20
If Sexual Assault, Dating Violence, Domestic Violence, or Stalking Occurs.....21
Orders of Protection/No-Contact Orders..... 22
Procedures for Reporting Sexual Harassment.....22
Confidential Reporting.....23
Crime Alert/Emergency Notification ..... 23
Timeframe for Reporting ..... 23
Services & Accommodations for Students Accusing or Accused of a Sexual Assault .....24
Procedures for Disciplinary Actions for Sexual Harassment .....25
Sex Offender Information .....36
Procedures for Prevention of Hazing .....36
Alcohol and Drug-Free Workplace and Campus.....38
Applicable Legal Sanctions .....41
Drug and/or Alcohol Abuse Education Programs.....42
Equity Policy Statement .....44
On-Campus Housing Missing Persons Reporting.....45

Campus Geography ..... 46
Crime Definitions ..... 48
Criminal Offenses ..... 48
Hate Crimes ..... 49
VAWA Offenses ..... 50
Arrests and Disciplinary Referrals for Violation of Weapons, Drug Abuse, and Liquor Laws ..... 51
Clery Crime Statistics - Creston ..... 52
Clery Crime Statistics - Osceola ..... 54
Clery Crime Statistics - Red Oak ..... 56

**Annual Fire Safety Report ..... 58**
Residence Halls Fire Safety Systems and Evacuation Procedures ..... 58
Residence Halls Fire Drills ..... 58
Residence Halls Policies Related to Electrical Appliances, Open Flames, and Smoking ..... 58
Fire Safety Systems in Residence Halls ..... 59
Fire Safety Education and Training ..... 60
Residence Hall Fire Reporting and Statistics ..... 61

# Annual Security Report

Southwestern Community College has a vested interest in campus safety and the personal safety of its students and employees. The Annual Security Report contains specific information, including crime prevention, fire safety, law enforcement authority, crime reporting policies, disciplinary procedures and other matters of importance related to security and safety on campus and specifically at the Red Oak and Osceola Centers. Members of the campus community are encouraged to use this report as a guide for safe practices on and off campus. The report is available on SWCC's website at http://www.swcciowa.edu/annualsecurityreport. Every student and employee of SWCC receives an email that describes the report and a link to access it directly. A paper copy of the Annual Security Report and Annual Fire Safety Report is available upon request from the dean of student services whose office is located in the Southwestern Community College Administration Center at 1501 West Townline Street, Creston, Iowa.

Southwestern Community College recognizes the importance of maintaining a safe and secure learning environment. The Annual Security Report is generated to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with local law enforcement agencies: Creston Police Department, Red Oak Police Department, and Osceola Police Department. Campus crime, arrest and referral statistics include those reported to the dean of student services and local law enforcement agencies. Local law enforcement agencies are contacted on an annual basis to request information about applicable reported crimes that occurred on campus and adjacent public property, as well as at off-campus property owned by the college.

**College Safety Procedures**

Southwestern Community College is dedicated to providing a safe and healthy environment for its students, staff, and visitors. The safety and security of Southwestern Community College is everyone's responsibility.

College personnel have the authority and duty to enforce college rules and policies. The college does not employ security personnel. The campus security authorities (CSA) are identified as the dean of student services, vice president of instruction, assistant vice president of instruction, chief financial officer, vice president of economic development, director of plant services, director of human resources, Red Oak Center coordinator, Osceola Center coordinator, director of residential life, assistant director of residential life, athletic director, assistant athletic directors, all head athletic coaches, residence hall coordinators, night maintenance personnel, director of student activities, and the college president. The function of a campus security authority is to report allegations of Clery Act crimes that he/she receives in their capacity as a CSA to the official or office designated by the institution to collect crime report information. The dean of student services is the designated college official for the collection of crime report information and allegations of Clery Act crimes. The dean of student services also serves as the coordinator for the named campus security authorities. As the coordinator of the campus security

authorities, the dean of student services provides relevant training for CSAs no less than on an annual basis.

College staff will contact local law enforcement authorities for breach of local, state, and federal law at the sign of any criminal activity or other significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus property, adjacent public property, and off-campus property owned by the college. The college works closely with local, state, and federal law enforcement agencies to ensure the enforcement of college rules and policies. The college does not employ any confidential employees.

Should a criminal act or significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occur on campus or at the Red Oak or Osceola Centers, the dean of student services or the Red Oak or Osceola Center staff should be notified immediately. The Red Oak and Osceola Center staff will forward information reported to them to the dean of student services immediately. All information shall be logged relating to the incident. Criminal acts will be reported to the Creston, Red Oak, or Osceola Police Departments, when warranted. The Creston, Red Oak, and Osceola Police Departments have agreed to be the enforcement and reporting authorities in cooperation with personnel of Southwestern Community College. Southwestern Community College maintains a close working relationship with the local law enforcement agencies and in the event that an incident arises, the entities involved will work in joint investigative efforts, resources, crime related reports and exchanges of information, as deemed necessary. There is no written memorandum of understanding between Southwestern Community College and any law enforcement agency.

Information regarding the reporting of emergencies and other criminal acts is posted throughout campus on bulletin boards, in multiple locations at each residence hall, and at the Red Oak and Osceola Centers.

## Access to and Security of Campus Facilities

Each building on campus, including residence halls, maintains hours of operation. All students, staff and visitors who have a purpose for the use of the buildings on campus may be given access to those buildings. Buildings have individual hours which may vary at different times of the year. In these cases, the buildings will be secured according to the schedule developed by the department responsible for the management of the building.

The residence halls are open only to those students who have rented space for the purpose of using the facilities as living quarters during their attendance as students at Southwestern. Students who are living in the residence halls are issued specific access to the external door of their individual building using their student ID and a key to their specific apartment and room at the start of the academic term. Other persons may have limited access to the residence halls as guests of the student residents with permission of the residence hall advisor. All exterior doors of the residence halls are locked 24 hours a

day. Over extended breaks, the doors of all residence halls will continue to be locked around the clock. Resident students, who have not been given advanced permission to reside on campus during breaks, will have their residence hall access restricted during breaks so they cannot enter the building unattended.

In order to protect the safety and welfare of the students and employees of Southwestern Community College, along with college property, all individuals on property controlled by Southwestern Community College who are behaving in a suspicious manner will be asked to identify themselves. When asked to identify themselves, the person will be asked to provide his/her name, complete address, and the relationship they have with SWCC. All information should be provided in a truthful manner and a person may be asked to provide proof of identification.

People without a legitimate reason to be on campus or in a specific college-owned building or who refuse to truthfully identify themselves will be asked to leave and may be removed from the building or campus. Persons who behave in a suspicious manner or are involved in suspicious activities should be reported to a campus security authority.

## Security Considerations

Records regarding reports of criminal activity or other emergencies will be filed in the office of the dean of student services. Copies of incident reports involving students will be filed in the office of the dean of student services.

Information regarding the emergency response and evacuation procedures for Southwestern Community College is published in the Emergency Procedures Guide. The guide is distributed to all employees. Maps identifying emergency exits are posted throughout all buildings on campus. The college has identified these processes in policies A31 Emergency Notification and Timely Warning; A32 Announcements, Alerts and Weather-Related Closures; A35 Emergency Response and Evacuation; A38 Violence Prevention; A39 Weapons on Campus; PP7 Fire Alarm; and SS53 Reporting Emergencies and/or Criminal Acts.

Students and employees are made aware of the above procedures on an annual basis.

Campus-wide fire and tornado drills are conducted on an annual basis. The emergency notification system (Omnilert) is also tested on an annual basis.

The maintenance department at Southwestern Community College maintains the campus buildings and facilities with concern for safety and security. Routine inspections are made to ensure proper lighting and building security. When required, repairs will occur in a timely manner. Individuals should report potential safety and security hazards, such as broken/non-functioning locks and/or windows, to a campus security authority.

## Emergency Notification Policy Statement

SWCC has contracted with Omnilert, LLC, a campus-wide emergency notification system (Omnilert), to send instant text messages and/or email messages to all students, faculty, and staff who have elected to receive them. This system will be utilized to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on Clery Act geography. This service also allows users to receive messages when classes are canceled and/or messages when the college is closed due to weather. With this system in place, SWCC can instantly and simultaneously distribute brief time-sensitive messages in emergency situations. Although there is not one system that is 100 percent guaranteed effective, this is an important method of communication.

To sign up for emergency alerts, students and employees need to log on to SWCC's student portal, SWCCyou. New students receive training on SWCCyou during The College Experience course and through in-person and online new student orientation. Employees receive information regarding the process for signing up for emergency alerts during orientation and on an annual basis thereafter through the *SWCC Weekly* online newsletter.

The SWCC Incident Response Team has the responsibility of responding to, and summoning the necessary resources to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. The Incident Response Team consists of the president, vice president of instruction, vice president of economic development or designee, director of marketing or designee, dean of student services or designee, chief financial officer or designee, and additional administrators as assigned by the Incident Response Team leader or designee. The director of marketing, or designee, will serve as the public information officer.

The Incident Response Team will make the determination regarding whether a situation poses a significant and ongoing threat and warrants the issuance of an emergency notification to all, or a segment of, the campus community. (The entire campus community will be notified when there is a threat to a very large segment of the college community or when the operation of the college as a whole is threatened. Only a select group may be notified if the threat is limited to a particular building or segment of the population. Ongoing assessment of the threat will be made by the Incident Response Team and additional segments of the campus community will be notified as warranted.) Updates during a critical incident will be posted on the SWCC website. The public information officer, or designee, may also share information during a critical incident via email, notices posted on campus, television or radio. The college has identified this process in policy A31 Emergency Notification and Timely Warning.

The Incident Response Team will determine the content of the emergency notification to be disseminated. This determination will be made in cooperation with local law enforcement, emergency personnel, and/or public health officials, when appropriate. The SWCC Incident Response Team will,

without delay, and taking into account the safety of the community, determine the content of the information to be released about the situation and initiate the notification system. Notification will be delayed if issuing a notification will, in the judgment of the Incident Response Team in consultation with law enforcement officials and/or first responders (fire and emergency medical services personnel), compromise efforts to assist a victim or contain, respond to, or otherwise mitigate the emergency.

When appropriate, emergency information will also be disseminated to individuals and/or organizations outside of the campus community. The Incident Response Team will determine the content of the information to be shared outside of the campus community depending on the emergency situation. The public information officer or designee will provide communication to target appropriate segments of populations outside the campus community using a multitude of methods: website postings, radio and/or television alerts, social media, and/or newspaper publications.

While it is impossible to predict emergency situations that require evacuation, the college has created an Emergency Procedures Guide. The Emergency Procedures Guide provides specific details regarding anticipated or likely emergencies that could occur on a college campus. Depending on the emergency situation, the Incident Response Team will determine, without hesitation, a plan of evacuation when necessary. The Emergency Procedures Guide provides a baseline of evacuation locations and procedures. Each college employee receives a copy of the Emergency Procedures Guide and it is located on the college employee portal on SWCCyou. For safety of the campus, information provided in the Emergency Procedures Guide, that is relevant to a specific emergency, will be disseminated to the appropriate population segment via the campus-wide emergency notification system (Omnilert) by the public information officer as designated appropriate by the Incident Response Team.

Several emergency tests are conducted on an annual basis. The campus-wide emergency notification system (Omnilert) is tested every semester. After every Omnilert test, students and staff are directed to either the Campus Safety Guide or the College Catalog & Student Handbook for more information on emergency response and evacuation procedures. After the test, the college checks to make sure the text has gone to all students and staff and works with Omnilert for any technological issues.

In addition to the Omnilert test, the college conducts an additional test that meets the annual criteria set forth in the *Clery Act* regulations as a scheduled drill that is either announced or unannounced. In addition, the documented drill provides a drill that tests a single procedural operation, contains an exercise of the coordination of efforts by involving more than one outside community emergency response team, and contains follow-through activities. As part of the annual test, students and employees become further familiar with their roles and responsibilities in an emergency response situation. Each test is designed to judge, with assessments, if the test met its goals.

In 2025, SWCC participated in a community functional exercise involving a legionella outbreak. The exercise simulated an event where SWCC students went to the hospital showing signs of illness. After a

couple of days, tests results confirmed legionella bacteria. These results then triggered public health, Creston Water Works, SIRWA, Greater Regional Health, Greater Connections Childcare, Creston Public Schools to work through crisis procedures and communication plans to contain and prevent the spread of the bacteria. After each organization went through their crisis procedures, representatives from each group met to go through a tabletop exercise together. Upon completion of the exercise, a feedback form was completed and policies were reviewed.

Documentation for testing of the Emergency Response and Evacuation Procedures is stored for a period of seven years to comply with Clery requirements. The dean of student services or designee will be responsible for the documentation of the test. Documentation will include, at minimum, a description of the exercise/test, the date the test was held, the time the test started and ended, and whether the test was announced or unannounced. The documentation of the testing will be maintained in an emergency and evacuation procedures testing log stored in the dean of student services office.

