

**2023**

# **Annual Security and Fire Safety Report**

**Iowa Western Community College**



## Table of Contents:

Equal Opportunity and Non-Discrimination	4
The Campus Security Act	5
Emergency Response and Notification	5
Timely Warnings	6
Daily Crime Log	6
Law Enforcement Staff & Authority	6
Monitoring & Recording Criminal Activity Off-Campus	6
Access & Security of Campus Facilities	6
Crime Reporting Procedures	7
Other Campus Security Officials for Reporting	7
Procedures for Voluntary Confidential Reporting	7
Missing Student Policy for Residential Students	7
• Missing Student Procedure for Residential Students	8
Alcohol & Other Drugs	8
• Policies Regarding Alcohol and Drugs	8
Security Awareness/Primary and Ongoing Prevention Programs	8
• Drug & Alcohol Abuse Educational Programs	10
Sexual Harassment Policies and Procedures	10
• Sexual Harassment and Other Forms of Sexual Violence	11
• Privacy & Confidentiality	12
• Mandated Reporting	12
• Confidential Resources	13
• How to Report Sexual Misconduct	14
• Supportive Measures	14
• Options for Addressing Reports of Sexual Harassment	15
• Sexual Harassment Procedure for Formal Complaints	15
• False Reporting	20
• Right of the Complainant and Respondent	20
Convicted Sex Offender Registration Laws	20
Definitions of Criminal Offenses	20
Definitions of Geography	20
2023 Iowa Western Annual Security Report	22
2023 Fire Safety Report	24
2023 Campus Fire Safety Annual Compliance Report	24
• Program Objectives	24
• How to Report a Fire	24
• Fire Prevention Policies & Procedures	25
Summary of Fire Prevention Policies and Procedures	25
• Fire Safety Equipment	25
• Tobacco Policy	25
• Fire Safety Education & Training Initiatives	25
• Fire Evacuation Procedures	26
• Mandatory Supervised Fire Drills	26
• Fire Safety Policies	26
• Fire Evacuation	26
• On-Campus Student Housing Fire Safety Systems	26
2023 Student Housing Fire Safety Statistics	27
Future Improvements in Fire Safety	27

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Iowa Western Community College publishes its Annual Security and Fire Safety Report by October 1 of each year. The report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Iowa Western Community College and on public property within, or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security, such as the policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters.

Iowa Western has long recognized the need to be prepared for critical incidents. Under the guidance of the Crisis Management Team, various departments and offices work together to ensure the College is doing all it can to prepare for, prevent, respond to, and recover from emergency situations. In conjunction with local first responders, such as the Council Bluffs Police Department and Council Bluffs Fire and Rescue, the College is well-prepared to respond to a full range of critical incidents.

The Crisis Management Team work together to ensure our emergency protocols and plan are updated, as needed, and are applicable as new risks are identified. The College's Emergency Response Plan contains important information about what to do in the event of an emergency. Information about Iowa Western's safety and emergency procedures including procedures for evacuations, severe weather, fire and medical emergencies, can be found in the Emergency Response Plan located on ROC.

Safety is a shared responsibility. We encourage each member of our community to be responsible for their own safety and the safety of others, as well as contribute to safety and security on our campus by reporting suspicious activities and using common sense when carrying out their daily activities.

Please contact the Dean of Student Life and Success at (712) 325-3207 or for more information and/or to request a copy of this report.

#### **MISSION STATEMENT**

***Iowa Western Community College is a learning college committed to excellence in meeting educational needs and improving the quality of life through programs, and partnerships and community development.***

**Equal Opportunity and Non-Discrimination**

It is the policy of Iowa Western Community College to provide equal educational opportunities and not to discriminate on the basis of race, color, creed, religion, national or ethnic origin, ancestry, genetic information, physical or mental disability, age, sex, sexual orientation, gender identity or expression, veteran status, citizenship, medical condition, and actual or potential parental, family or marital status as those terms are defined under applicable laws, in its educational programs, activities, or employment practices.

The following individuals have been designated to handle inquiries and complaints regarding equal opportunity and nondiscrimination:

**EQUAL EMPLOYMENT OPPORTUNITY**

Robyn Porter

Director of Human Resources/Equal Opportunity Coordinator for Employees

2700 College Road

Council Bluffs, IA 51503

(712) 325-3413

[rporter@iwcc.edu](mailto:rporter@iwcc.edu)

**TITLE IX, DISABILITY, and OTHER FORMS OF DISCRIMINATION**

Reanna Heim

Dean of Student Life and Success/Title IX, ADA/504, and Equal Opportunity Coordinator for Students

2700 College Road

Council Bluffs, IA 51503

(712) 325-3207

[rheim@iwcc.edu](mailto:rheim@iwcc.edu)

Inquiries and complaints may also be directed to the Director of the Office for Civil Rights U.S. Department of Education, John C. Kluczynski Federal Building, 230 S. Dearborn Street, 37th Floor, Chicago, IL 60604-7204, Telephone: (312) 730-1560 Facsimile: (312) 730-1576, TDD 800-877-8339, Email: [OCR.Chicago@ed.gov](mailto:OCR.Chicago@ed.gov)

**The Campus Security Act** *(also known as the Clery Act)*

The Campus Security Act requires colleges and universities to:

- Publish an annual report every year by October 1 that contains three years of campus crime statistics and certain campus security policy statements.
- Publish crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. (The statistics must be gathered from campus security, local law enforcement, and other College officials who have “significant responsibility for student and campus activities.”)
- Publish “timely warning” notices where a crime has occurred on or near campus that, in the judgment of Administration constitutes an ongoing or continuing threat to members of the College community.
- Make available for public inspection a daily public crime log of any crime that occurred on campus and is reported to a campus official.

The Office of Student Life and Success is responsible for preparing and distributing the annual report. The department works with other departments and law enforcement agencies, such as Residence Life, Campus Safety and Security, Finance and Operations, and Campus Activities and Community Standards to compile the information incorporated into the report. This report is made available by October 1 of each year and contains data from the previous 3 calendar year. This year's report covers 2020-2022.

We encourage members of the College community to use this report as a guide for safe practices on and off campus. The report is available on ROC and the College website. By October 1 of each year, the content and availability of the annual security report will be placed on IWCC News.

**Emergency Response**

The IWCC Crisis Management Team (CMT) and Administration have 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. In addition, the CMT and/or Administration have a responsibility to respond to such incidents to determine if the situation does in fact pose a threat to the community. If that is the case, federal law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation.

