



2011-2013

CAMPUS SECURITY REPORT



**MARIN COMMUNITY COLLEGE DISTRICT
POLICE DEPARTMENT**

835 College Ave.
Kentfield, CA 94904
Building TB-1 Room 105
General Business Phone 415.485.9455

MESSAGE FROM THE CHIEF OF POLICE

The College of Marin Police Department hereby respectfully submits the 2013 Annual Security Report. This report, as required by the Jeanne Cleary Disclosure of Campus Security Policy and Campus Crime Statistics Act, requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses. In addition, the Act requires the College to provide policy statements regarding various safety and security measures, campus crime prevention program descriptions, and procedures to be followed during the investigation and prosecution of alleged sex offenses. According to our statistical data report, College of Marin is an extremely safe campus community with few violent assaults and minimal property crimes. There is no police department that can maintain safety alone: it must continue to be a collaborative effort with the college community. The men and women of the College of Marin Police Department are dedicated to our primary mission, which is maintaining a safe learning and working environment for our students, staff and faculty. This report contains updated crime statistics for the years of 2011, 2012 and 2013.

MITCHELL LEMAY
Chief of Police

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WHAT IS THE JEANNE CLERY DISCLOSURE ACT?

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, codified at 20 USC 1092 (f) as a part of the Higher Education Act of 1965, is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies. All public and private post secondary educational institutions participating in federal student aid programs are required to comply with it. The law, originally enacted by Congress in 1990 as the Campus Security Act, was initiated by Howard and Connie Clery after their daughter Jeanne was tragically murdered at Lehigh University in 1986. Amendments to the Act in 1998 renamed it in memory of Jeanne Clery.

The Clery Act requires colleges and universities to publish an annual report every year by October 1st that contains 3 years of crime statistics and certain policy statements including sexual assault policies which assure basic victims' rights, the law enforcement authority of campus police, and where the students should go to report crimes. The complete text of the Clery Act and the U.S. Department of Education regulations are available on the Security On Campus, Inc. web site at www.campussafety.org

The Marin Community College District Police Department is responsible for gathering crime statistics and providing safety information to all students, staff, faculty, visitors, and prospective students and employees of the District.

The annual security report for Marin Community College District 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 the Marin Community College District, and on public property within, or immediately adjacent to and accessible from the campus. In accordance with mandated reporting requirements, information concerning the monitoring and recording of any criminal activity in which students have engaged, at off campus locations and/or within student organizations that are officially recognized by the District, are gathered from local police agencies. These agencies include any City, County, State, or Federal agencies that may have relevant information and the statistics are published in this disclosure. The report also includes institutional policies concerning campus safety and security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault and other matters.

The District Police Department is aware that crimes may go unreported to law enforcement and encourages employees of the District, who have significant responsibility for students and student activities, to report any crimes that they may have become aware of in their daily contact with students to the District Police. As a reminder to those employees who have significant responsibility for students, a reporting form is sent out monthly for collection and recording of accurate statistics. Administrators, Deans, Directors, Department Heads, Faculty Advisors and Student Academic Advisors, Student Activities Advisors and Coordinators, and Athletic Coaches are all included in the notification. Classroom faculty (except for Advisors), Physicians, Psychologists, and most Clerical Staff are examples of employees who are not required to report under the Clery Act. All reports to the District Police can be made confidentially and anonymously in accordance with the reporting person's wishes. Crime prevention and personal safety information and pamphlets are available in the District Police Department in Student Health Services, and in various student and staff publications through the District.

KRISTIN SMART CAMPUS SAFETY ACT OF 1998

This Interagency Operations and Protocol Agreement, between the Marin Community College Police Department and neighboring agencies is to clarify agency jurisdiction and response responsibility as required by the *Kristin Smart Campus Safety Act of 1998*.

The California Legislature under this Act also reaffirms that campus law enforcement agencies have primary authority for providing law enforcement service on their campus.