## Timely Warning

All crimes that are considered to pose a serious and continuing threat to the college community will be referred to the Incident Response Team, a group of individuals selected to carry out specific responsibilities in the event of an emergency situation at the college. The college has identified this process in policy A31 Emergency Notification and Timely Warning. The Incident Response Team will determine whether it is appropriate to issue a warning to the community.

A timely warning will include all information that would promote safety and that would aid in the prevention of similar crimes. The college may, in appropriate circumstances, include personally identifiable information in a timely warning. Although personally identifiable information is generally protected from disclosure under FERPA, such information may be released in an emergency situation. For further clarification, review FERPA regulations at 34 CFR 99.36.

The Incident Response Team, to determine the appropriate response to the threat, may consult with appropriate federal, state and local law enforcement agencies, emergency personnel, and/or public health officials, when appropriate. As part of the request for crime statistics each year, the college asks local law enforcement agencies to continue to inform the dean of student services, on an immediate basis, of any crimes that may require the college to issue a timely warning.

Timely warnings about crimes considered to pose a serious or continued threat to students and employees will be disseminated by the director of marketing, or designee, to the college community by methods that may include the SWCC Emergency Notification System (Omnilert), the SWCC website, email messages, press releases for local newspapers, radio, TV and/or notices posted in campus buildings. Timely warnings will include Clery Act crime(s) that occur(s) on Clery geography. Timely warnings are not limited to violent crimes or crimes against persons.

## Reporting Crimes

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to the dean of student services in a timely manner. The college encourages accurate and prompt reporting of all crimes to appropriate law enforcement agencies, when the victim of a crime elects to, or is unable to, make such a report. The college has identified this information in the college procedure SS53 Reporting Emergencies and/or Criminal Acts. The dean of student services or his/her designated representative shall be the contact person for reporting any criminal action or other emergencies. The office of the dean of student services is located in the Administration Center. The telephone number is 641.782.1413 and the cell phone number is 641.344.6269. The Center staff will be the contact person(s) for the Red Oak and Osceola Centers. All information reported to them will be forwarded to the dean of student services. All reports will be investigated. Incidents reported will be reviewed for violation of college policies, including sanctions warranted, and will be referred to law enforcement agencies when appropriate. When a potentially dangerous threat to the college community arises, timely reports or warnings will be issued through email announcements, the SWCC website, in-class announcements, or other appropriate means.

The college does not employ counseling employees subject to confidentiality. A student can request for confidential reporting of a crime to a responsible employee; however, it is the duty of the responsible employee to report the names of individuals involved as well as relevant facts regarding the alleged incident (including date, time, and location) to the dean of student services or the Title IX coordinator, when appropriate. If the student requests confidentiality, the Title IX coordinator, when appropriate, or the dean of student services will make every effort to respect this request and will evaluate the request in the context of the school's responsibility to provide a safe and nondiscriminatory environment for all students.

Contact personnel and hours available are listed below:

**Creston Campus Monday-Friday Phone Numbers**

| | | |
|---|---|---|
| 8 a.m.-5 p.m. | Dean of Student Services | 641.782.1413 or 641.344.6269 |
| 7 a.m.-4 p.m. | Director of Plant Services | 641.782.1317 or 641.418.0208 |
| 4-11 p.m. | Night Maintenance Supervisor | 641.344.0941 |

**Creston Campus Other Hours Phone Numbers**

| | | |
|---|---|---|
| Evenings/Overnight | Night Maintenance | 641.344.0941 |
| Saturday and Sunday | Weekend Maintenance | 641.418.0208 |
| Evenings, Weekends, Holiday, Emergency | Dean of Student Services | 641.344.6269 |

**Red Oak Center Weekday Phone Numbers**

| | | |
|---|---|---|
| M, T, Th, 7 a.m.-8 p.m. | Center Staff | 712.623.2541 |

| | | |
|---|---|---|
| W, 7 a.m.-5 p.m. | Center Staff | 712.623.2541 |
| F, 7 a.m.-4 p.m. | Center Staff | 712.623.2541 |

**Red Oak Center Other Hours Phone Numbers**

| | | |
|---|---|---|
| Other hours not listed | Red Oak Police | 911 |

**Osceola Center Weekday Phone Numbers**

| | | |
|---|---|---|
| M, T, W, Th, 7 a.m.-8 p.m. | Center Staff | 641.342.3531 |
| F, 7 a.m.-4 p.m. | Center Staff | 641.342.3531 |

**Osceola Center Other Hours Phone Numbers**

| | | |
|---|---|---|
| Other hours not listed | Osceola Police | 911 |

**Title IX Violations, Monday-Friday Phone Number**

| | | |
|---|---|---|
| 8:00 a.m.-5:00 p.m. | Title IX Coordinator | 641.782.1456 |
| 8:00am -5:00pm | Deputy Title IX Coordinator | 641.782.1413 or 641.344.6269 |

**IN THE EVENT OF AN EMERGENCY, OR IF CONTACT CANNOT BE MADE WITH THE ABOVE, CONTACT THE LOCAL POLICE: 911.**

## Security Awareness Programs for Students and Employees

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own safety and the safety of others.

The Human Resources office distributes an “Annual Notification of Policies” to all employees that includes a statement on safety and security. Upon hire, and periodically thereafter when updates are made, employees are provided a copy of the Emergency Procedures Guide, which includes general talking points related to safety, general procedures for response to emergencies, and information about SWCC’s Incident Response Team. During employee orientation, and periodically thereafter, employees are informed of the process to enroll in the emergency notification system (Omnilert). Maintenance and housekeeping personnel carry radios that can be used to report suspicious activity and communicate during an incident. In the fall of 2024, Southwestern Community College installed school safe radios in the Administration Center, Learning Resource Center, Agricultural Science Center, Osceola Center and the Red Oak center. In the event of an emergency, the school safe radios provide direct contact to law enforcement with the touch of a button. The radios are tested on a monthly basis.

During online new student orientation, students are informed of campus safety and security protocol. Video, oral, and slide presentations outline ways to maintain personal safety. Students are provided with step-by-step guided instruction on the process of registering for the emergency notification system

(Omnilert) during online new student orientation. In addition, students are provided with step-by-step guided instruction on creating an emergency contact and completing FERPA release waivers.

During student housing orientation, students are informed of services offered by the local law enforcement agencies. Presentations outline ways to maintain personal safety and residence hall safety. Students are told about crime on-campus and in surrounding neighborhoods. The students are also informed of their rights to contact appropriate school officials, and/or local law enforcement. The appropriate phone numbers of Southwestern Community College personnel, as well as local law enforcement, are provided to each residence hall student on a refrigerator magnet and are posted on the door of each residence hall coordinator. The entire student body is informed of the appropriate phone numbers by the College Catalog & Student Handbook and the Annual Security Report.

Instructors provide educational information concerning drugs and alcohol within the academic environment in subject areas of health, physical education, human service, and the behavioral science offerings. Awareness of the above listed topics is covered in relevant classroom instruction, dialog, and appropriate classroom assignments.

Each student who resides in a residence hall is required to attend mental health awareness, alcohol, sexual assault, and obtaining/receiving consent workshops. In addition, all students residing in the residence halls are required to attend bystander intervention training on an annual basis. Pamphlets regarding safe sex, consent, and alcohol and drug awareness are made readily available in each residence hall as well as around campus.

During Alcohol Awareness Month, the student activities coordinator collaborates with local agencies to provide high-quality programming regarding alcohol. The intent of the event(s) is to make the student body aware of the effects of alcohol, understand consequences with alcohol related decisions, and to identify alcohol abuse.

Each September the director of student development hosts Community Awareness Day. The purpose of this event is to showcase the services available in Creston and surrounding communities. Participants in Community Awareness Day are available to discuss items such as campus safety, mental health, safe sex, and healthy living choices. Representatives from community organizations share information regarding their services in an interactive one-on-one method with participants in the event. All members of the student body and employees are invited to attend this event.

In the spring of 2025, all students were required to complete online training provided by Vector Solutions. The online training titled, “Sexual Violence Prevention for Community College Students”, addressed bystander intervention and interpersonal violence (sexual assault, intimate partner violence, and stalking) and provided tools to help students challenge disrespectful and abusive behavior. The training was sixty minutes long.

Employees of the college are required to complete online training provided by Vector LMS, Higher Education Edition. The online programming specifically addresses sexual harassment, discrimination awareness in the workplace, Title IX and sexual misconduct, Campus SaVE Act for employees, sexual violence awareness, FERPA: confidentiality of records, hazard communication, drug-free workplace, cybersecurity overview, active shooter training, hazing and bloodborne pathogen exposure prevention.

## Crime Prevention

Southwestern Community College encourages students and employees to be responsible for their own safety and that of others. Law enforcement officials are invited to facilitate a variety of educational programming for students and employees, including tips on how to protect themselves and others from crime.

Acts of violence, threats of harm, or threatening behavior against employees, students, visitors, guests or other individuals by anyone on college property or at college sponsored activities will not be tolerated. Violence, threats of harm, or threatening behavior includes, but is not limited to intimidation, harassment, assault, battery, stalking, attempted destruction or destruction of property, or any other conduct that causes a person to believe that he or she is under a threat of death or bodily injury or any other physical harm to themselves or their property. A threat includes a statement or an action indicating a present or future risk of violent or harmful action against another or another's property. Examples of threats could include statements or actions, unaccompanied by actual violence, suggesting an intention for future violence.

Employees and students who believe they have been subjected to violence on College property should immediately terminate all contact and communication with the offending party and notify a supervisor or an administrator to file a written account of the incident. Reports of harassment, sexual assault, stalking, and other forms of sexual misconduct have been addressed elsewhere in this report.

Allegations of violence on campus shall be investigated and followed by disciplinary measures as appropriate. Violations of this procedure may also be reported to law enforcement officials if warranted. Subjecting a person to coercion or retaliation for filing a report or for providing information regarding a report is prohibited.

Information regarding campus security is distributed to students and employees once a semester in a compliance email. Students and employees receive this email from the dean of student services.

## Weapons on Campus

To support Southwestern Community College's commitment to provide a safe campus, possession of weapons is prohibited pursuant to the provisions as outlined. The possession of weapons, concealed or otherwise, on college property or at any college sponsored activity is prohibited except when required for an approved college course or activity that is supervised by a college employee. This prohibition

includes, but is not limited to, those weapons which may otherwise be carried pursuant to a valid permit. The college has identified this process through policy A39 Weapons on Campus.
Weapons include, but are not limited to, knives having a blade exceeding five (5) inches in length, guns, firearms, fireworks, explosives or other chemicals, tasers or any simulations of any such items or any other instrument or device designed primarily for use in inflicting death or injury, or any object which is used or threatened to be used in a manner to inflict death or serious injury and is capable of doing so. Canisters of "mace" or "pepper gas", stun guns that direct an electric current, impulse, wave or beam that produces a high voltage pulse designed to immobilize a person, as long as it does not generate a projectile, and other such commercially available defense devices carried and used by SWCC employees or students exclusively for personal protection will not be deemed to constitute weapons unless they are displayed or used for purposes other than personal defense.

This policy applies to all college buildings and grounds, including, but not limited to, the main campus, Centers, athletic complexes, residence halls, dining facilities, office buildings, parking lots, and other college property such as vehicles, as well as non-college property subject to the control or supervision of the college.

Possession is defined as the actual physical control of the weapon because it is:

a. on or in the person's body,
b. in an item of personal property belonging to the person such as a backpack, briefcase or purse, or
c. in a locker or other space individually assigned to that person.

Possession also means that the person knows, or should know, of the presence of a weapon within a vehicle which the person owns or operates and that the person has the ability or right, either alone or with any other person, to maintain control of the weapon.

Firearms or weapons utilized by college personnel for authorized SWCC credit or non-credit educational programs or college sponsored activities shall be exempt from this procedure to the extent that such weapons are adequately controlled and secured by those college personnel.

Law enforcement officials, on or off duty, bearing weapons while performing lawful duties or services shall not be subject to this procedure.

Any individual who is found to have brought a weapon onto college property in violation of this procedure may be subject to disciplinary action up to and including dismissal and/or indefinite suspension.

Employees and students who observe a violation of this procedure should immediately inform a work supervisor, the director of human resources or the dean of student services. In the event of an emergency or an imminent threat, law enforcement should be called (911).

## Student Conduct and Criminal Activity at Off-Campus Locations

Southwestern Community College's Student Conduct, Discipline and Appeals Procedure (SS15) applies to conduct that:

1. occurs on College property, at college sponsored activities, at clinical sites, attendance centers, or any College facility,
2. occurs off-campus and adversely affects the community and/or the pursuit of the College's educational mission,
3. may occur before classes begin, or after classes end, as well as during the academic year and during periods between terms of actual enrollment,
4. may occur during a period in which a student elects to withdraw from school while disciplinary matter is pending.