The CMT and/or Administration may receive information from other sources, as well. If the CMT and/or Administration confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, CMT and/or Administration will collaborate to determine the content of the message and communicate the threat to the IWCC campus community, or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

The CMT and/or Administration will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: The Council Bluffs Police Department, Fire and Emergency Medical Services) compromise the efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

The Iowa Western Emergency Response Plan describes the responsibilities and duties of campus personnel in the event of an emergency or dangerous situation involving an immediate threat. The Emergency Response Plan can be viewed on the College website.

**Emergency Notification**

IWCC has an emergency notification system in place called Reiver Alert for immediately notifying 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 the campus.

Other forms of communication may be activated in the event of an immediate threat to the IWCC campus

community, depending on the location and type of emergency. These include a campus wide television monitor system, College website, notices posted in College facilities, and emails to students and employees. IWCC will post updates during a critical incident on the IWCC website at [www.iwcc.edu](http://www.iwcc.edu) and on ROC.

### **Timely Warnings**

In the event that a situation arises that, in the judgment of campus administrators and the Crisis Management Team, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued through the college e-mail and/or Reiver Alert to students, faculty, and staff. Depending on the particular circumstances of the crime and especially in situations that could pose an immediate threat to the community or individuals, a notice may be placed on the campus-wide T.V monitor system, through Reiver Alert, notices posted in buildings, the College web site, and on ROC.

### **Daily Crime Log**

Consistent with the Clery Act requirements, the Dean of Student Life and Success, Director of Community Standards, and the Associate Dean of Student Life maintain a Daily Crime Log that records, listed by the date, the incident was reported, all crimes and other serious incidents that occur: on campus; in a non-campus building or property owned or operated by the College in a reasonably contiguous geographic area on public property within, adjacent to, or immediately accessible from the campus. The Daily Crime Log is available for public inspection from the Dean of Student Life and Success and the Director of Community Standards. The Daily Crime Log includes the nature, date, time, and general location of each crime reported, as well as its disposition if this information is known at the time.

Incidents are posted in the Daily Crime Log within two business days of receiving a report of an incident, and, in accordance with the Clery Act requirements, may exclude incidents from the log in certain circumstances, particularly those in which inclusion may compromise the investigation.

### **Law Enforcement Staff and Authority**

The Council Bluffs campus of Iowa Western Community College has both Iowa Western employed and privately contracted campus safety and security officers, providing staff 24 hours a day, 7 days a week. Campus safety and security officers do not carry weapons or have arrest authority. Safety and security officers have the authority to ask persons for identification and to determine whether individuals have lawful business at IWCC. Safety and security officers have the authority to issue traffic and parking tickets, which are billed to financial accounts of students, faculty, and staff.

Off duty, Council Bluffs police officers are hired to work late evening and early morning hours in Residence Life and are contracted for other special campus events and activities. Council Bluffs police officers are in uniform, do have jurisdiction on campus, carry weapons, and have arrest authority. IWCC maintains a highly professional working relationship with the Council Bluffs Police Department, Pottawattamie County Sheriff's Office, Iowa State Patrol, and all other local, state, and federal law enforcement agencies. All crime victims and witnesses are strongly encouraged to immediately report the crime to Campus Safety and Security and the appropriate Police agency.

All IWCC recognized activities that are off-campus will be monitored by college staff. A close working relationship exists with the city police who are responsive to any incident and share information with IWCC.

### **Monitoring and Recording Criminal Activity Off-Campus**

We rely on our close working relationships with local law enforcement agencies to receive information about incidents involving College students on and off campus. In coordination with local law enforcement agencies, the College may actively investigate certain crimes occurring off campus. If the College is notified of a situation in which a campus community member is the victim of a crime, depending on the circumstances the department may issue a Reiver Alert, detailing the incident and providing tips so that other community members may protect themselves.

### **Access and Security of Campus Facilities**

Most campus buildings are accessible to students, employees, guests, and visitors during normal business hours and for limited designated hours during special events. Most campus buildings have

security access control and alarm systems. IWCC Campus Safety and Security staff monitors and responds to campus alarms 24 hours a day, 7 days a week. Identification and sign-in registration are generally not required with the exception of housing facilities. All campus buildings are locked at 10:00 p.m. unless an activity warrants a later time. Staff and faculty working after hours should carry faculty/staff identification. Anyone working late and on weekends should notify Campus Safety and Security.

Access to college Residence Life facilities is limited to residents, escorted guests, and college staff. Residence Life security is monitored by Residence Life professional staff and on-duty student staff.

### **Crime Reporting Procedures**

Students, staff, and faculty are strongly encouraged to report all crimes. To aid in this effort, several areas have been identified to assist you. If you are the victim of a crime, witness a crime of suspicious activity, or observe a potential security problem or safety hazard, contact Campus Safety and Security immediately. The College encourages accurate and prompt reporting of crime to local law enforcement authorities. Should students, staff, and faculty request assistance in making reports of crime to local law enforcement, Campus Safety and Security will assist.

For police, fire or medical emergencies, dial 911, and then contact IWCC Campus Security. For non-emergency or business calls, contact Campus Safety and Security directly. Call Campus Safety and Security at 402-659-4939 or dial 8000 from any campus telephone.

### **Other Campus Security Officials for Reporting**

There are also other areas on campus to which reports can be made. At Council Bluffs they include the Office of Student Life, 712-325-3728, the Office of Campus Safety and Security, 402-659-4939, and the Office of Residence Life, 712-388-7695. At all IWCC Centers, crimes should be reported to the Center Director. Clarinda and Shenandoah Centers, 712-542-5117; Shelby County Center, 712-755-3568; and the Cass County Center, 712-243-5527.

### **Procedures for Voluntary Confidential Reporting**

If a crime victim/survivor/witness does not wish to file a police report, the College encourages voluntary, anonymous and confidential reports of crimes listed under the Clery Act. Voluntary and confidential reports of crimes including sexual assault may be made by reporting the incident to the College's Title IX Advocate, who also serves as the Mental Health Practitioner. A victim/survivor/witness or a person who has first-hand knowledge of a crime may report an incident.

### **Missing Student Policy Residential Students**

Iowa Western Community College takes student safety very seriously. The following policy and procedure has been developed in order to assist in locating Iowa Western student(s) living in on-campus housing, who based on the facts and circumstances known to the College, are determined to be missing. This policy is in compliance with Section 488 of the Higher Education Act of 2008.