This Act also requires law enforcement agencies to designate operational responsibility and define specific geographical boundaries of response for the investigation of Part I violent crimes of homicide, forcible rape, robbery and aggravated assaults on campus property and property controlled by the college.

The Marin Community College Police Department has primary responsibility for law enforcement response and investigations of criminal activity on District property, located within the jurisdiction of the Marin County Sheriff's Department, Central Marin Police Department, and Novato Police Department.

The Marin Community College Police Department and the Marin County Sheriff, Central Marin Police Department, and Novato Police have agreed that the Marin Community College Police Department may request the assistance at any time. Further, the College may request these agencies to assume control over investigations for serious violent Part I crimes that may be beyond the resources of the Marin Community College Police Department in accordance with existing Mutual Aid procedures.

POLICY FOR REPORTING THE ANNUAL DISCLOSURE OF CRIME STATISTICS

The District Police Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our website at www.marin.edu/police/CrimeAwareness-CleryInfo.htm. This report is a collaborative and comprehensive effort that includes the cooperation of law enforcement agencies surrounding MCCD campuses, centers, off-site facilities, and properties, and the Office of the Vice President of Student Services. Each entity provides crime statistics and/or information on their educational efforts and programs to comply with the Act.

To comply with the Act, we collect crime statistics from law enforcement agencies with concurrent law enforcement jurisdiction or jurisdiction surrounding Marin Community College District campuses, centers, off-site facilities, and properties owned or utilized by the District for college business, to include public property immediately adjacent to campuses and facilities. These law enforcement agencies provide crime statistics they have collected for crimes occurring on District properties or a radius around the properties requested. These statistics may include crimes that have occurred in private businesses and residences and is not required by law. The District does not have any off or on campus fraternity or sorority houses. Likewise, student organization recognition does not extend beyond the college, and student organizations are not recognized to engage in activity off-campus. Every paid part-time, full-time, adjunct, and short-term non-continuing student, faculty, and classified employee receive a notice through campus email, that informs them of the security report, a description of the contents, information regarding the availability of the report on the Internet, the electronic address to access the report, and a statement on how to obtain a paper copy, if desired.

Employees and students also receive this same information when completing the application process for admission or employment in person or via the Internet. Additionally, notices regarding the existence of the Security Report, a brief description of its contents, information regarding the availability of the report on the Internet with the electronic address to access the report, and a statement on how to obtain a paper copy, if desired are included in the Echo Times, Schedule of Classes, in the Community Education Schedule of Classes, the Course Catalog, and on the Admissions, Records, and Enrollment Development and Human Resources websites to inform students, employees and prospective students and employees about the existence of the Security Report, the electronic address to access the report, and information on how to obtain a paper copy, if desired. Copies of the report may also be obtained at the Marin Community College District Police Department at 835 College Ave. Kentfield Ca. 94904, Building TB-1 Room 105 or you may call Police Records at 415.485.9455.

ASSISTANCE FOR VICTIMS OF SEXUAL ASSAULTS

The District Police Department is committed to ensuring that students, employees, and other persons who have been sexually assaulted are provided treatment, medical, and counseling assistance and information, and that they are treated with sensitivity, dignity and confidentiality. Every effort is made to ensure that our educational environment promotes and assists prompt reporting of sexual assaults and provides compassionate support services for survivors. Prompt reporting of sexual assaults is encouraged. Sexual assault includes, but is not necessarily limited to, acts or attempted acts of rape, forced sodomy, forced oral copulation, rape by foreign object, sexual battery and acquaintance/date rape.

College of Marin provides confidential and trained assistance to individuals reporting a sexual assault. Primary assistance is provided through Sexual Assault Prevention training, COM's Health Center and Counseling Services at COM's Student Services. The Health Center and Counseling Services offer both immediate and ongoing response to students, including confidential crisis counseling and assistance and advocacy with the initial medical evaluation, criminal and civil procedures, and academic issues. College of Marin's Health Center also provides general medical care for students who report being sexually assaulted. However referrals are made for these students to the appropriate agencies equipped to handle the ramifications of sexual assault/battery, STD testing, and pregnancy testing.