The dean of student services shall decide whether the Student Conduct Policy shall be applied to conduct occurring off-campus on a case-by-case basis. The college does not operate off-campus housing or off-campus student organization facilities.

The College protects its students from sexual harassment under Title IX, which includes "quid pro quo" sexual harassment, hostile environment sexual harassment, sexual assault, dating violence, domestic violence, and stalking under its Administrative Procedure A34, Policy and Procedures for Title IX Sexual Harassment. Administrative Procedure A34 will apply to allegations and incidents of sexual harassment under the scope and definitions of that policy and its procedures, including reporting, discipline, and appeal procedures. Instances of alleged sexual harassment, which fall outside of the scope and definitions of Title IX and A34, may be addressed under other applicable policies, including the student conduct policy.

## Sexual Harassment Policy Statement

Southwestern Community College will not tolerate the commission of sexual harassment by or against students, faculty, and/or staff in its educational programs or activities. It is the policy at Southwestern Community College to provide education to help prevent sexual harassment, facilitate the reporting of and provide information on supportive measures concerning sexual harassment, and, when appropriate, investigate and take disciplinary actions regarding sexual harassment where a formal complaint is filed. The college has identified this policy as A34 Procedures for Title IX Sexual Harassment.

## Defining Sexual Harassment

The College prohibits the crimes of dating violence, domestic violence, sexual assault and stalking as defined by the Clery Act. The definitions of terms used in the sexual harassment policy (A34) of

Southwestern Community College, as provided below, are intended to track those contained in applicable criminal laws. However, the definitions are specific to the College. An act that might not violate or be prosecuted under applicable criminal laws may still violate college policy and/or codes of conduct.

The FBI's National Incident-Based Reporting System edition of the Uniform Crime Reporting (UCR) Program defines a sex offense as either forcible or nonforcible. A forcible sex offense is any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. Examples of a forcible sex offense include forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling. A nonforcible sex offense is any unlawful, nonforcible sexual intercourse. Examples of a nonforcible sex offense include incest and statutory rape.

Sexual harassment means unwelcome behavior (verbal, written, physical) that is directed at someone because of that person's sex or gender, and that meets any of the following definitions:

"Quid pro quo" harassment is when a College employee, agent, or other individual under the College's control or authority explicitly or implicitly conditions a decision or benefit on submission to sexual conduct (e.g., sexual favors for a better grade or promotion; implicitly or explicitly threatening negative consequences if the student or employee rejects sexual advances).

Hostile educational/work environment is unwelcome conduct that creates a hostile, intimidating or demeaning environment that is sufficiently severe, pervasive, and objectively offensive that it effectively denies a person equal access to participation in the College's educational program or activity. Examples can include persistent and unwelcome efforts to develop a sexual relationship; bullying/cyber-bullying of a sexual nature or for a sexual purpose; sexual exploitation; unwelcome commentary about an individual's body or sexual activities; unwanted sexual attention; repeated and unwelcome sexually-oriented teasing, joking or flirting; verbal abuse of a sexual nature. Behavior could be verbal, non-verbal (e.g., gestures, touching), written or electronic.

Sexual assault, including forcible and nonforcible sex offenses, or other non-consensual sexual activity, includes any sexual activity by a group or individual that takes place without the effective consent of the other individual(s) involved. Sexual activity means those acts as defined in Iowa Code Section 702.17.

Sexual assault is defined as one of the following offenses in which one has or attempts to have sexual contact or sexual penetration with another individual without their 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 the rape of both females and males.

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.
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.

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 individual. The existence of such a relationship shall be determined based on the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic violence is defined as a felony or misdemeanor crime of violence committed by:

- current or former spouse or intimate partner of the victim;
- person whom the victim shares a child in common;
- person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- 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; and
- 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 State of Iowa or the jurisdiction in which the incident reported occurred.

Stalking is defined as engaging in a course of conduct toward another person under circumstances that would reasonably cause a person to fear bodily injury to themselves or others or to experience substantial emotional distress.

Determination as to whether the alleged conduct constitutes sexual harassment should take into consideration all of the circumstances, including the context in which the alleged incidents occurred. These definitions of terms used in this procedure are intended to track those in the Clery Act and Title IX. An act that might not fall within these definitions may still violate College procedures and/or codes of conduct. For instance, actions which are severe, pervasive, or inappropriate, but do not rise to this definition of a hostile educational/work environment, should still be reported and, where appropriate, the College will take remedial steps intended to end or prevent such actions in the future under applicable law and policy.

Consent must be informed and freely and actively given for each separate sexual encounter. Consent given once does not imply future consent. Consent may be shown by the exchange of mutually understandable words or actions between parties to a sexual activity. In order to be effective, consent cannot be procured by use of physical force or threats of violence toward any person. In order to give effective consent, one must not be physically or mentally incapacitated for effective decision-making and

action (such as because of disability, alcohol or drug use, unconsciousness, blackout, or sleep) and must be of legal age to give consent to the sexual activity as provided by law.

## Procedures for Prevention of Sexual Harassment

Southwestern Community College will provide annual educational programming to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, gaining consent, and stalking. Education and training will be accomplished in a variety of means including, but not limited to, hosting campus-wide community awareness events, during which agencies provide educational information related to sexual assault and other relevant issues to students and staff, inviting subject matter experts (speakers and presenters) to campus for in-services, providing virtual training, and publishing informational posters and flyers with references to the prevention of sexual harassment and other sexual offenses that are displayed around campus.

Investigators, adjudicators and other personnel involved in the process of investigating, responding, coordinating or otherwise assisting in the adjudication of complaints of sexual harassment will receive training as required on the topics of 1) impartiality, 2) avoiding prejudgment of facts at issue, 3) conflicts of interest and bias, 4) the College's resolution processes, 5) issues of relevance and evidence, 6) the scope of the College's educational programs and activities, and 7) types of sexual harassment.

College investigators will also be trained in writing investigation reports and decision-makers will be trained in conducting hearings, writing decisions and the technology used in hearings. The training materials used to perform these trainings will be published on the College's website and will ensure that relevant personnel are trained on issues related to sexual harassment and are taught how to conduct an investigation and hearing process that protects the rights, well-being, and safety of the parties, provides an equitable process for all parties involved, and promotes accountability.

Bystander intervention is defined as safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes

- recognizing situations of potential harm;
- understanding institutional structures and cultural conditions that facilitate violence;
- overcoming barriers to intervening;
- identifying safe and effective intervention options; and
- taking action to intervene.

Risk reduction is defined as options designed to

- decrease perpetration and bystander inaction;
- increase empowerment for victims in order to promote safety; and
- help individuals and communities address conditions that facilitate violence.

Students are encouraged to seek consultation from college advisors, faculty, or any other staff member if they believe there is a potential for sexual abuse or an incident of sexual abuse has occurred. College personnel are dedicated to the protection of both the physical and emotional well-being of students and will be available for consultation whenever such a need should arise.

Students are made aware of what a sexual offense is, what the criminal penalties are for a sexual offense, and how to prevent a sexual offense through annual publications of the Annual Campus Security Report.

The dean of student services provides an informational presentation regarding the college's statement on sexual offense, consent, and safety procedures during new student orientation. The dean of student services specifically shares the contact information of the Title IX coordinator and continually reiterates that college-wide safety is something that every person plays an active role in. Students attending new student orientation receive information regarding bystander interventions and the active role that each student plays in their own safety at the College.

The director of student development holds Community Awareness Day each fall, during which agencies provide educational information related to sexual assault and other relevant issues to students and staff.

The director of student development, in collaboration with the dean of student services, continually updates informational posters and flyers around campus with information regarding the prevention of sexual offenses.

All residence hall students are required to attend a Title IX workshop that includes information regarding gaining sexual consent, definitions of sexual assault, procedures to follow if a sexual assault would occur, and bystander intervention training. Sexual assault and rape prevention programs are offered to all students throughout the year. These programs provide students with personal safety awareness education and prevention strategies.

The SWCC Student Weekly provides a dedicated space in the weekly publication regarding campus safety and security. The section, "Be Aware," provides information regarding various topics including, but not limited to relationship abuse, alcohol poisoning, bystander intervention, off-campus resources for sexual assault, reporting crime, and personal safety.

In the spring of 2024, all students were required to complete online training provided by Vector Solutions. The online training titled, "Sexual Violence Prevention for Community College Students", addressed bystander intervention and interpersonal violence (sexual assault, intimate partner violence, and stalking) and provided tools to help students challenge disrespectful and abusive behavior. The training was thirty minutes long.

Employees of the college are required to complete online training provided by Vector, LMS Higher Education Edition. The online programming specifically addresses active shooter training, bloodborne pathogen exposure prevention, cybersecurity overview, drug free workplace, email and messaging safety, FERPA: confidentiality of records, hazing awareness and prevention, Title IX and sexual harassment prevention, and using AI in higher education.

Residence hall coordinators, residence hall assistants, and the director of residential life are trained on an annual basis with regard to sexual assault, sexual assault response, and bystander intervention as it directly relates to their role in residence life.

All athletic coaches, the athletic director, and the assistant athletic director receive specific training regarding Title IX and college athletics. The equity/Title IX coordinator and/or the dean of student services speaks annually at the first coaches meeting of the academic year to provide education on Title IX and sexual offenses, specifically regarding what to do when a claim of a sexual offense is made to a coach by a student athlete. The educational session also reviewed the concept of bystander intervention, consensual relationships, and coach/athlete boundaries.

## Equity/Title IX Coordinator

The College's Title IX coordinator coordinates the College's response to reports of sexual harassment. The Title IX coordinator does not serve as an advocate for either the complainant or the respondent. The Title IX coordinator will explain to both parties the informal and formal processes and the provisions of confidentiality. The Title IX coordinator will coordinate with other campus officials to implement and coordinate appropriate supportive measures such as mutual no-contact orders and academic accommodations. The Title IX coordinator is trained and knowledgeable about enforcement, compliance, communication, and implementation of the College's anti-harassment and anti-discrimination policy. The College's Title IX coordinator's contact information is as follows:

Lana Bartmess, Title IX Coordinator
Southwestern Community College (Administration Center)
1501 W. Townline St., Creston, IA 50801
Phone 641.782.1456, or email TitleIXCoordinator@swcciowa.edu

Kim Bishop, Deputy Title IX Coordinator
Southwestern Community College (Administration Center)
1501 W. Townline St., Creston, IA 50801
Phone 641.782.1413, or email kbishop@swcciowa.edu

A party may also contact:
Director of the Office for Civil Rights
U.S. Department of Education, Cesar E. Chavez Memorial Building

1244 Speer Boulevard, Suite 310, Denver, CO, 80204-3582
Phone: 303.844.5695, fax: 303.844.4303, TDD: 800.877.8339, or email: OCR.Denver@ed.gov.

## If Sexual Assault, Dating Violence, Domestic Violence, or Stalking Occurs

If a sexual harassment occurs, a victim should immediately relocate themselves to a place of safety and contact the Title IX coordinator or a local law enforcement agency, to the extent the sexual harassment constitutes a crime. It is important to report the incident in a timely manner. Southwestern Community College personnel will assist the victim in notifying local law enforcement authorities, if the victim requests the assistance of these personnel. The victim has the option to notify law enforcement authorities, be assisted by campus authorities such as the Title IX coordinator in notifying law enforcement authorities if the victim so chooses, but may decline to notify such authorities. Calling the police or reporting a sexual harassment crime to a College employee does not necessarily commit a victim to pressing charges. The choice to pursue charges or obtain a protection order can be made at a later date.

Filing a police report can be done by contacting the local law enforcement agency. The Creston Police Department has a non-emergency number of 641.782.8402. The Osceola Police Department has a non-emergency number of 641.342.2121. The Red Oak Police Department has a non-emergency number of 712.623.6500. (Please note, a police report or notification of a sexual harassment criminal offense can be made in an emergency situation by calling 911.) A police report will require a statement regarding the offense. If possible, bring any evidence (journal, log, photos, witnesses, etc.) and provide as much information as clearly possible. A police report is a way to document a sexual harassment crime and creates an official record which may be used as evidence in a criminal or civil case. Preserving evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents could also be useful to the College if you choose to pursue the matter within the College.

After an occurrence of sexual harassment or other violence, a victim should consider seeking medical attention as soon as possible. Prompt medical attention is important both for physical/mental well-being and to preserve medical and physical evidence. Local medical attention is available at any of the following local hospitals:

Greater Regional Urgent Care
1610 W. Townline Street, Suite 105
Creston, IA 50801
PH. 641.782.1181

Greater Regional Health
1700 W. Townline Street
Creston, IA 50801
Ph. 641-782-7091

Clarke County Hospital
800 South Filmore
Osceola, IA 50213

Montgomery County Memorial Hospital
2301 Eastern Avenue
Red Oak, IA 51566

Ph. 641.342.2184 Ph. 712.623.7000

Additionally, a free, confidential medical examination from a Sexual Assault Nurse Examiner (SANE) can be obtained. The SANE can conduct a sexual assault evidence collection kit to preserve forensic evidence of the assault within 120 hours after its occurrence. Bathing, douching, smoking, changing clothing and cleaning the scene of the assault is discouraged before seeking medical attention.