Most missing person reports in the college environment result from a student changing her routine without informing her roommates and/or friends of the change. Anyone who believes a student to be missing should report their concern to the Director of Residence Life or the Director of Campus Safety and Security. Every report made to the campus will be followed up with an immediate investigation once a student has been missing for 24 hours. Depending on the circumstances presented to College officials, parents of a missing student will be notified. If a student is under the age of 18 and not emancipated, the College is required to notify a custodial parent or guardian within 24 hours of determination of the student being missing, in addition to the contact person designated by the student. In the event that parental notification is necessary, the Director of Residence Life or designee will place the call.

At the beginning of each academic year, residential students will be asked to provide, emergency contact information in the event he/she is reported missing or is involved in an emergency situation, while enrolled at Iowa Western. This emergency information will be kept confidential and will only be used by authorized campus officials and/or law enforcement.

## **Missing Student Procedure for Residential Students**

1. The Iowa Western official receiving the report will collect and document the following information at the time of the report: The name and relationship of the person making the report. The date, time, and location the missing student was last seen. The general routine or habits of the suspected missing student (e.g. –visiting friends who live off-campus, working a job away from campus) including any recent changes in behavior or demeanor. The missing student's cell phone number (if known by the reporter).
2. The Iowa Western College official receiving the report will contact the Director of Residence Life. The Dean of Student Life and Success will ascertain if/when other members of Administration need to be contacted.
3. Upon notification from any entity that a student may be missing, Iowa Western may use any or all of the following resources to assist in locating the student.
  - Call and/or text the student's cell phone and call any other numbers on record.
  - Go to the student's room.
  - Talk to the student's RA, roommate, and floor mates to see if anyone can confirm the missing student's whereabouts and/or confirm the date, time, and location the student was last seen.
  - Secure a current student ID photo.
  - Send the student an email.
  - Check all possible locations mentioned by the parties above including, but not limited to, library, residence hall lounges, student common areas, etc.
  - Contact or call any other on-campus or off-campus friends or contacts that are made known.
  - Ascertain the student's car make, model and license plate number. A member of Campus Safety and Security will also check Iowa Western's parking lots for the presence of the student's vehicle.
  - Contact the student's parent and/or emergency contact.
4. The Iowa Western Information Technology Staff may be asked to obtain email logs in order to determine the last log in and/or access of the IWCC network.
5. Once all information is collected and documented and the Dean of Student Life and Success, or designee, is consulted, Iowa Western staff may contact the local police to report the information. (Note: If in the course of gathering information as described above, foul play is evident or strongly indicated, the police will be contacted immediately.) If it is necessary to contact the local or state authorities, police procedure, and protocol will be followed by the College.

## **Alcohol and Other Drugs**

College students, faculty, staff, and guests are subject to local, State and Federal laws regarding the unlawful possession, distribution, or use of alcohol or illegal drugs.

### **Policy Regarding Alcohol**

The possession and use of alcoholic beverages by IWCC students is strictly prohibited on College property and all College sponsored events. IWCC enforces the State of Iowa drinking laws, including the prohibition of use by persons under 21 years of age.

### **Policy Regarding Drugs**

The possession, use and sale of drugs and drug paraphernalia are strictly prohibited on College property and all College sponsored events. IWCC enforces both the State of Iowa and the Federal drug laws regarding the use, possession, and sale of illegal drugs and drug paraphernalia.

## **SECURITY AWARENESS AND PRIMARY AND ONGOING PREVENTION PROGRAMS**

During the academic year, various College offices including Student Assistance, Residence Life, Campus Activities, Human Resources, Service Learning, the Division of Student Services and the Division of Academic Affairs-offer a variety of educational programs to the College community. Programs address issues of crime prevention, personal safety, sexual assault, drug and alcohol abuse, and related topics and are presented in various formats, including seminars, films, lectures, performances, and brochures.



**Programs include:**

**Housing Orientation:** a freshman housing orientation which includes information on personal safety, crime prevention, bystander intervention, sexual misconduct, consent, and being a responsible member of the campus community to residential students. Hosted in the Arts

**Out of the Darkness Campus Walk:** In partnership with the American Foundation for Suicide Prevention (AFSP), Iowa Western hosted an Out of the Darkness walk on campus to promote suicide awareness and prevention. Leading up to and at the walk, Iowa Western puts out temporary displays, provides educational handouts, gives away swag, and engages in community conversations about suicide awareness and prevention.

**Survivor Stories:** A local art piece that is displayed throughout the month of April to help bring awareness to Sexual Assault Awareness Month. The stories in the art piece are short stories from survivors of sexual assault that detail their experience. The art piece is provided by Catholic Charities, a local sexual assault and domestic violence shelter and is hung in the cafeteria of the Student Center.

**Ongoing STD Testing:** in partnership with the Pottawattamie County Health Department, students have the opportunity to be tested for STD's on campus, as well as receive the appropriate medications, all free of charge.

**Handling the Distraught/Acting-Out Individual:** training to provide employees with effective assessment and coping skills in dealing with potentially hostile/aggressive situations.

**Campus Security Escort Program:** Campus Security provide safety escorts for students and employees. To request an escort, call Campus Security at 402-659-4939 or dial 8000 from any campus telephone.

**Standard Response Protocol (SRP) Training:** a training program for students and employees that instructs how to respond on campus during an emergency situation. Training includes how to react, where to assemble, and what to expect in an emergency situation. The SRP includes four main areas of focus: Lockout, Lockdown, Evacuate, and Shelter.

**Sexual Harassment Reporting and Resources Brochure:** information regarding procedures, where to report, and on-campus and community resources available to students which experience sexual misconduct. These were readily available to staff, faculty and students via online and throughout campus at key locations/offices.

**Pop-Up Stations:** passive programming and education on topics relating to See Something Say Something, Alcohol and Drug Awareness and Prevention, Sexual Violence, Healthy Relationships, Staying Safe on Campus, Mental Health Stigma, Sexual Health Education, and Domestic/Dating Violence.

**Reiver Week:** training for new faculty regarding Iowa Western's sexual misconduct policies, mandatory training, pregnant and parenting students, and resources available on campus.

**Resident Assistant Training:** specialized training on sexual assaults, bystander intervention and alcohol use during a presentation called "Situation Awareness". Student get hands-on practice through mock responding to incidents during "Behind Closed Doors" sessions.

**Athlete Training:** training athletic teams on consent, sexual misconduct and policies, bystander intervention and sexual health education.

**Sex Education Week:** week of programs focused on prevention, safety, and healthy relationships. Done in partnership with Pottawattamie County Public Health.