The student may request changes in her or his academic or living situation or in that of an alleged assailant, after the student has made a report of an assault, and the campus shall grant any reasonable request for such change.

PASTORAL AND PROFESSIONAL COUNSELORS

Although counselors typically have significant responsibility and involvement in student and campus activities, they are exempt from Clery reporting requirements. They are, however, contacted and encouraged to forward non-identifying information to the District Police Department on crimes that may be reported through their offices for inclusion in the annual security report.

REPORTING THE SEXUAL ASSAULT

Sexual assaults should be reported to the law enforcement agency having jurisdiction over the location where the crime occurred. Sexual assaults that occur on campus or any District facility should be reported to District Police. When the crime occurs off District property, District Police will assist the survivor by facilitating contact with the law enforcement having jurisdiction over the location where the crime occurred. Reports may be made anonymously.

The following is a list of some of the law enforcement agencies, college departments, or support services that provide a variety of support options and resources for survivors of sexual assault.

ON-CAMPUS SUPPORT RESOURCES

MARIN COMMUNITY COLLEGE DISTRICT POLICE DEPARTMENT	(415) 485-9696	WWW.MARIN.EDU/POLICE
STUDENT HEALTH SERVICES	(415) 485-9458	WWW.MARIN.EDU/STUDENT_SERVICES/HEALTH_CENTER.HTM
VICE PRESIDENT OF STUDENT SERVICES	(415) 485-9618	JONATHAN.ELDRIDGE@MARIN.EDU
EXECUTIVE DIRECTOR OF HUMAN RESOURCES	(415) 485-9340	KRISTINA.COMBS@MARIN.EDU
DEAN OF STUDENT SUCCESS	(415) 485-9431	DEREK.LEVY@MARIN.EDU
OFFICE OF THE VICE PRESIDENT OF STUDENT LEARNING	(415) 485-9505	CARI.TORRES@MARIN.EDU

MARIN COUNTY LAW ENFORCEMENT AGENCIES

MARIN COMMUNITY COLLEGE DISTRICT POLICE DEPARTMENT	(415) 485-9455	WWW.MARIN.EDU/POLICE
BELVEDERE POLICE DEPARTMENT	(415) 435-3266	WWW.CITYOFBELVEDERE.ORG/INDEX.ASPX?NID=117
CALIFORNIA HIGHWAY PATROL	(415) 924-1100	WWW.CHP.CA.GOV
CENTRAL MARIN POLICE AUTHORITY	(415) 927-5150	HTTP://WWW.CENTRALMARINPOLICE.ORG/
FAIRFAX POLICE DEPARTMENT	(415) 453-5330	WWW.FAIRFAXPD.ORG
MARIN COUNTY SHERIFF'S DEPARTMENT	(415) 499-7250	WWW.MARINSHERIFF.ORG
MILL VALLEY POLICE DEPARTMENT	(415) 389-4100	WWW.MILLVALLEYPD.ORG
NOVATO POLICE DEPARTMENT	(415) 897-4361	WWW.CITYOFNOVATO.ORG/INDEX.ASPX?PAGE=345
ROSS POLICE DEPARTMENT	(415) 453-2727	WWW.TOWNOFROSS.ORG/PAGES/PUBLIC_SAFETY/POLICE_DEPARTMENT.HTML
SAN RAFAEL POLICE DEPARTMENT	(415) 485-3000	WWW.SRPD.ORG
SAUSALITO POLICE DEPARTMENT	(415) 289-4170	WWW.CI.SAUSALITO.CA.US/INDEX.ASPX?PAGE=154
TIBURON POLICE DEPARTMENT	(415) 789-2801	WWW.CI.TIBURON.CA.US/SERVICES/POLICE/INDEX.ASP