## Orders of Protection/No-Contact Orders

Southwestern Community College does not have the authority to offer civil or criminal protective orders, but victims may be able to obtain information on how to do so from law enforcement or local courts. If an individual obtains an order of protection from a court in Iowa, the Title IX coordinator should receive a copy to be aware of any limitations or restrictions and to develop a plan to abide by the court order. The College cannot enforce a violation of a court order, but can assist an individual in contacting law enforcement to report a violation. If any terms of a court order are unclear in their application to the campus environment, it is up to the parties to seek clarification through the court – the College cannot render a legal opinion or give advice other than to develop a plan to reasonably prevent violations of the order.

## Procedures for Reporting Sexual Harassment

Southwestern Community College is dedicated to providing a safe and healthy environment for all of its students, staff, and visitors. Reports of a harassment offense should be made to any of the following individuals, as indicated below, at these College locations:

Creston Campus
Dean of Student Services 641-782-1413 or 641-344-6269
Director of Human Resources 641-782-1456
Night Maintenance 641-344-0941
Weekend Maintenance 641-418-0208

Red Oak Center
Center Staff 712-623-2541
Monday, Tuesday, Thursday (7:00 a.m. – 8:00 p.m.)
Wednesday (7:00 a.m. – 5:00 p.m.)
Friday (7:00 a.m. – 4:00 p.m.)

Osceola Center
Center Staff 641-342-3531
Monday – Thursday (7:00 a.m. – 8:00 p.m.)
Friday (7:00 a.m. – 4:00 p.m.)
Title IX Coordinator 641.782.1456

Deputy Coordinator 641.782.1413

## Confidential Reporting

The College is committed to creating an environment in which those who have experienced sexual harassment are encouraged to come forward, while also protecting the privacy of all involved in an investigation. It is important that those reporting sexual harassment understand the limits on confidentiality of the individual who they may contact for such assistance. Different people, depending on their positions, have different obligations with regard to confidentiality. Under Iowa law, communications with some individuals are confidential. Those who want to maintain confidentiality should always confirm whether confidentiality applies to the communication before they make the communication. The College does not employ counseling employees subject to special confidentiality.

The College will keep confidential the identity of any individual who has made a report or complaint of sexual harassment, or has been identified as the perpetrator or respondent to any such report or complaint, or is a witness to any complaint or investigation, except as required to carry out the purposes of this procedure (including the conduct of any investigation, hearing, or judicial proceeding), applicable law, or as permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. § 1232g. However, complaints about violations of this procedure Policy will be handled in strict confidence, with personally identifiable information protected and information made available only to those who need to know in order for the College to promptly and thoroughly investigate and resolve the matter. The College must balance the needs of individual students with its obligation to protect the safety and well-being of the community at large.

## Crime Alert/Emergency Notification

If a report reveals there is an immediate threat to the health or safety of students or employees on campus or that an ongoing serious or continuing threat to the campus community exists, an emergency notification through Omnilert will be issued. The victim's name and other personally identifying information will NOT be included in such an emergency notification. Reports of sexual assault, domestic violence, dating violence, and stalking are included in Southwestern' s annual security report. This report may be located at http://www.swcciowa.edu/about/annualsecurity-report.

Any nonconfidential employee of the College who has the authority to institute corrective measures on behalf of the College must immediately report any known instances of sexual harassment to the Title IX coordinator. This includes, but is not limited to, the following individuals: dean of student services, vice president of instruction, vice president of economic development, chief financial officer, director of human resources/Title IX coordinator, the college president, and other authorized personnel. Otherwise, the College strongly encourages all students, employees, or anyone with knowledge to report incidents of sexual harassment.

## Timeframe for Reporting

The College encourages individuals to come forward as soon as possible to share concerns of sexual harassment. There is no time limit for reports or complaints under the procedure, although the College's ability to investigate and respond fully may be limited with the passage of time. In all cases, the College will conduct a fair, prompt, and equitable/impartial investigation of allegations of sexual harassment. Generally, the College will attempt to complete the process within 60 days. However, the time frames set forth in these procedures are meant to provide guidance, and the College may, as appropriate, alter or extend time frames for good cause, with written notice to the parties. The time it takes to complete the resolution of a sexual harassment complaint may vary based on the complexity of the investigation and the severity and extent of the alleged conduct, as well as on whether there is a parallel criminal investigation, or if school breaks occur during the process.

## Services & Accommodations for Students Accusing or Accused of Sexual Harassment

The College will provide written notification to students and employees about existing services for victims. These services include:

- Crisis Intervention and Advocacy Center – 800-550-0004
- Catholic Charities Domestic Violence & Sexual Assault Program – 888-612-0266
- Iowa Coalition Against Sexual Assault – Sexual Abuse Hotline – 800-770-1650
- Rape, Abuse and Incest National Network – 800-656-HOPE (4673)
- Center for Changing our Campus Culture – Category – Victim Services/Advocates
- Iowa Victim Service Call Center – 800-770-1650 – Text: "IowaHelp" to 20121

After receiving a report or complaint of sexual harassment, the Title IX Coordinator will promptly contact the complainant to discuss the availability of interim supportive measures and consider the complainant's wishes with supportive measures, whether or not law enforcement is contacted or a formal complaint is filed. The College will also implement interim or supportive action for both parties during an investigation, or when requested by the complainant (when reasonably available). Such supportive measures may include:

- referral to counseling and health resources;
- modifications to course or assignment deadlines;
- a temporary safe space within the residence halls;
- changing class or work assignments so that the parties do not share the same classes or workspace;
- providing the alleged victim with academic support services including tutoring, modification of deadlines, etc.; and/or
- mutual no-contact orders.

The College will keep any supportive measures confidential, to the extent confidentiality does not impair the College's ability to provide the measures. Supportive measures will be individualized, provided without fee or charge, are non-disciplinary in nature, and will not unreasonably burden either party. When putting supportive measures in place, the College will consider individually each situation and the circumstances presented.

### Interim Suspension or Administrative Leave

The College may make a non-disciplinary interim suspension of a student Respondent on an emergency basis. Prior to suspending a student, the College will conduct an individualized safety and risk analysis and determine whether there is an immediate threat to the physical health or safety of any individual. Any student so suspended will be provided with notice and an opportunity to challenge this action immediately following the removal.

The College may, in its discretion and consistent with applicable policies, procedures, and/or agreements, place an employee Respondent on administrative leave pending the outcome of a resolution process.

## Procedures for Disciplinary Action for Sexual Harassment

### Initiating a Formal Complaint

When the College learns of potential sexual harassment, in most cases outreach will be done with the Complainant to identify reporting options (discussed earlier) within and outside the College and to offer supportive measures. The Title IX coordinator is available to meet to discuss those reporting options with the Complainant or answer questions from the Respondent.

A Complainant who proceeds with a formal complaint must do so in writing, and by filing a complaint with the Title IX coordinator by hard copy, email, or any other writing evidencing a physical or digital signature, or otherwise verifying the Complainant is filing the complaint. If the Title IX coordinator signs a formal complaint, the Title IX coordinator will not become a party or Complainant for purposes of the processes below.

### Dismissal and Consolidation of Formal Complaints

If, at any point of the resolution process, it becomes apparent that the allegations contained within a formal complaint of sexual harassment, even if true, would not meet the scope and/or definitions in the procedure, the College will dismiss the complaint for purposes of processing under these procedures, but may proceed under a different policy or process for adjudication as the circumstances warrant.

Additionally, the College may, in its sole discretion, elect to dismiss any formal complaint of sexual harassment under the following circumstances:

- the complainant requests, in writing, the withdrawal of the formal complaint;
- the respondent is no longer employed or enrolled as a student at the institution; or
- specific circumstances prevent the College from gathering evidence sufficient to reach a determination or satisfy its own burden of proof in investigating and adjudicating a formal complaint of sexual harassment.

If the College elects to dismiss a formal complaint, all parties will be notified in writing of the decision, and will be given the opportunity to appeal the decision under subsection 12 below.

The College may choose, at its sole discretion, to consolidate formal complaints where more than one Complainant and/or more than one Respondent is involved so long as the allegations of sexual harassment arise out of the same facts/circumstances. In such cases, the College may also choose to issue a single investigation report.

**Notice of Investigation**

Upon the filing of a formal complaint, the Title IX coordinator or designee will provide a written Notice of Investigation simultaneously to both parties notifying the parties of:

- the identities of the parties involved in the incident;
- the conduct alleged;
- the date and location of the incident;
- Respondent's entitlement to a presumption of innocence;
- the parties' rights to have an advisor of their choice at the party's expense, who may be an attorney; and
- the parties' rights to review and comment on investigative evidence.

The written notice of investigation shall notify the parties that making false statements or knowingly submitting false information during the resolution process is prohibited by the College and may constitute an independent basis for disciplinary sanctions, up to and including suspension or expulsion of a student or termination of an employee's employment.

The notice shall be provided prior to the initial interview of any party, and within a sufficient amount of time to prepare. Parties will be also be provided advance notice in writing of the date, time, location, participants, and purpose of any interview, hearing, or meeting in the investigation and resolution process.

If, during the course of investigation, the College determines that additional allegations will be investigated as part of the pending complaint, the Title IX coordinator or designee will provide written notice of the additional allegations to any identified Complainant(s) or Respondent(s).

**Right to an Advisor**

Both a Complainant and a Respondent are given the opportunity to have support or advice through the reporting and if applicable, investigative and disciplinary processes. Either the Complainant or the Respondent may have an individual accompany them at their own expense to any meetings, interviews, or hearings related to the matter – these individuals are called "advisors." The advisor may be a friend, victim advocate, lawyer, employee, family member, or other person chosen by the Complainant or Respondent.

The **roles and expectations** of a person serving as **an advisor** are explained as follows:

- The advisor will keep private the information shared during meetings and throughout the investigation and adjudication process and will not disclose in any manner information shared or learned in the College process.
- It is up to the Complainant and Respondent to present their information in meetings, interviews, or hearings. Advisors cannot speak for an individual and do not have an active role during any meetings, interviews, or hearings, *with the exception of conducting cross-examination on behalf of a party in a live hearing*.
- The College's communication during the process will be primarily with the Complainant and Respondent, not with the advisor directly.
- A Complainant or Respondent may use a different advisor at various stages in the process, especially if their chosen individual cannot be available for a scheduled meeting, interview, or hearing. The College will work to reasonably accommodate the advisors' schedules, but will not unnecessarily delay the process due to the advisors' conflicts.
- The College may remove an advisor if they unreasonably delay the process, or their presence is disruptive, obstructive, or otherwise interferes with the College's handling of the matter. In such a case, the College will notify the Complainant or Respondent, who may seek another advisor.
- College policy prohibits retaliation against any individuals for filing a complaint or participating in the investigation of the complaint. An advisor is also protected by and subject to this retaliation prohibition. This means an advisor may not retaliate against any person participating in this process, nor may anyone retaliate against an advisor.
- The College will provide an advisor, for any party, to assist with cross-examination during any hearing whereby the party has the right to engage in cross-examination, if the party does not have their own advisor. The College appointed advisor may be present for the duration of that hearing. The selection of such advisor shall be at the sole discretion of the College.

**The Investigation**

The College will select an investigator or investigators who have received annual training–on how to investigate campus matters of sexual harassment and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. The investigation team may be composed of internal College employees, external professionals, or a combination of both.

Either the Complainant or Respondent may request, in writing, that an investigator be disqualified because of an identified conflict of interest. The Title IX Coordinator will determine if a conflict exists and assign another investigator as applicable.

The burden of proof and the burden of gathering sufficient evidence to reach a determination of responsibility rests with the College and not with the parties. The investigation may include, but is not limited to, interviews with the Complainant, the Respondent, any witnesses identified by the parties or by the investigator as having information relevant to the complaint, and collecting and reviewing any relevant documents, communications, or physical evidence if possible.

- The investigator(s) will interview the Complainant and Respondents separately. Each party will be asked to participate in an initial interview and may be asked to participate in a follow-up interview(s) as needed.
- Each party may offer witnesses and other information, documents or other evidence relevant to the complaint, both inculpatory and exculpatory. Information, documents or other evidence provided by the parties and witnesses may be shared with both parties during the investigation.
- The order of the interviews will be determined by the investigator(s) based on the circumstances of each complaint.
- The investigator(s) will make a good faith effort to contact and interview relevant witnesses.
- In the event Complainant or Respondent request reasonable accommodations during the investigation process due to a disability, the investigator(s) will consult with the Title IX coordinator.