**Voices of Change:** An online course for students that covers the following topics: identities and inclusion;

consent and sexual violence; alcohol and other drugs; hazing and intimidation. Woven into all topics is information on how to be an active bystander. Focuses specifically on the consent and sexual violence topic, this area of the training defines key Federal statutes and regulations related to gender discrimination, sexual violence, and sexual harassment in an academic environment. It also incorporates Iowa state specific definitions on domestic violence, dating violence, stalking, and sexual assault. The overall goal of this course is to provide information to individual members of the campus community regarding their rights to safety, dignity and respect.

**Get Inclusive, 'Title IX Module for Faculty and Staff':** An online course for employees that define key Federal statutes and regulations related to gender discrimination, sexual harassment, and sexual violence in an academic environment. This course incorporates Iowa state specific definitions on domestic violence, dating violence, stalking, and sexual assault, and trains on how to respond to reports of those crimes. The overall goal of this course is to provide information to individual members of the campus community regarding their rights to safety, dignity and respect.

### **Drug and Alcohol Abuse Education Programs**

In accordance with the Drug Free Workplace Act of 1988 (Public Law 100-690) and Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101-226) Iowa Western encourages and provides reasonable assistance to any student, faculty, or staff member who seeks information on chemical dependence or treatment for chemical dependency. The Student Support and Outreach staff can provide students with information and prevention programs for those seeking help with substance abuse. The Human Resources office can provide staff and faculty with information and prevention programs for those seeking help with substance abuse.

**It's On Us Campaign:** a federal initiative to address sexual assaults on college campuses. <https://www.youtube.com/watch?v=TC16z7ME964>

### **SEXUAL HARASSMENT POLICIES AND PROCEDURES (revised Aug. 2020)**

IWCC is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from sexual harassment and retaliation. To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity,

IWCC has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation sexual harassment or retaliation. IWCC values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all those involved.

The core purpose of this policy is the prohibition of sexual harassment and retaliation. When an alleged violation of this policy is reported, the allegations are subject to resolution using IWCC's "Process A" or "Process B," as determined by the Title IX Coordinator, and as detailed below.

When the Respondent is a member of IWCC community, a grievance process may be available regardless of the status of the Complainant, who may or may not be a member of IWCC community. This community includes, but is not limited to, students, student organizations, faculty, administrators, staff, and third parties such as guests, visitors, volunteers, invitees, and campers.

The procedures below may be applied to incidents, to patterns, and/or to the campus climate, all of which may be addressed and investigated in accordance with this policy.

### **Sexual Harassment and other forms of sexual violence**

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the State of Iowa regard Sexual Harassment as an unlawful discriminatory practice.

IWCC has adopted the following definition of Sexual Harassment in order to address the unique environment of an academic community.

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Sexual Harassment, as an umbrella category, includes the actual or attempted offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, and is defined as:

Conduct on the basis of sex or that is sexual that satisfies one or more of the following:

- 1) **Quid Pro Quo:**
  - a. an employee of IWCC,
  - b. conditions the provision of an aid, benefit, or service of IWCC,
  - c. on an individual's participation in unwelcome sexual conduct.
- 2) **Sexual Harassment:**
  - a. unwelcome conduct,
  - b. determined by a reasonable person,
  - c. to be so severe, and
  - d. pervasive, and,
  - e. objectively offensive,
  - f. that it effectively denies a person equal access to IWCC's education program or activity.
- 3) **Sexual assault, defined as:**
  - a) Sex Offenses, Forcible:
    - o Any sexual act directed against another person,
    - o without the consent of the Complainant,
    - o including instances in which the Complainant is incapable of giving consent.
  - b) Sex Offenses, Non-forcible:
    - o Incest:
      - 1) Non-forcible sexual intercourse,
      - 2) between persons who are related to each other,
      - 3) within the degrees wherein marriage is prohibited by Iowa law.
    - o Statutory Rape:
      - 1) Non-forcible sexual intercourse,
      - 2) with a person who is under the statutory age of consent of 16.
- 4) **Dating Violence, defined as:**
  - a. violence,
  - b. on the basis of sex,
  - c. committed by a person,
  - d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
    - i. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
    - ii. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    - iii. Dating violence does not include acts covered under the definition of domestic violence.
- 5) **Domestic Violence, defined as:**
  - a. violence,
  - b. on the basis of sex,
  - c. committed by a current or former spouse or intimate partner of the Complainant,
  - d. by a person with whom the Complainant shares a child in common, or

- e. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
- f. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Iowa, or
- g. by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Iowa.

\*To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

**6) Stalking, defined as:**

- a. engaging in a course of conduct,
- b. on the basis of sex,
- c. directed at a specific person, that
  - i. would cause a reasonable person to fear for the person's safety, or
  - ii. the safety of others; or
  - iii. Suffer substantial emotional distress.

For the purposes of this definition—

(i) Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

(ii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.

(iii) Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

**Privacy and Confidentiality**

Every effort is made by IWCC to preserve the privacy of reports. IWCC will not share the identity of any individual who has made a report or complaint of harassment or retaliation; any Complainant, any individual who has been reported to be the perpetrator of sexual harassment or retaliation, any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these policies and procedures.

IWCC reserves the right to determine which IWCC officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Only a small group of officials who need to know will typically be told about the complaint, including but not limited to: Student Intervention Team, Residence Life (when applicable), Campus Safety and Security (when applicable).

**Mandated Reporting**

All IWCC employees (faculty, staff, administrators) are expected to report actual or suspected sexual harassment or retaliation to appropriate officials immediately, though there are some limited exceptions.

In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality and are not required to report actual or suspected sexual harassment or retaliation. They may offer options and resources without any obligation to inform an outside agency or campus official unless a Complainant has requested the information be shared.

If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report crimes and/or policy violations, and these employees

will immediately pass reports to the Title IX Coordinator (and/or police, if desired by the Complainant), who will take action when an incident is reported to them.

The following sections describe the reporting options at IWCC for a Complainant or third-party (including parents/guardians when appropriate):

### **Confidential Resources**

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with:

- On-campus licensed professional counselors and staff]
- On-campus health service providers and staff
- Off-campus (non-employees):
  - Licensed professional counselors and other medical providers
  - Local rape crisis counselors
  - Domestic violence resources
  - Local or state assistance agencies
  - Clergy/Chaplains
  - Attorneys

All of the above-listed individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, and/or professional credentials, except in extreme cases of immediacy of threat or danger or abuse of a minor/elder/individual with a disability, or when required to disclose by law or court order.

Campus counselors and/or the Employee Assistance Program are available to help free of charge and may be consulted on an emergency basis during normal business hours.

Employees who are confidential and who receive reports within the scope of their confidential roles will timely submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client.

All employees of IWCC (including student employees), with the exception of those who are designated as Confidential Resources, are Mandated Reporters and must promptly share with the Title IX Coordinator all known details of a report made to them in the course of their employment.

Employees must also promptly share all details of behaviors under this policy that they observe or have knowledge of, even if not reported to them by a Complainant or third-party.

Complainants may want to carefully consider whether they share personally identifiable details with non-confidential Mandated Reporters, as those details must be shared with the Title IX Coordinator.

Generally, disclosures in climate surveys, classroom writing assignments or discussions, human subjects research, or at events such as “Take Back the Night” marches or speak-outs do not provide notice that must be reported to the Coordinator by employees, unless the Complainant clearly indicates that they desire a report to be made or a seek a specific response from IWCC.

Supportive measures may be offered as the result of such disclosures without formal IWCC action.

Failure of a Mandated Reporter, as described above in this section, to report an incident of sexual harassment or retaliation of which they become aware is a violation of IWCC policy and can be subject to disciplinary action for failure to comply.

Though this may seem obvious, when a Mandated Reporter is engaged in harassment or other violations of this policy, they still have a duty to report their own misconduct, though IWCC is technically not on notice when a harasser is also a Mandated Reporter unless the harasser does in fact report themselves.

Finally, it is important to clarify that a Mandated Reporter who is themselves a target of harassment or other misconduct under this policy is not required to report their own experience, though they are, of course, encouraged to do so.

### **Community Support Services**

Iowa Western Community College encourages students who are the survivor of sexual harassment to seek medical and counseling services. Survivors may contact Iowa Western's Mental Health Practitioners located in Student Center, 2<sup>nd</sup> Floor, or by calling (712) 325-3461 or emailing [stuassist@iwcc.edu](mailto:stuassist@iwcc.edu). The Mental Health Practitioners can provide short-term support and refer survivors to outside agencies that can provide additional counseling and resources.

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

[Iowa Coalition Against Domestic Violence](#)  
[Iowa Coalition Against Sexual Assault](#)  
[Stalking Resource Center](#)  
[Rape, Abuse and Incest National Network](#)  
[Department of Education, Office of Civil Rights](#)

### **How to Report Sexual Misconduct**

Iowa Western Community College encourages students to report all incidents of Sexual Misconduct to the police. A guiding principal in the reporting of sexual offenses is to avoid re-victimizing the sexual offense survivor by forcing the person into any plan of action. Survivors of sexual offenses may contact any one of several College departments or community services for assistance. The following resources provide immediate aid or on-going consultation for survivors of sexual offenses:

#### **Reporting numbers:**

Council Bluffs Police Department	911
Mental Health Practitioners (confidential)	(712) 325-3461
Director of Residence Life	(712) 325-3487
Dean of Student Life and Success/Title IX Coordinator	(712) 325-3207
Associate Dean of Student Life	(712) 325-3728
Director of Community Standards	(712) 325-3437
IWCC Council Bluffs Campus Security	(402) 659-4939 (text or call) or 8000 from any campus phone
Director of Campus Safety and Security	(712) 325-3727
Assistant Director of Campus Safety and Security	(712) 325-3757
Sexual Assault Program/24-Hour Crisis Line	(712) 328-0266
Any Hospital or Medical Facility	911

### **Supportive Measures**

IWCC will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged sexual harassment and/or retaliation.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to IWCC's education program or activity, including measures designed to protect the safety of all parties or IWCC's educational environment, and/or deter sexual harassment and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, IWCC will inform the Complainant, in writing, that they may file a formal complaint with IWCC either at that time or in the future, if they have not done so already.

The Title IX Coordinator works with the Complainant to ensure that their wishes are taken into account with respect to the supportive measures that are planned and implemented.

IWCC will maintain the privacy of the supportive measures, provided that privacy does not impair IWCC's ability to provide the supportive measures. IWCC will act to ensure as minimal an academic/occupational impact on the parties as possible.

IWCC will implement measures in a way that does not unreasonably burden the other party. These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to the Employee Assistance Program
- Referral to community-based service providers
- Visa and immigration assistance
- Student financial aid counseling
- Education to the institutional community or community subgroup(s)
- Altering campus housing assignment(s)
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation accommodations
- Implementing contact limitations (no contact orders) between the parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- No Trespass
- [Timely warnings](#)
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator

Violations of no contact orders will be referred to appropriate student or employee conduct processes for enforcement.

### **Options for Addressing Reports of Sexual Harassment**

Upon receipt of a complaint or notice to the Title IX Coordinator of an alleged violation of the Policy, the Title IX Coordinator initiates a prompt initial assessment to determine the next steps IWCC needs to take.

The Title IX Coordinator will initiate at least one of three responses:

1. Offering supportive measures because the Complainant does not want to file a formal complaint; and/or
2. An informal resolution (upon submission of a formal complaint); and/or
3. A Formal Grievance Process including an investigation and a hearing (upon submission of a formal complaint).

IWCC uses the Formal Grievance Process to determine whether or not the Policy has been violated. If so, IWCC will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to sexual harassment or retaliation, their potential recurrence, or their effects.

### **Sexual Harassment Procedure for Formal Complaints**

The Title IX Coordinator will provide written notice of the investigation and allegations (the "NOIA") to the Respondent upon commencement of the Formal Grievance Process. This facilitates the Respondent's ability to prepare for the interview and to identify and choose an Advisor to accompany them. The NOIA is also copied to the Complainant, who is to be given advance notice of when the NOIA will be delivered to the Respondent.

The NOIA will include:

- A meaningful summary of all of allegations,
- The identity of the involved parties (if known),

- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known),
- The specific policies implicated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- A statement that IWCC presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,
- A statement about IWCC's policy on retaliation,
- Information about the privacy of the process,
- Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor,
- A statement informing the parties that IWCC's Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
- Detail on how the party may request disability accommodations during the interview process,
- A link to IWCC's VAWA Brochure,
- The name(s) of the Investigator(s), along with a process to identify, in advance of the interview process, to the Title IX Coordinator any conflict of interest that the Investigator(s) may have, and
- An instruction to preserve any evidence that is directly related to the allegations.

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges.

Notice will be made in writing and may be delivered by one or more of the following methods: in person or emailed to the parties' IWCC-issued email or designated accounts. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

### **Resolution Timeline**

IWCC will make a good faith effort to complete the resolution process within a sixty-to-ninety (60-90) business day time period, including appeal, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as a estimate of how much additional time will be needed to complete the process.