Neither party will be restricted in their ability to discuss the allegations or to gather and present relevant evidence; provided, however, that such communications shall not constitute harassment of or retaliation against any party.

The investigator(s) will evaluate all relevant evidence, both inculpatory and exculpatory. The investigator(s) will only access, consider, disclose, or otherwise use a party's treatment records made or maintained by a health care provider, or other records protected under a legally recognized privilege, if the party provides the investigator(s) with voluntary, written consent to do so.

**Inspection and Review of Evidence Directly Related to Allegations and the Investigation Report**

The Complainant and Respondent and, unless directed otherwise by the respective parties, their advisor(s), will be provided the opportunity to inspect all evidence directly related to the allegations of the formal complaint, including both inculpatory and exculpatory evidence, and evidence that the College does not intend to rely on in reaching a determination. This evidence will not include privileged medical information (unless the institution has the voluntary, written consent of the party concerned to use that information in the investigation) and prior sexual history (with the limited exception of evidence offered to prove someone other than the respondent committed the alleged misconduct or evidence of prior sexual behavior between the parties offered to prove consent). The College may require both parties and their advisors to enter into a written agreement prohibiting the use or dissemination of evidence for any purpose other than those directly related to the parties' participation in resolution process.

The Complainant and Respondent will be given *at least ten (10) days* to inspect and review the evidence collected during the College's investigation and to submit a written response in which the investigator(s) will consider in preparing a final investigation report. The final investigation report will summarize the information and include any documents gathered. The investigative report will not include determination of responsibility for the complaint itself.

Additionally, the Complainant and Respondent will be given at least an *additional ten (10) days* after receiving a copy of the College's final investigation report to respond to the investigation report, in writing. In their written response to the investigation report, the Complainant and Respondent may provide written comments regarding the relevance of the evidence included in or excluded from the investigation report, provide factual or other corrections to the report, and otherwise provide context for the report.

The final investigation report will be distributed, concurrently, to both of the parties and the Title IX coordinator at least ten (10) calendar days prior to a hearing to determine responsibility.

**Live Hearing and Cross-Examination**

For purposes of adjudication of formal complaints of sexual harassment pursuant to the scope of this procedure, regardless of the identity of the parties involved, the College will conduct a live hearing prior to the issuance of a written decision report. The process for the live hearing is outlined below:

1) Appointment of Decision-Maker(s): The College shall appoint one or more Decision-Maker(s) who are either internal or external to the College, but have been trained on the matters set forth in this procedure. If there is more than one Decision-Maker, one of the Decision-Makers shall be designated to serve as Hearing Officer during the hearing. The Hearing Officer will preside over the hearing and determine whether information or questions of parties is

relevant. All procedural questions, including the decision to accept evidence and/or statements, will be made by the sole Decision-Maker or the Hearing Officer, in their sole discretion.

2) Notice of Hearing: No less than ten (10) calendar days before the hearing, the Title IX Coordinator will prepare and send the parties a written notice of the time and date of the hearing, as well as the identities of the Decision-Maker(s). Within five (5) calendar days either the Complainant or Respondent may request, in writing to the Title IX coordinator, that the Decision-Maker(s) be disqualified because of an identified conflict of interest. The Title IX coordinator will determine if a conflict exists. If a party requests, the entire hearing will be conducted with the parties in separate rooms with technology enabling the Decision-Maker(s) and parties to simultaneously see and hear the witness answering questions.
3) Notice of Witnesses: At least five (5) calendar days before the hearing, the Decision-Maker(s) will notify the parties in advance which witnesses (including Complainant or Respondent) they would like to be present at the hearing. The Decision-Maker(s) or designee will notify these witnesses of the hearing date and time and that their presence has been requested. Any witness called by the Decision-Maker(s) will also be expected to answer questions from the parties.
    a. When notifying the parties of these witnesses, the Decision-Maker(s) will also request that the parties identify any additional witnesses they wish to have present at the hearing for cross-examination.
    b. The Decision-Maker(s) or designee will notify relevant witnesses of the hearing date and time and that their presence has been requested by the party for cross-examination.
4) Proceedings:
    a. The hearing is closed to the general public. The parties and their advisor will be allowed to attend the entire portion of the hearing at which information is received (excluding deliberations). Admission of any other person to the hearing will be at the discretion of the Decision-Maker(s).
    b. There shall be no formal pleadings, legal memorandum, or motions filed in the hearing process.
    c. The Decision-Maker(s) will advise the parties if an opening statement or closing statements are permissible.
    d. The College will record and/or create a transcript of all live hearings and will make that recording and/or transcript available to all parties for inspection or review.
    e. The Complainant and Respondent are permitted and encouraged to attend and participate in the hearing with an advisor of their choice.
    f. The College will make all evidence subject to inspection by all parties available at any hearing and will give each party equal opportunity to refer to that evidence at the hearing, including as part of cross-examination
    g. Presentation of Evidence:

i. The hearing is not a second investigation of the allegations. In the hearing, the parties will be asked if they have any additional evidence they wish the Decision-Maker(s) consider, and if the parties wish to comment on the Investigation Report and evidence. Any new evidence presented by a party, if admitted as relevant, will be provided to the other party to review and provide comment;
ii. Parties will be allowed, through their advisors, to cross-examine all other parties and any witnesses, including fact and expert witnesses, and to ask all relevant questions and follow-up questions including those challenging party or witness credibility, directly, orally and in-real time. Any party without an advisor will be appointed an advisor by the College, with selection of the advisor being at the sole discretion of the College;
iii. Only relevant questions may be asked of a party or witness. Before a party or witness answers a question, the Decision-Maker will articulate whether the question is relevant and will explain the decision to exclude any question as irrelevant. *Questions about prior sexual history will generally be deemed irrelevant with limited exceptions.*
iv. The Decision-Maker(s) may ask questions, at any time, of the parties and of the witnesses.

The College will not allow Decision-Maker(s) to rely on any statements made by a party or witness in reaching his or her determination if that party or witness does not submit to cross-examination during a live hearing.

The Decision-Maker(s) will not draw an inference about responsibility based solely on a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

**Standard of Proof**

The determination of whether or not sexual harassment occurred will be made on the basis of whether it is more likely than not that the Respondent violated the procedure. This standard is more formally referred to as the "preponderance of evidence" standard. In making its determination, the Decision-Maker(s) will carefully consider all of the evidence presented and follow the procedures stated in the procedure and any other applicable policies, procedures, rules, or handbook provisions in order to ensure as fair a hearing as possible for all parties.

**Written Decisions**

The College Decision-Maker(s) will independently evaluate the evidence gathered. Written decisions will be provided simultaneously to the parties and include the following information:

- allegations of sexual harassment;

- procedural history (including specifics about notifications of hearings, meetings and interviews; methods used to gather evidence and hearings held);
- findings of fact supporting the decision;
- conclusions regarding application of policy to the facts;
- rationale for the decision/finding of responsibility as it applies to each allegation;
- disciplinary sanctions imposed on respondent, if any;
- whether (but not the nature of) remedies designed to restore/preserve equal access to any or all education programs or activities that will be provided to the Complainant; and
- procedure and permissible bases for appeal.

Decisions, including the imposition of any sanctions, will become final upon written notification to the parties of the outcome of an appeal or, if there is no appeal, the date on which an appeal would no longer be considered timely.

The Title IX coordinator will be responsible for coordinating the effective implementation of remedies, as well as any non-punitive or non-disciplinary supportive measures imposed.

**Appeals**

The written decision of the Decision-Maker(s) shall be subject to appeal by both Complainant and Respondent. All parties have an equal right to appeal any final decision on the following bases so long as the bases of the appeal is significant enough to be reasonably expected to affect the outcome of the decision:

- a procedural irregularity within the investigation or adjudication process;
- new evidence not reasonably available when determination of responsibility was made;
- a conflict of interest or the bias of the Title IX Coordinator, investigator or a decision-maker.

The College will notify all parties upon receipt of an appeal by any party alleging one of the bases for appeal above. Both parties will be given an opportunity to submit a written statement in support of, or challenging, the written determination. Written statements must be submitted to within five (5) business days.

The Appeal Decision-Maker(s) will determine if the decision and/or sanctions imposed will be stayed pending the outcome of the appellate decision. Except as required to explain the basis of new information, an appeal will be limited to a review of the existing record of the hearing and supporting documents.

The Appeal Decision-Maker(s) may affirm, reverse, or modify the decision regarding the violation and/or sanctions imposed. A written decision will be issued simultaneously to the parties describing the result of the appeal and the rationale therefor. The written appeal decision is the final decision of the College, and no further appeals are permitted under these procedures.

**Sanctions**

For Students: Sanctions include, but are not limited to, an educational sanction, reprimand, probation, restitution, fine, denial of privileges, no-contact order, housing transfer or removal, suspension, and/or expulsion or termination, as set forth in Student Services Procedure SS 15, Student Conduct, Discipline, and Appeals Procedure.

For Employees: Sanctions could range from warning, reprimand, suspension with or without pay, demotion, or termination of employment, and may include such other forms of disciplinary action as appropriate under applicable College procedures, handbooks/manuals, or contracts. If a final decision imposes disciplinary action which constitutes termination of college personnel entitled to the hearing/judicial review procedures of Iowa Code chapter 279, such procedures shall be followed as required by law.

Sanctions may also include supportive measures regarding the Complainant. The College will also consider providing remedies for the broader campus community, as may be necessary to remedy the effects of sexual harassment.

**Informal Resolution**

After the filing of a formal complaint, the College may facilitate an informal resolution between the parties, and at any time prior to the Decision-Maker's determination of responsibility via the issuance of a written decision.

The Title IX coordinator will assess the severity of the alleged harassment and the potential risk of a hostile environment for others in the community to determine whether informal resolution may be appropriate. **Informal Resolution will <u>not</u> be available to resolve allegations involving an employee sexually harassing a student.**

The College will not require the parties to participate in the Informal Resolution process as a condition of enrollment, continuing enrollment, or employment or continuing employment, or of any other right conferred by the College.

The Title IX coordinator will provide the parties with a written notice setting for the allegations, the requirements of the informal resolution process set forth in this procedure, the right of any party to withdraw from the informal process and proceed with the formal complaint resolution process above, at any time prior to agreeing to a resolution; and any consequences resulting from the participation in the informal process, including the records that will be maintained or could be shared by the College. Both parties must voluntarily consent in writing to participation in the informal resolution process.

The Title IX coordinator will attempt to aid the parties in finding a mutually acceptable resolution to the complaint. This resolution will be reduced to writing and must be signed by the Complainant and the Respondent. Once both parties have voluntarily signed the written resolution, the written resolution becomes final and neither party can initiate the formal complaint resolution process above to resolve the allegations in the formal complaint. The written resolution is not subject to appeal.

a. Advisors
   The Complainant and the Respondent each may be assisted by an advisor throughout the Informal Resolution process. Advisors must be silent support persons for the parties and cannot participate directly in the informal resolution process.

b. Election of Formal Resolution
   Either party may, at any time prior to signing an informal resolution agreement, elect to end the informal resolution process and initiate formal resolution instead. In such cases, statements or disclosures made by the parties in the course of the informal resolution will not be considered in the subsequent formal resolution.

c. Privacy of Informal Resolution
   In order to promote honest, direct communication, information disclosed during informal resolution must remain private while the informal resolution is pending, except where disclosure may be required by law or authorized in connection with duties on behalf of the College.

**Complainant Does Not Wish to Pursue Resolution or Requests Confidentiality**
If the Complainant does not wish to pursue formal or informal resolution and/or requests their report remain confidential, the Title IX coordinator will inform the Complainant that the College's ability to respond may be limited. The Title IX coordinator will only initiate a formal complaint against the wishes of the Complainant where doing so is not clearly unreasonable based on known circumstances, based on the potential impact to the College community if the allegations were true.

The Title IX coordinator or designee will inform the Complainant if the College cannot ensure confidentiality. Even if the College cannot take disciplinary action against the Respondent because the Complainant insists on confidentiality or that the complaint not be resolved, the College reserves the authority to undertake an appropriate inquiry, and/or take other reasonably necessary supportive measures to promote a safe learning environment for the Complainant and/or the entire College community.

**Sexual Harassment Outside the Scope and Definitions of this Procedure**

If a formal complaint is filed which alleges sexual harassment which falls outside the scope and definitions of this procedure and is dismissed, the Title IX coordinator will refer the complaint as appropriate for adjudication under another procedure or process, such as Administrative Procedure A 25, Policy Prohibiting Discrimination, Harassment, and Bullying or Student Services Procedure SS 15, Student Conduct, Discipline, and Appeals Procedure, as long doing so would not interfere with any right or privilege provided to a party under Title IX.