### **Appointment of Investigators**

Once the decision to commence a formal investigation is made, the Title IX Coordinator appoints Pool members to conduct the investigation usually within two (2) business days of determining that an investigation should proceed.

### **Ensuring Impartiality**

Any individual materially involved in the administration of the resolution process [including the Title IX Coordinator, Investigator(s), and Decision-maker(s)] may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The Title IX Coordinator will vet the assigned Investigator(s) to ensure impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. The parties may, at any time during the resolution process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with the appropriate Vice President.

The Formal Grievance Process involves an objective evaluation of all relevant evidence obtained, including evidence that supports that the Respondent engaged in a policy violation and evidence that supports that the Respondent did not engage in a policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness.



IWCC operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the applicable standard of proof.

### **Investigation Timeline**

Investigations are completed expeditiously, normally within thirty (30) business days, though some investigations may take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

IWCC will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

### **Steps in the Investigation Process**

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

The Investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

- Determine the identity and contact information of the Complainant
- In coordination with campus partners (e.g., the Title IX Coordinator), initiate or assist with any necessary supportive measures
- Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all of the specific policies implicated
- Assist the Title IX Coordinator with conducting a prompt initial assessment to determine if the allegations indicate a potential policy violation
- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and the parties
- Meet with the Complainant to finalize their interview/statement, if necessary
- Prepare the initial Notice of Investigation and Allegation (NOIA). The NOIA may be amended with any additional or dismissed allegations
  - Notice should inform the parties of their right to have the assistance of an Advisor, who could be a member of the Pool or an Advisor of their choosing present for all meetings attended by the party
- Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes (or transcript) of the relevant evidence/testimony from their respective interviews and meetings
- Make good faith efforts to notify the parties of any meeting or interview involving the other party, in advance when possible
- When participation of a party is expected, provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions
- Complete the investigation promptly and without unreasonable deviation from the intended timeline
- Provide regular status updates to the parties throughout the investigation
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) with a list of witnesses whose information will be used to render a finding
- Write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included

- The Investigator(s) gather, assess, and synthesize evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of their report
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which IWCC does not intend to rely in reaching a determination, for a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence. The parties may elect to waive the full ten days. Each copy of the materials shared will be watermarked on each page with the role of the person receiving it (e.g., Complainant, Respondent, Complainant's Advisor, Respondent's Advisor).
- The Investigator(s) may elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses
- The Investigator(s) will incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigator(s) should document all rationales for any changes made after the review and comment period
- The Investigator(s) shares the report with the Title IX Coordinator and/or legal counsel for their review and feedback
- The Investigator will incorporate any relevant feedback, and the final report is then shared with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) business days prior to a hearing. The parties are also provided with a file of any directly related evidence that was not included in the report

### **Advisors in Sexual Harassment Procedures**

The parties may each have an Advisor of their choice present with them for all meetings, interviews, and hearings within the resolution process, if they so choose. The parties may select whoever they wish to serve as their Advisor as long as the Advisor is eligible and available.

The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The parties may choose Advisors from inside or outside of IWCC community.

The Title IX Coordinator will also offer to assign a trained Advisor for any party if the party so chooses. If the parties choose an Advisor from the pool available from IWCC, the Advisor will be trained by IWCC and be familiar with IWCC's resolution process.

If the parties choose an Advisor from outside the pool of those identified by IWCC, the Advisor may not have been trained by IWCC and may not be familiar with IWCC policies and procedures.

Parties also have the right to choose not to have an Advisor in the initial stages of the resolution process, prior to a hearing.

### **Possible Sanctions**

The following are the usual sanctions that may be imposed upon students or organizations singly or in combination:

- *Warning:* A formal statement that the conduct was unacceptable and a warning that further violation of any IWCC policy, procedure, or directive will result in more severe sanctions/responsive actions.
- *Required Counseling:* A mandate to meet with and engage in either IWCC-sponsored or external counseling to better comprehend the misconduct and its effects.
- *Probation:* A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.

- *Suspension*: Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at IWCC.
- *Expulsion*: Permanent termination of student status and revocation of rights to be on campus for any reason or to attend IWCC-sponsored events.
- *Withholding Diploma*: IWCC may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has an allegation pending or as a sanction if the student is found responsible for an alleged violation.
- *Revocation of Degree*: IWCC reserves the right to revoke a degree previously awarded from IWCC for fraud, misrepresentation, and/or other violation of IWCC policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- *Organizational Sanctions*: Deactivation, loss of recognition, loss of some or all privileges (including IWCC registration) for a specified period of time.
- *Other Actions*: In addition to or in place of the above sanctions, IWCC may assign any other sanctions as deemed appropriate.

### **Appeals**

Any party may file a request for appeal ("Request for Appeal"), but it must be submitted in writing to the Title IX Coordinator within 5 days of the delivery of the Notice of Outcome.

A three-member appeal panel or one Decision-Maker, Appeal Hearing Chair, will be chosen from the Pool will be designated by the Title IX Coordinator OR a single Appeal Decision-maker will Hearing Chair the appeal. No appeal panelists will have been involved in the process previously, including any dismissal appeal that may have been heard earlier in the process.

Appeals are limited to the following grounds:

- (A) Procedural irregularity that affected the outcome of the matter;
- (B) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- (C) The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, that request will be denied by the Appeal Hearing Chair and the parties and their Advisors will be notified in writing of the denial and the rationale.

### **Retaliation**

Protected activity under this policy includes reporting an incident that may implicate this policy, participating in the grievance process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation of this Policy.

Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. IWCC will take all appropriate and available steps to protect individuals who fear that they may be subjected to retaliation.

IWCC and any member of IWCC's community are prohibited from taking materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

The exercise of rights protected under the First Amendment does not constitute retaliation.

### **False Reporting**

Deliberately false and/or malicious accusations under this policy are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a policy violation determination.

Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence, or deliberately misleading an official conducting an investigation can be subject to discipline under IWCC policy.

### **Resources**

Listed below are links to several organizations that will provide more insight into the various policies that influence the College's Sexual Harassment policies:

Department of Education: Questions and Answers on Title IX and Sexual Violence:

<http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>

- [Dear Colleague Letter \(College Procedure, Preponderance of Evidence\)](#)
- [Clery Center for Campus Security](#)
- [Reauthorization of the Violence Against Women Act \(VAWA\)](#)
- [Family Educational Rights and Privacy Act \(FERPA\)](#)

### **Rights of the Complainant and Respondent in Sexual Harassment Procedures**

Under federal law, the complainant and respondent are afforded certain basic rights. The College will notify both parties of their rights before the formal investigation process begins.