To the extent the complaint alleges dating violence, domestic violence, or sexual assault which fall outside the scope of the procedure (e.g., the alleged conduct occurred outside the United States or without substantial control over the respondent and the context in which the conduct occurred), the College shall nonetheless provide the following procedural rights to the parties in the applicable adjudication process:

- The parties will each have the opportunity to participate in the investigatory and disciplinary process which is overseen by properly trained individuals;
- The parties will each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or hearing. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing, except as expressly provided for in applicable procedures;
- Decisions will be based on the preponderance of evidence standard. In other words, the investigator or adjudicator will determine if it more likely than not that the respondent violated the applicable procedure;
- The parties will be notified simultaneously in writing of the outcome of any disciplinary proceeding, as well as any changes to those results or disciplinary actions prior to the time that such results become final; and
- If there is a right to appeal, the right is granted co-equally to the parties and the right will be explained in the applicable procedures. The parties will be notified simultaneously in writing of the final outcome of an appeal, if applicable.

College sanctions for such misconduct could include the range of sanctions detailed above.

## Sex Offender Information

Students can access information about criminal sex offenders on the Internet at www.iowasexoffender.com or by contacting either the Union County Sheriff at 641.782.8402 or dean of student services at 641.782.1413.

## Procedures for Prevention of Hazing

Southwestern Community College prohibits any form of hazing in its programs, activities, and by student organizations. The hazing policy (SS71 Hazing) sets forth the College's procedures handling reports of hazing, the potential consequences for engaging in hazing, information on SWCC's hazing prevention and awareness programs, and the College's reporting and publication requirements.

### Definitions

Hazing means any intentional, knowing, or reckless act by a person, or in concert with others, against another regardless of their willingness to participate that:

1) Is committed in the course of initiation into, affiliation with, or the maintenance of membership in, a student organization; and

2) Causes or creates an unreasonable risk of physical or psychological injury, including any activity which places another person in reasonable fear of bodily harm through the use of threatening words or conduct and any activity that includes or requires another person to perform a criminal violation of state or federal law.

This includes whipping, beating, striking, electronic shocking, or placing a harmful substance on someone's body. It includes causing, coercing, or otherwise inducing: sleep deprivation; exposure to the elements; confinement in a small space; extreme exercise; consuming food, liquid (including alcohol), drugs, or other substances; or the performance of sexual acts.

Student organization means any organization at SWCC in which two or more of the members are enrolled students, whether or not the student organization is established or recognized by SWCC. This includes clubs, societies, associations, athletics teams, bands or student government.

### Reporting Hazing and Investigations

All forms of hazing must be reported to the dean of student services/deputy Title IX coordinator or the Title IX coordinator. If any campus official or employee such as a coach, sponsor, adviser, or residence life staff member receives a report or becomes aware of an alleged hazing incident, they should report it to one of the afore-mentioned College administrators.

All allegations of hazing will be taken seriously and investigated. Allegations against students and/or student organizations will be handled under the student conduct policies and procedures. Any

allegations against faculty or staff will be investigated and handled under applicable employee policies, procedures, and law.

Consequences for founded incidents of hazing can include discipline up to and including suspension or expulsion for students, serious sanctions for student organizations, and termination of employees. Allegations of hazing may also be reported to law enforcement for criminal investigation.

**Clery Act Statistical Reporting and Transparency Report**

In accordance with the Clery Act, statistical information on hazing incidents within the College's Clery geography are included in the Annual Security Report which is distributed to the campus community each year on or before October 1st.

Consistent with applicable law, SWCC will also collect information on hazing incidents involving student organizations and publish a Campus Hazing Transparency Report on its website, if there are violations to report. If there are violations, the College will update the Transparency Report at least twice a year with the following information:

1) A statement notifying the public of the annual availability of the College's hazing statistics in the Annual Security Report;
2) Information about this Policy and Iowa's hazing law; and
3) For each period of time since the last update, the following information about each finding of responsibility for a hazing violation against a student organization:
    a. The name of the student organization;
    b. A general description of the hazing violation that resulted in a finding of responsibility, including whether the violation involved the abuse or illegal use of alcohol or drugs;
    c. The findings of the institution, and any sanctions placed on the student organization by the institution, as applicable;
    d. The dates on which the hazing was alleged to have occurred, when the investigation was initiated and ended, and when the student organization was noticed of the violation.
4) Neither the statistical information in the Annual Security Report nor the Campus Hazing Transparency Report will include any student's personally identifiable information, as defined by the Family Educational Rights and Privacy Act ("FERPA"). Past Transparency Reports will be maintained by SWCC for at least five ("5") calendar years from the date of publication.

**Prevention and Awareness Programs**

It is the policy of SWCC to develop and offer prevention and awareness programs related to hazing. These programs will be research-informed and campus-wide, and designed to reach students, faculty, and staff with information about:

1) This Policy, including how to report incidents of hazing and SWCC's processes used to

investigate incidents of hazing;
2) Iowa's hazing law; and
3) Primary prevention strategies intended to stop hazing before hazing occurs, which may include skill building for bystander intervention, information about ethical leadership, and the promotion of strategies for building group cohesion without hazing.

**Hazing Statistics**

There were no incidents of hazing reported at Southwestern Community College in 2025.

## Alcohol and Drug-Free Workplace and Campus

**Policy for Employees**

It is the policy of Southwestern Community College to establish a drug-free workplace in accordance with the Drug-Free Workplace Act of 1988 and a drug-free campus in accordance with the Drug-Free Schools and Communities Act Amendment of 1989 (Public Law of 101226). It is the interest and obligation of the college to provide a drug-free, healthful, safe, and secure environment for its employees.

The use of illegal drugs, or involvement in any activity related to illegal drugs, may result in immediate termination of employment.

The illegal use of prescription drugs is also a violation of this policy; however, nothing in this policy precludes the appropriate use of legally prescribed medications.

The hazards of drug and/or alcohol use may result in:

- physical or psychological dependency;
- a craving or inability to stop using drugs and/or alcohol;
- injury due to misuse of equipment, motor vehicle accidents, assaults, or other unintended acts;
- disruption of personal relationships and work habits;
- ineligibility for extracurricular activities and/or employment.

Further information about controlled substances and about the health risks associated with the use and abuse of alcohol and other drugs is available from the director of human resources and the director of student development.

The unlawful possession, distribution, dispensation, manufacture, or use of illicit drugs and alcohol by employees in the workplace while in the performance of their duties for the college is strictly prohibited. "Workplace" by definition includes: any college building, or any building in which work is performed for the College; any college-owned vehicle or college-approved vehicle used to transport college personnel to and from college activities; and off college property during a college-sponsored or college-approved activity, event or function.

All employees who are directly or indirectly involved in the performance of work under a federal grant or contract are required to notify the college of any criminal drug conviction relating to illegal drug activity on or off college premises while conducting college business (within five (5) calendar days of the conviction). The college will notify the applicable federal agency, including the identification of each affected grant, of any employee conviction (including officers of the college) for drug activity in the workplace within ten (10) days of receipt of notification from the employee convicted. Appropriate disciplinary action consistent with the requirements of the Rehabilitation Act of 1972, as amended, will be administered within thirty (30) calendar days of the conviction.

Southwestern Community College will impose sanctions on employees convicted of an illegal drug or alcohol activity on a case-by-case basis. Sanctions may include written reprimands and/or enforced leave or termination of employees. A disciplinary sanction may also include the completion of an appropriate rehabilitation program. Employees who violate this policy prohibiting unlawful possession, distribution, dispensation, manufacture, or use of illicit drugs and alcohol while on college premises or as part of its activities will be subject to disciplinary action up to and including discharge and referral for prosecution.

Other substantial penalties exist for drug and alcohol violations. Individuals will likely be subject to federal, state, and local laws as well as the sanctions identified in this policy. Penalties may result in imprisonment and fines depending on the severity of the crime. State and local ordinances regulate alcohol. Underage possession of alcohol, driving while intoxicated, public intoxication, public consumption, serving underage intoxicated individuals, open containers, and large private parties are all affected by these laws. For more information pertinent to these laws, individuals should refer to their local law enforcement offices.

The College may refer employees for voluntary participation in a drug and alcohol treatment and rehabilitation program or may require participation as appropriate disciplinary action for conviction of an illegal drug or alcohol activity on college premises. Rosecrance Jackson Center in Creston (phone – 641-362-2043) is the primary referral source for college personnel for drug and alcohol treatment.

The director of human resources shall be responsible for publication and dissemination of the drug-free workplace policy to employees. In addition, the director of human resources will oversee the establishment of a drug-free awareness program to educate employees about the dangers of drug abuse and make them aware of available drug counseling programs. The program is one method to inform employees of the drug-free workplace policy and the penalties which may be imposed for its violation.

All employees of Southwestern Community College are encouraged to participate in educational activities aimed at maintaining a drug-free workplace and campus environment. The director of human

resources is also diligent in ensuring that services regarding alcohol and drug abuse prevention, effects, and awareness are available to all employees.

To ensure that Southwestern's policy to maintain a drug-free workplace and campus is effective and is being consistently enforced, the following will occur:

- The director of human resources will review the procedure annually to ensure consistency and will also maintain training records related to the policy.
- Any disciplinary sanctions administered by the College for violations of this policy will be recorded and placed in the office of the director of human resources.
- A biennial monitoring report will reflect that the requirements for a drug-free workplace are being met.
- Any references to drug-free awareness resources and referral agencies will be periodically reviewed to ensure they are still current; updates will be made accordingly.

**Policy for Students**

It is the policy of Southwestern Community College to establish an alcohol and drug-free workplace in accordance with the Drug-Free Workplace Act of 1988 and a drug-free school and campus in accordance with the Drug-Free Schools and Communities Act Amendment of 1989 [Public Law 101-226]. It is the interest and obligation of the College to provide a drug-free, healthy, safe, and secure environment for its staff and students.

The unlawful possession, distribution, dispensation, manufacture, or use of illicit drugs and alcohol by employees and students on college premises, while conducting college business off-campus, or as part of any of its activities, is strictly prohibited. Drugs and paraphernalia may be confiscated and turned over to police.

State and local ordinances regulate alcohol; underage possession of alcohol, driving while intoxicated, public intoxication, public consumption, serving underage intoxicated individuals, open containers, and private parties are all affected by these laws. Check with the local police department for more information.

There are substantial penalties for drug and alcohol violations. Individuals are subject to federal, state, and local laws, as well as college policies. Both state and federal laws prohibit distribution or manufacture of controlled substances or counterfeit controlled substances. Penalties may result in fines and imprisonment depending on the severity of the crime.

Sanctions under college policy may range from disciplinary warning to suspension from the College, depending on individual circumstances. Please refer to the section of the College Catalog & Student Handbook on Student Conduct Subject to Sanctions, for more information. For residential students, please refer to the Residence Hall Handbook for more information about residence hall policies.

The hazards of drug and/or alcohol use may result in:

- physical or psychological dependency;
- a craving or inability to stop using drugs and/or alcohol;
- injury due to misuse of equipment, motor vehicle accidents, assaults, or other unintended acts;
- disruption of personal relationships and work habits;
- ineligibility for extracurricular activities and/or employment;
- adverse effects on the body systems.

The misuse of alcohol or drugs inhibits your ability to act responsibly or react quickly. Below are a few safety tips you should keep in mind:

- Limit your alcohol intake.
- Avoid combining alcohol with prescription medicines and club drugs; the combination can be dangerous.
- Buzzed or drunk driving is deadly and illegal; leave your vehicle and utilize an alternative form of transportation.
- Never leave your drink unattended or accept an open or pre-poured drink from a stranger.

In accordance with House File 2212, which was enacted by the General Assembly of the State of Iowa, Southwestern is a smoke/tobacco-free campus. The tobacco-free policy prohibits the use of smokeless and smoking tobacco or any type of device that simulates the act of smoking, in all of Southwestern's buildings, vehicles, and on any college-owned property. This includes personal vehicles when on college property. Student violation of this policy, A7 Campus Smoke/Tobacco-Free Policy, will be treated as a violation of the Student Code of Conduct. The campus fine for smoking violations is $50. The civil penalty for violating this law is $50. Individuals interested in smoking cessation may visit www.quit.com or call 1.800.QUITNOW (784.8669).

## Applicable Legal Sanctions

The State of Iowa sets 21 as the minimum age to purchase or possess any alcoholic beverage. The applicable penalties under Iowa law for alcohol violations are listed below:

Underage possession/purchase/consumption;

First offense – simple misdemeanor, $100 fine
Second offense – simple misdemeanor, $500 fine, person in violation shall choose between either completing a substance abuse evaluation or the suspension of the person's motor vehicle operating privileges for a period not to exceed one year.
Subsequent violations – simple misdemeanor, $500 fine and loss of driving privileges not to exceed one year

Operating While Intoxicated;

First offense – 48 hours to 1 year in jail, $625 to $1,250 fine, licensed revoked 180 days to 1 year
Second offense – 7 days to 2 years in jail, $1,875 to $6,250 fine, 1- 2-year license suspension
Third offense – 30 days in jail or commitment to prison (5 years maximum), $3,125 to $9,375 fine, 6 years suspended license, and a one-year ignition interlock device requirement.