### **Convicted Sex Offender Registration Laws**

Iowa law requires a person who has been convicted of certain sex offense crimes to register with the Sheriff in the county in which he/she resides. In addition, if he/she attends or works at an institution of higher education, he/she is required to register with the Sheriff in the county in which the institution is located.

Community members wanting information regarding persons in the state of Iowa who have been convicted of a sex offense crime may visit [www.iowasexoffender.com](http://www.iowasexoffender.com).

Individuals who pose a danger to themselves and/or other residents may not be eligible to live in campus housing. Registered sex offenders and persons who should be registered as such are not eligible for campus housing.

## **DEFINITIONS OF CRIMINAL OFFENSES**

**Aggravated assault** is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

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

**Burglary** is the unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

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

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

**Drug abuse violations** are defined as the violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (demerol, methadones); and dangerous non-narcotic drugs (barbiturates, benzedrine).

**Hate crimes** are committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, ethnicity, national origin, or disability.

**Liquor law violations** are defined as the violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

**Motor vehicle theft** is the theft or attempted theft of a motor vehicle.

**Murder and non-negligent manslaughter** is the willful (non-negligent) killing of one human being by another.

**Negligent manslaughter** is the killing of another person through gross negligence.

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

**Sex offenses** are defined as any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **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 definition includes any gender of victim or perpetrator.
- **Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory rape** is sexual intercourse with a person who is under the statutory age of consent.

**Stalking** is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or to suffer substantial emotional distress.

**Weapons violations** are defined as the violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

**Unfounded** crimes investigated by law enforcement and found baseless because the crime was never completed, attempted or did not meet the elements of the offense reported. Crimes reported and subsequently determined to be unfounded are not included in crime statistics.

## DEFINITIONS OF GEOGRAPHY

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

**On-Campus Buildings or Property** - 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 any building or property that is within or reasonably contiguous to the area identified above, 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).

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

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

## 2023 IOWA WESTERN ANNUAL SECURITY REPORT

CRIMINAL OFFENSES	IWCC Campus and Centers			On-Campus Residential Facilities			NonCampus Building or Property			Public Property			3 Year Total		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0	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	0	0	0
Rape	1	3	2	1	3	2	0	0	0	0	0	0	1	3	2
Fondling	1	1	0	1	1	0	0	0	0	0	0	0	1	1	0
Incest	0	0	0	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	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	1	0	10	0	0	9	0	0	0	0	1	0	1	1	10
Burglary	7	2	4	7	2	4	0	0	0	0	0	0	7	2	4
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	4	1	3	4	1	3
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

VAWA OFFENSES	IWCC Campus and Centers			On-Campus Residential Facilities			NonCampus Building or Property			Public Property			3 year Total		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
Domestic Violence	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0
Dating Violence	3	2	1	3	2	1	0	0	0	0	0	0	3	2	1
Stalking	3	0	0	1	0	0	0	0	0	0	0	0	3	0	0

ARRESTS	IWCC Campus and Centers			On-Campus Residential Facilities			NonCampus Buiding or Property			Public Property			3 year Total		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
Weapons; carrying, possessing, etc.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug abuse violations	6	4	1	6	4	1	0	0	0	0	0	0	6	4	1
Liquor law violatons	2	4	0	2	4	0	0	0	0	0	0	0	2	4	0

DISCIPLINARY ACTION	IWCC Campus and Centers			On-Campus Residential Facilities			NonCampus Buiding or Property			Public Property			3 year Total		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
Weapons; carrying, possessing, etc.	6	3	0	6	3	0	0	0	0	0	0	0	6	3	0
Drug abuse violations	40	84	82	40	84	82	0	0	0	0	2	0	40	86	82
Liquor law violatons	93	115	113	93	115	113	0	0	0	0	0	0	93	115	113

ON CAMPUS HATE CRIMES	Race			Religion			Sexual Orientation			Gender			Gender Identity			Disability			Ethnicity			National Origin		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	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	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	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	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	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	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	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	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	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	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	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	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	0	0	0	0	0	0	0	0	0	0	0	1
Destruction/damage/vand alism of property	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 HOUSING FACILITIES HATE CRIMES	Race			Religion			Sexual Orientation			Gender			Gender Identity			Disability			Ethnicity			National Origin		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	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	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	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	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	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	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	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	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	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	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	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	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	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/damage/vand alism of property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

PUBLIC PROPERTY HATE CRIMES	Race			Religion			Sexual Orientation			Gender			Gender Identity			Disability			Ethnicity			National Origin		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	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	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	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	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	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	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	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	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	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	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	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	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	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	0	0	0	0	0	0	0	0	0	0	0	0

UNFOUNDED CRIMES	IWCC Campus and Centers			On-Campus Residential Facilities			NonCampus Buiding or Property			Public Property		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
Total	0	0	0	0	0	0	0	0	0	0	0	0

## 2023 FIRE SAFETY REPORT

### 2023 Campus Fire Safety Annual Compliance Report

The Higher Education Opportunity Act (HEOA) became Public Law 110–315 in August 2008, requiring all institutions of higher education that provide residential housing facilities for students to develop an annual fire safety report. Contents of this report reflect the requirements outlined in HEOA, which are included in the Iowa Western campus fire safety program.

### Program Objectives

It is the policy of Iowa Western to endeavor through astute observation and established industry practices to promote safe environmental conditions for visitors, staff, faculty, and students that are free from foreseeable fire hazards. The primary objective of the campus fire safety program is to recognize hazardous conditions and take appropriate action before such conditions result in a fire emergency.

The goal is accomplished by:

- Conducting periodic review and update of fire prevention policies.
- Conducting fire drills in our housing facilities.
- Promote fire safety awareness by conducting training programs on fire prevention.
- Inspecting, testing, and maintaining fire protection systems.

### How to Report a Fire

Call 911 to report a fire immediately. All fires must be reported to the department of Residence Life, regardless if the fire has been extinguished. Fire reports the can be made to the following:

- Director of Residence Life: (712) 325-3487, Reiver Suites II
- Residence Life Coordinator - Reiver Suites I: (712) 325-3445, Reiver Suites I
- Residence Life Coordinator – Reiver Suites II: (712) 256-6526, Reiver Suites II
- Residence Life Coordinator - Reiver Tower and Reiver Village: (712) 388-6862, Reiver Tower
- Campus Safety and Security: (402) 659-4939, Fremont Hall Security Office
- Director of Campus Safety and Security: (712) 325-3727, Fremont Hall Security Office

### Fire Prevention Policies and Procedures



Several fire prevention policies and procedures have been developed and implemented in an effort to compliment the program objectives. Iowa Western houses students in four housing facilities on the Council Bluffs Campus.

## **A SUMMARY OF FIRE PREVENTION POLICIES AND PROCEDURES**

### **Open Flames**

Due to fire safety concerns, all candles are prohibited in housing facilities. Open flames, burning incense and smoking are prohibited

### **Appliances**

Due to safety concerns, space heaters, toasters, hot plates, foreman grills, large appliances such as freezers, portable range tops, etc., are not allowed.

### **Overloading Outlets**

Overloading outlets is dangerous. The circuit strains when it feeds the extra plugs that in turn cause conductors, plugs and receptacles to overheat. This may lead to melting wires and could start a fire.

### **Fuel and Fuel Powered Equipment**

Fuel powered equipment is prohibited in housing facilities. This includes the storage of generators, mopeds, and motorcycles. Bottles of gas and flammable fuels are strictly prohibited.

### **Holiday Decorations**

Christmas trees are strictly prohibited as they are a fire hazard.

### **Grills**

Electric, gas, smokers or charcoal grills are not allowed in on-campus housing. Residents found with grills will be subject to an administrative fee and disciplinary action.

### **Fire Safety Equipment**

Residents' proper response to fire alarms is required. At the sound of a fire alarm, residents and their guests must evacuate the building. Individuals may re-enter the building only upon receiving permission from the housing staff. Tampering with smoke/heat detectors, fire extinguishers, emergency lights, sprinklers, valves, or any other fire safety equipment is expressly prohibited. Hanging items from sprinkler heads could cause floods and significant damage to personal and College property. Anyone involved in initiating a false alarm, inappropriately discharging a fire extinguisher, or tampering with any fire safety equipment will face severe disciplinary action.

### **Tobacco Policy**

Iowa Western Community College is committed to providing a safe and healthy environment for its employees, students and visitors. In light of the Iowa Legislature's passage of The Smoke-Free Air Act (H.F. 2212) and findings of the U.S. Surgeon General that use of tobacco is a contributing factor to significant health hazards; it is the intent of the IWCC Board to establish a tobacco-free environment. Consumption of tobacco is not allowed on any College property, in any College facility, or at any College function. For the purpose of this policy, "tobacco" is defined to include any lit or unlit cigarette, cigar, pipe, bidi, clove cigarette, e-cigarette, other smoking products or any alternative smoking devices; and smokeless or spit tobacco, also known as dip, chew, snuff or snus, in any form.

1. Tobacco is prohibited in any College owned or operated buildings and residences, including offices, hallways, and foyers.
2. Tobacco is prohibited in vehicles owned or leased by the College.
3. Tobacco is prohibited in the following campus locations:
  - Building entrances, operable windows, and fresh air intake.
  - Gathering areas such as patios, gardens, and courtyards designated as non-smoking areas.
  - Outdoor events, activities, and assemblies.
  - Outdoor eating events.
  - Any vehicle located in any parking lot.

### **Fire Safety Education and Training Initiatives**

Members of the Residence Life staff receive fire safety training prior to the start of every fall semester. Topics include a review of the fire prevention policies, weather safety, and emergency evacuation procedures. Fire drills are conducted each semester with the coordination of the Facilities and Maintenance Department.

### **Fire Evacuation Procedures**

A fire extinguisher is in each Reiver Village apartment as well as in each hallway in the Reiver Tower and Reiver Suites I and II. It is the residents' responsibility to know where it is located and how to use it. In case the fire cannot be controlled by the fire extinguisher:

- Evacuate the building and immediately call 911.
- Notify Residence Life staff immediately.
- Notify residents in the neighboring units/rooms by knocking on doors on your way out of the building.
- Residents and their guests are required to evacuate the building when fire alarms sound.
- Residents and guests will not be allowed to re-enter the building until directed to do so by the Residence Life staff or Campus Safety and Security staff.

### **Mandatory Supervised Fire Drills**

Iowa Western's Residence Life Department conducts two mandatory fire drills per calendar year. The fire evacuation drills are supervised by the Facilities and Maintenance Department. The fire evacuation drills for the Reiver Tower and Reiver Suites I and II are conducted by activating each individual fire alarm system in housing facility.

### **Fire Safety Policies**

Iowa Western's fire safety regulations are intended to prevent injuries to members of the College community and physical damage to facilities. Rooms are inspected periodically, at random times, to assure compliance with College regulations. Because of the seriousness of the regulations that cover fire safety, Iowa Western takes disciplinary action on the first offense. Such actions may include the imposition of a fine by the Residence Life Department. The College has the right, moreover, to require students who violate these safety rules to vacate their accommodations with no financial credit for the remainder of the semester.

### **Fire Evacuation**

Fire evacuation practices will be held once per semester. All residents must vacate the building upon hearing the alarm, and not re-enter until an ALL CLEAR is given by staff. Failure to cooperate in evacuation of the building is a violation of state law, and violators may be prosecuted and/or fined. If a fire alarm sounds, it is critically important for evacuation to occur quickly and safely. Your safety is of the utmost importance to the Residence staff. As a residential student, you are a member of a community that truly cares for your well-being. During a fire situation, it is important to stay calm and exit the building in an orderly fashion. It is essential that you evacuate the building and relocate in the parking lots away from the building.

### **On-Campus Student Housing Fire Safety Systems**

Iowa Western has a total of four on-campus student housing facilities.

The Reiver Tower and Reiver Suites I and II are equipped with:

- Fire detection systems, including smoke detectors, pull box stations, fire sprinklers, and fire extinguishers in hallways. The fire safety systems report to All Home Central.

The Reiver Village is equipped with:

- Smoke detectors and a fire extinguisher in each individual apartment.

### **Annual Fire Safety Reports on Student Housing Fire Statistics**

Iowa Western reports 1 fire in student housing for the 2022 calendar year; there were no injuries or deaths.

## 2023 IOWA WESTERN FIRE SAFETY STATISTICS

<b>FIRES - ON CAMPUS STUDENT HOUSING FACILITIES</b>	2020	2021	2022	Total
Reiver Suites I	0	0	0	0
Reiver Suites II	0	0	0	0
Reiver Village	0	0	0	0
Reiver Tower	0	0	1	1

### **Plans for Future Improvements in Fire Safety**

Iowa Western evaluates the fire systems in residential facilities. Upgrades to the system occur through replacements or building renovations.