Both state and federal laws prohibit the distribution, intent to distribute, and manufacturing of controlled substances or counterfeit controlled substances. State penalties are dependent upon the type and quantity of the drug involved. Conviction may also result in the loss of state and federal benefits, such as grants, school loans, or work assistance, during the time periods required by federal law. Specific drugs, amounts, and penalties can be located in Iowa Code Section 124.

## Drug and/or Alcohol Abuse Education Programs

Students and employees can access substance abuse resources and services though two venues on the Southwestern Community College website, www.swcciowa.edu: Current Students >Campus Wellness Resources or Human Resources > Campus Wellness Resources.

**Available Services**

Rosecrance Jackson Centers
Creston – 641.362.2043

Zion Recovery Services Inc.
Clarinda – 712.542.3720 (Residential Facility; 24 hour hotline)
Atlantic – 712.243.5091

Alcoholics Anonymous/Central Office
800.207.2172

Alcohol Drug Treatment Referral
800.454.8966

Southwestern Community College provides quality educational programs for its students and staff on the subjects of drugs, alcohol, and sexual violence. Guest lectures, video presentations, and seminars are held to provide information to the college community about such areas as peer pressure resistance, health concerns, rehabilitation, and awareness.

During new online student orientation, students are informed of campus safety and security protocol. Video, oral, and slide presentations outline ways to maintain personal safety. Students are provided with step-by-step guided instruction on the process of registering for the emergency notification system

(Omnilert) during new student orientation. In addition, students are provided with step-by-step guided instruction on creating an emergency contact and completing FERPA release waivers.

During student housing orientation, students are informed of services offered by the local law enforcement agencies. Video, slide, and oral presentations outline ways to maintain personal and residence hall safety. Students are told about crime on-campus and in surrounding neighborhoods. The students are also informed of their rights to contact appropriate school officials, and/or local law enforcement. The appropriate phone numbers of Southwestern Community College personnel, as well as local law enforcement, are provided to each residence hall student on a refrigerator magnet. The entire student body is informed of the appropriate phone numbers by the Student Handbook and the Annual Security Report.

Southwestern Community College recognizes that use of illicit drugs and alcohol abuse may lead to severe health risks. All athletes who sign a National Letter of Intent (LOI) are required to sign a Southwestern specific addendum. The purpose of the addendum is to specifically identify the obligations that an athlete, who has signed an LOI, is held to with regard to behavior. A student-athlete who fails to comply with the addendum will forfeit all scholarship(s).

Instructors provide educational information concerning drugs and alcohol within the academic environment in subject areas of health, physical education, human service, and the behavioral science offerings. Awareness of the above listed topics is covered in relevant classroom instruction, dialog, and appropriate classroom assignments.

All students and staff are invited to participate in quality educational programming throughout the year. Guest lectures, video presentations, and seminars are held to provide information to our college community about such areas as health concerns, awareness, rehabilitation, and peer pressure resistance.

Each student who resides in a residence hall is required to attend mental health awareness, social media awareness, sexual assault, and receiving consent workshops. In addition, all students residing in the residence halls are required to attend bystander intervention training on an annual basis. Pamphlets regarding safe sex, consent, and alcohol and drug awareness are made readily available in each residence hall as well as around campus.

During Alcohol Awareness Month, the student activities coordinator collaborates with local law enforcement agencies to provide high-quality programming regarding alcohol. The intent of the event(s) is to make the student body aware of the effects of alcohol, understand consequences with alcohol related decisions, and to identify alcohol abuse.

Each September the director of student development hosts Community Awareness Day. The purpose of this event is to showcase the services available in Creston and surrounding communities. Participants in Community Awareness Day are available to discuss items such as campus safety, mental health, safe sex, alcohol and drug abuse treatment, and healthy living choices. Representatives from community organizations share information regarding their services in an interactive one-on-one method with participants in the event. All members of the student body and employees are invited to attend this event.

Employees of the college are required to complete online training provided by Vector, LMS Higher Education Edition. The online programming specifically addresses active shooter training, bloodborne pathogen exposure prevention, cybersecurity overview, drug free workplace, email and messaging safety, FERPA: confidentiality of records, hazing awareness and prevention, Title IX and sexual harassment prevention, and using AI in higher education.

## Equity Policy Statement

It is the policy of Southwestern Community College not to discriminate in its programs, activities, or employment on the basis of race, color, national origin, sex, disability, age, sexual orientation, gender identity, creed, religion, political party affiliation, and actual or potential parental, family or marital status.

In addition to arts & sciences college transfer courses, Southwestern Community College offers career and technical education programs in the following areas of study: Accounting, Accounting & Information Technology, Administrative Office Management, Agricultural Business, Applied Engineering Technology, Auto Collision Repair/Refinish, Automotive Repair Technology, Business Administration, Carpentry and Building Trades, Computer Networking and Information Technology, Criminal Justice, Crop Production, Early Childhood Education, Electrical Technology, Graphic Design, Livestock Production, Management Information Systems, Nurse Assisting, *Nursing, Paraeducator, Professional Music, Welding Technology.
**Admissions requirements for the nursing program may be located at:*
***www.swcciowa.edu/nursingadmissions.***

Southwestern Community College will take steps to assure that the lack of English language skills will not be a barrier to admission and participation in the recipient's CTE programs.

Employees, applicants for employment, applicants for enrollment, students, and their parents shall have the right to file a formal complaint alleging noncompliance with federal and state regulations requiring nondiscrimination in educational programs and employment.

If you have questions or complaints related to compliance with this policy, please contact: Lana Bartmess, Director of Human Resources/Equity/Title IX Coordinator (faculty or staff), Southwestern Community College, 1501 W. Townline St., Creston, IA, 50801, phone: 641.782.1456, or email:

TitleIXCoordinator@swcciowa.edu; Kim Bishop, Dean of Student Services/Deputy Title IX Coordinator (students), Southwestern Community College, 1501 W. Townline St., Creston, IA, 50801, phone: 641.782.1413; or email: TitleIXCoordinator@swcciowa.edu; or the Director of the Office for Civil Rights, U.S. Department of Education, Cesar E. Chavez Memorial Building, 1244 Speer Boulevard, Suite 310, Denver, CO, 80204-3582, phone: 303.844.5695, fax: 303.844.4303, TDD: 800.877.8339, or email: OCR.Denver@ed.gov.

| Protected Classes (defined by authority) | | | |
|---|---|---|---|
| **Federal Authority** | **Protected Class** | **Iowa Code Authority** | **Protected Class** |
| Title VI Regulation, 34 CFR Part 100 | Race, Color, National Origin | §216.9 – Programs | Race, Color, National Origin, Sex, Disability, Sexual Orientation, Gender Identity, Creed, Religion |
| Title IX Regulation, 34 CFR Part 106 | Sex | | |
| Section 504 Regulation, 34 CFR Part 104 | Disability | § 216.9(d) | Actual or potential parental, family, or marital status |
| Title II of the ADAAA, 28 CFR Part 35 | Disability | | |
| Title II of GINA | Genetic Information | § 216.6 – Employment | Includes the protected classes covered under §216.9 and adds "sex" to those classes |
| VEVRAA of 1974 | Veterans | | |
| Age Discrimination Act of 1975 (employment), 34 CFR Part 110 | Age | | |

## On-Campus Housing Missing Persons Reporting

Southwestern Community College will follow the specific procedures in the Missing Residential Student Reporting policy (SS-63) for reporting missing persons and will notify students of these procedures in the College Catalog & Student Handbook, the residence hall handbook, during housing orientation, and through electronic communication at the beginning of the fall and spring semesters.

All residence hall students will have the opportunity to designate a confidential missing person contact to be notified by the college in the event that the student is determined to be missing. During the mandatory housing orientation, residence hall students will complete a missing residential student designated contact form. In addition, during the first week of the spring semester, housing coordinators will meet with all new residence life students to provide missing person policy information.
To protect confidentiality, general emergency contact information and missing person contact information will be kept separate, even if the student has registered the same person for both purposes. This information will be disclosed only to authorized campus officials or law enforcement officials and only for the purpose of a missing student investigation. This contact information will be kept in the student's housing file in the residence life office and may be accessed only by the director of residential life, residence hall coordinators, and the dean of student services.

Any individual who has information that a student living in on-campus housing may be missing, should report it to the director of residential life (641.782.1555) or the dean of student services (641.782.1413 or 641.344.6269) as soon as possible and no more than 24 hours after that individual suspects that the student may be missing. If notification is made to the director of residential life, the director of residential life shall immediately notify the dean of student services or designee of any student who has not been seen on campus, cannot be reached by acquaintances, and a concern has been expressed for the student's safety and well-being for a period of 24 hours.

If the dean of student services or designee determines at any point there is a credible report that a student is missing, the Creston Law Enforcement Center (641.782.8402) will be contacted immediately to file a missing person report.

The dean of student services or designee will contact the student's missing person contact, filed in the office of the director of residential life, no more than 24 hours from when the student is determined to be missing. If the student is under the age of 18 and not emancipated, the college will notify a custodial parent or guardian, as well as any missing person contact, within 24 hours of the determination that the student is missing.

**Regardless of whether the student has identified a missing person contact, is above the age of 18, or is an emancipated minor, Creston Law Enforcement Center will be notified to file a missing person report. This is for any missing student who lives in on-campus housing regardless of age or status. The only exception to this is when it was the law enforcement agency that made the determination that the student is missing.**

## Campus Geography

Southwestern Community College must disclose statistics for reported *Clery Act* crimes that occur: (1) on campus, (2) noncampus building or property, and (3) public property. The definitions for these geographic categories are *Clery Act*-specific. A complete up-to-date list of the buildings and properties that Southwestern Community College owns or controls and addresses for those buildings/properties, along with geographic categories to which the buildings and property belong, is located in the office of the vice president of economic development. The vice president of economic development and the dean of student services collaboratively identify public property within the campus or immediately adjacent to and accessible from the campus.

Under Clery, the on-campus category encompasses the following:

a. any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

b. any building or property that is within or reasonably contiguous to paragraph (a) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

The Clery Act does not apply any specific or measurable distance definition to "reasonably contiguous geographic area".

The Clery Act definition of non-campus buildings or property is:

a. Any building or property owned or controlled by a student organization officially recognized by an institution; or
b. 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.

In addition to non-campus buildings and property, the college will include any location (except a separate campus) that:

a. is owned or controlled by the institution;
b. is used in direct support or in relation to the institution's educational purposes;
c. is frequently used by students; and
d. is not within a reasonably contiguous geographic area of the institution.

Under the Clery Act, public property is defined in statute as "all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes. The regulatory definition of public property includes "all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus."

In order for this definition to apply, the property in question must satisfy all three conditions: (1) public (e.g., publicly-owned); (2) within or adjacent to campus; and (3) accessible from campus. This definition excludes any private property, and may in some cases exclude areas such as property divided by a fence or wall, or property with clearly posted signs indicating that it is not part of the campus or that trespassing is prohibited. Private property where students have established regular usage -whether legal, illegal, open, or inconspicuous – that is not otherwise campus or noncampus property, is not public for Clery reporting purposes. The Department applies no specific measurable distance definition into adjacent public property.

The dean of student services is the responsible individual at Southwestern Community College to determine Clery Act geography. The vice president of economic development is the responsible

individual at Southwestern Community College for maintaining records of college property and addresses. The list of property inventories are evaluated on an annual basis.

## Crime Definitions

Under the Clery Act, for the purposes of counting and disclosing criminal offense, hate crime, arrest and disciplinary referral statistics the college must do so based on definitions provided by the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program. The definitions for *murder, rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, weapons carrying, possessing, etc. law violations, drug abuse violations, and liquor law violations* are from the *Summary Reporting System (SRS) User Manual* from the FBI's UCR Program. The definitions of *fondling, incest and statutory rape* are from the FBI's *National Incident-Based Reporting System (NIBRS) Data Collections Guidelines* edition of the UCR. Hate crimes are classified according to the FBI's *Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual.* Note that, although the law states that institutions must use the UCR Program definitions, Clery Act crime reporting does not have to meet all of the other UCR Program standards.

## Criminal Offenses

### Criminal Homicide

These offenses are separated into two categories: Murder and Non-negligent Manslaughter, and Manslaughter by Negligence.

a. Murder and Non-negligent Manslaughter—The willful (non-negligent) killing of one human being by another.
b. Manslaughter by Negligence—The killing of another person through gross negligence.

### Sexual Assault (Sexual Offenses)

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

There are four types of Sexual Assaults reported in the *Clery Act* statistics:

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 the 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.
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.

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

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

**Burglary**
The unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft**
The theft or attempted theft of a motor vehicle.

**Arson**
Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

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

Although there are many possible categories of bias, under the *Clery Act*, only the following eight categories are reported.

**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.

**Religion**
A preformed negative opinion or 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).

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

**Gender**
A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

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

**Ethnicity**
A preformed negative opinion or attitude toward a group of people 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 stresses common ancestry.

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

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

For purposes of Clery Act statistics, the following offenses are only reported on the crime report if they are classified as a hate crime:

a. Larceny-theft is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.
b. 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.
c. 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.
d. 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

The *Violence Against Women Act* includes dating violence, domestic violence, sexual assault and stalking. Sexual assault is included by the FBI as a Criminal Offense and is defined earlier in the

Criminal Offense section. Dating violence, domestic violence, and stalking are considered crimes for the purposes of Clery Act reporting and have also been defined earlier in the Defining A Sexual Offense section.

## 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.

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

**Drug Abuse Violations**
Violations 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.

**Liquor Law Violations**
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.

**Weapons: Carrying, Possessing, Etc.**
Violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

## Crime Statistics

Campus crime, arrest and referral statistics include those reported to the office of the dean of student services, designated campus officials, and local law enforcement agencies. Crime offenses are classified and counted from the records of calls for service, complaints, and investigations not the findings of a court, coroner, jury, or the decision of a prosecutor. Reported offenses may involve individuals not associated with the institution. All geographical locations, as defined by the *Clery Act,* of Southwestern Community College are included in the statistics below, including the Red Oak and Osceola Centers.

**Clery Crime Statistics – Creston**

On-campus student housing facilities are located on the on-campus *Clery* geography of Southwestern Community College; thus, the statistics reported for on-campus student housing facilities are duplicate statistics of the on-campus offenses.

The dean of student services is responsible for contacting the Creston Police Department to collect crime statistics on an annual basis. The dean of student services and the vice president of economic development ensure that the request for crime statistics from the Creston Police Department include all applicable geographic locations.

| | On-Campus | | | On-Campus Student Housing Facilities | | | Non-Campus Property | | | Public Property | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Criminal Offenses** | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 |
| Murder/ Non-Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Incest* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Burglary | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| **Violence Against Women Act (VAWA)** | On-Campus | | | On-Campus Student Housing Facilities | | | Non-Campus Property | | | Public Property | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Domestic Violence | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | On-Campus | | | On-Campus Student Housing Facilities | | | Non-Campus Property | | | Public Property | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Arrests & Disciplinary Referrals** | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 |
| Arrests: Weapons: Carrying, Possessing, Etc. | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Weapons: Carrying, Possessing, Etc. | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrests: Drug Abuse Violations | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Drug Abuse Violations | 3 | 0 | 3 | 3 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrests: Liquor Law Violations | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Liquor Law Violations | 20 | 26 | 29 | 20 | 26 | 29 | 0 | 0 | 0 | 0 | 0 | 0 |

| | On-Campus | | | On-Campus Student Housing Facilities | | | Non-Campus Property | | | Public Property | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Hate Crime Offenses** | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 |
| Murder/ Non-Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Incest* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Burglary | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Larceny-Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Simple Assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Intimidation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Destruction/Damage/Vandalism of Property | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**Clery Crime Statistics – Osceola**

There are no on-campus student housing facilities in Osceola, Iowa.

The dean of student services is responsible for contacting the Osceola Police Department to collect crime statistics on an annual basis. The dean of student services and the vice president of economic development ensure that the request for crime statistics from the Osceola Police Department include all applicable geographic locations.

| | On-Campus | | | Non-Campus Property | | | Public Property | | |
|---|---|---|---|---|---|---|---|---|---|
| **Criminal Offenses** | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 |
| Murder/ Non-Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Incest* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Burglary | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | On-Campus | | | Non-Campus Property | | | Public Property | | |
|---|---|---|---|---|---|---|---|---|---|
| **Violence Against Women Act (VAWA)** | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 |
| Domestic Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | On-Campus | | | Non-Campus Property | | | Public Property | | |
|---|---|---|---|---|---|---|---|---|---|
| **Arrests & Disciplinary Referrals** | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 |
| Arrests: Weapons: Carrying, Possessing, Etc. | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Weapons: Carrying, Possessing, Etc. | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Arrests: Drug Abuse Violations | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Drug Abuse Violations | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrests: Liquor Law Violations | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Liquor Law Violations | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | On-Campus | | | Non-Campus Property | | | Public Property | | |
|---|---|---|---|---|---|---|---|---|---|
| **Hate Crime Offenses** | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 |
| Murder/ Non-Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Incest* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Burglary | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Larceny-Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Simple Assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Intimidation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Destruction/Damage/Vandalism of Property | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**Clery Crime Statistics – Red Oak**

There are no on-campus student housing facilities in Red Oak, Iowa.

The dean of student services is responsible for contacting the Red Oak Police Department to collect crime statistics on an annual basis. The dean of student services and the vice president of economic development ensure that the request for crime statistics from the Red Oak Police Department include all applicable geographic locations.

| | On-Campus | | | Non-Campus Property | | | Public Property | | |
|---|---|---|---|---|---|---|---|---|---|
| **Criminal Offenses** | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 |
| Murder/ Non-Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Incest* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Burglary | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | On-Campus | | | Non-Campus Property | | | Public Property | | |
|---|---|---|---|---|---|---|---|---|---|
| **Violence Against Women Act (VAWA)** | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 |
| Domestic Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | On-Campus | | | Non-Campus Property | | | Public Property | | |
|---|---|---|---|---|---|---|---|---|---|
| **Arrests & Disciplinary Referrals** | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 |
| Arrests: Weapons: Carrying, Possessing, Etc. | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Weapons: Carrying, Possessing, Etc. | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Arrests: Drug Abuse Violations | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Drug Abuse Violations | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrests: Liquor Law Violations | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Liquor Law Violations | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | On-Campus | | | Non-Campus Property | | | Public Property | | |
|---|---|---|---|---|---|---|---|---|---|
| **Hate Crime Offenses** | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 | 2025 | 2024 | 2023 |
| Murder/ Non-Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Incest* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape* | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Burglary | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Larceny-Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Simple Assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Intimidation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Destruction/Damage/Vandalism of Property | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

# Annual Fire Safety Report

## Residence Hall Fire Safety Systems and Evacuation Procedures

Southwestern provides residential housing facilities for students on the Creston campus. No student housing is provided at the Red Oak or Osceola Centers.

Each residence hall is equipped with fire exits, fire alarms, and fire extinguishers. Spartan Court, Spartan Hall, Spartan Suites, and West Hall are equipped with sprinkler systems. Residence hall coordinators are responsible for assisting residents in locating fire exits, fire alarms, and fire extinguishers in their residence hall. In case of a fire emergency, students should evacuate the residence hall through a fire exit that appears to be the safest available option. All residents must evacuate the building upon hearing the fire alarm and not re-enter the building until an ALL CLEAR is given by staff. In case of fire evacuation all residence hall students should report to the SWCC Performing Arts Center to be accounted for and to be reunified with family. The process of practicing fire evacuation will take place no less than two times each calendar year.

For the protection of residents, the units are equipped with smoke and fire detection and prevention devices. Tampering with the smoke detectors, alarm system, or fire extinguishers is a college and residence halls offense, as well as a violation of the fire code. In the event that a student determines a smoke detecting device requires maintenance, a resident hall coordinator should be notified immediately. Stairwell and hallway doors may not be propped open or the door hardware tampered with. Hallways must be kept clear at all times. Furniture and personal belongings such as bicycles, trunks, boxes, and drying racks may not be placed in the hallways. Any items left in residence halls common rooms, halls, stairwells, or where they obstruct exits will be discarded and fines may be assessed. Ceiling hangings of any description are not permissible as they interfere with the proper function of the fire/smoke detection and prevention devices. Nothing should be hung on the sprinkler heads.

## Residence Hall Fire Drills

During each academic year, Southwestern Community College completes two mandatory fire drills—one during the fall semester at its mandatory housing orientation and one during the spring semester. These drills are completed by the director of residential life, residence hall coordinators, and the director of plant services. The fire safety log with record of dates of fire drills for each residence hall is located in the office of the dean of student services.

## Residence Hall Policies Related to Electrical Appliances, Open Flames, and Smoking

Southwestern Community College prohibits the following items in on-campus student housing including but not limited to: fireworks/firecrackers; lighting or heating devices that produce an open flame; barbeque grills or appliances with open flames or use propane tanks; halogen lamps; candles and

incense; air fresheners that have an open flame; deep fat fryers, electric skillets, and hot plates/griddles; power strips that are linked together.

Southwestern Community College is a smoke/tobacco-free campus. In accordance with House File 2212, which was enacted by the General Assembly of the State of Iowa and signed by Iowa Governor Chet Culver, Southwestern became a smoke-free/tobacco free campus on July 1, 2008. The tobacco free policy prohibits the use of all tobacco/nicotine products, including smokeless and smoking tobacco, in all Southwestern buildings, vehicles and on any college owned property. This includes personal vehicles when on college property. Individuals in violation of this policy face the following sanctions:

- First Offense $50 fine;
- Second Offense $50 fine/probation;
- Third Offense $50 fine/eviction.

## Fire Safety Systems in Residence Halls

A "fire safety system" is defined as any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire. The fire safety systems in each residence hall are identified below.

| Residential Facilities | Fire Alarm Monitoring System (3rd Party Off-Site Provider) | Full 2 Sprinkler System | Smoke Detection | Fire Extinguisher Devices | Evacuation Plans & Placards | Number of Evacuation (Fire) Drills Each Calendar Year |
|---|---|---|---|---|---|---|
| West Hall<br>1308 Student Drive | X | X | X | X | X | 2 |
| Spartan Suites<br>1314 Student Drive | X | X | X | X | X | 2 |
| Spartan Hall<br>1310 Student Drive | X | X | X | X | X | 2 |
| Spartan Court<br>1303 Southwestern Boulevard | X | X | X | X | X | 2 |

## Fire Safety Education and Training

Students and residence hall staff are made aware during housing orientation of college expectations for fire safety in college residence halls. Campus residents are instructed of fire drill procedures during housing orientation and residence hall floor meetings at the start of the academic year. Residential advisors, residence hall coordinators, and the director of residential life attend fire safety training annually. Southwestern Community College requires new staff/faculty members to attend fire safety training which includes use of a fire extinguisher, a hands-on exercise. Current employees are invited to attend fire safety training on a yearly basis.

## Residence Hall Fire Reporting and Statistics

For the purposes of fire safety reporting, a "fire" is defined as any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

"Cause of fire" is defined as the factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

A "fire-related injury" is defined as any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term "person" may include students, employees, visitors, firefighters or any other individuals.

A "fire-related death" is defined as any instance in which a person:

- is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or
- dies within one year of injuries sustained as a result of the fire.

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

Students should report occurrences of fire in the residence halls immediately to any of the following housing personnel:

» Director of residential life
» Spartan Suites coordinator or assistant coordinator
» West Hall coordinator
» Spartan Hall coordinator or assistant coordinator
» Spartan Court coordinator or assistant coordinator
» Housing personnel should immediately report an occurrence of fire to:

» Dean of student services
» Director of plant services

The following data represent residence hall fire statistics for Southwestern Community College's on-campus housing. All college housing is located on the Southwestern Community College campus at 1501 West Townline Street, Creston, Iowa 50801. Individual building addresses are located with the corresponding building name in the Residence Hall Fire Reporting and Statistics chart.

| Residential Facilities | Year | Total Fires in Each Building | Fire Number | Cause of Fire | Number of Injuries that Required Treatment at a Medical Facility | Number of Deaths Related to a Fire | Value of Property Damage Caused by Fire |
|---|---|---|---|---|---|---|---|
| West Hall 1308 Student Drive | 2025 | 0 | 0 | N/A | 0 | 0 | 0 |
| | 2024 | 0 | 0 | N/A | 0 | 0 | 0 |
| | 2023 | 0 | 0 | N/A | 0 | 0 | 0 |
| Spartan Suites 1314 Student Drive | 2025 | 0 | 0 | N/A | 0 | 0 | 0 |
| | 2024 | 0 | 0 | N/A | 0 | 0 | 0 |
| | 2023 | 0 | 0 | N/A | 0 | 0 | 0 |
| Spartan Hall 1310 Student Drive | 2025 | 0 | 0 | N/A | 0 | 0 | 0 |
| | 2024 | 0 | 0 | N/A | 0 | 0 | 0 |
| | 2023 | 0 | 0 | N/A | 0 | 0 | 0 |
| Spartan Court 1303 Southwestern Boulevard | 2025 | 0 | 0 | N/A | 0 | 0 | 0 |
| | 2024 | 0 | 0 | N/A | 0 | 0 | 0 |
| | 2023 | 0 | 0 | N/A | 0 | 0 | 0 |