EMERGENCY SHELTERS

CENTER FOR DOMESTIC PEACE (ENGLISH) (24 HOUR)	(415) 924-6616	WWW.MAWS.ORG
CENTER FOR DOMESTIC PEACE (SPANISH) (24 HOUR)	(415) 924-3456	WWW.MAWS.ORG/ESPAÑOL
COMMUNITY VIOLENCE SOLUTIONS RAPE CRISIS COUNSELING	(415) 259-2850	WWW.CVSOLUTIONS.ORG/SUPPORT-SERVICES/RAPE-CRISIS-CENTER/
COMMUNITY VIOLENCE SOLUTIONS CRISIS HOTLINE	(800) 670-7273	WWW.CVSOLUTIONS.ORG/
NATIONAL 24-HOUR DOMESTIC VIOLENCE HOTLINE	(800) 799-7233	WWW.THEHOTLINE.ORG/

EMERGENCY INTERVENTION

MARIN SUICIDE PREVENTION CRISIS HOTLINE	(415) 499-1100	WWW.FSAMARIN.ORG/SPCC.HTML
MARIN MENTAL HEALTH CRISIS UNIT	(415) 499-6666	WWW.CO.MARIN.CA.US/DEPTS/HH/MAIN/MH/INDEX.CFM
CHILDREN AND FAMILY SERVICES (24 HOURS)	(415) 499-7153	WWW.1800VICTIMS.ORG/RESDETAIL.ASP?COUNTYID=21&ID=922
FAMILY EMERGENCY SHELTER	(415) 454-7418	

HEALTH AND MENTAL SERVICES

WOMEN'S HEALTH SERVICES	(415) 473-4400	WWW.MARINCLINIC.ORG
KAISER PERMANENTE	(800) 464-4000	WWW.KAISERPERMANENTE.ORG
MARIN COMMUNITY CLINIC (SAN RAFAEL)	(415) 448-1500	WWW.MARINCLINIC.ORG
FAMILY SERVICE AGENCY	(415) 491-5700	WWW.FSAMARIN.ORG
FAMILY SERVICE AGENCY GRIEF COUNSELING	(415) 499-1195	WWW.FSAMARIN.ORG/SPCC.HTML
PLANNED PARENTHOOD (MILL VALLEY)	(415) 380-8797	WWW.PLANNEDPARENTHOOD.ORG
HUCKLEBERRY HOUSE TEEN/PARENT CRISIS HOTLINE (24 HOUR)	(415) 621-2929	WWW.HUCKLEBERRYOUTH.ORG
FAMILY WORKS	(415) 492-0720	WWW.FAMILYWORKS.ORG

ALCOHOL AND DRUG SERVICES

AL-ANON AND ALATEEN (SAN RAFAEL)	(415) 455-4723	WWW.AL-ANON.ALATEEN.ORG
ALCOHOLICS ANONYMOUS	(415) 499-0400	WWW.AA.ORG
CENTER POINT	(415) 456-6655	WWW.CPINC.ORG
MARIN TREATMENT CENTER (PACE)	(415) 457-3755	WWW.MARINTREATMENTCENTER.ORG

LEGAL SERVICES

LEGAL AID OF MARIN	(415) 492-0230	WWW.LEGALAIMARIN.ORG
FAMILY AND CHILDREN'S LAW CENTER	(415) 492-9230	WWW.FACLC.ORG
LEGAL SELF HELP CENTER OF MARIN	(415) 492-1111	WWW.MARINCOURT.ORG/LEGAL_SELF_HELP_SERVICES.HTM
DISTRICT ATTORNEY / VICTIM-WITNESS	(415) 499-6450	WWW.CO.MARIN.CA.US/DA
CHILD SUPPORT SERVICES	(415) 507-4068	WWW.CO.MARIN.CA.US/DEPTS/FS/MAIN/DCSSINDEX.CFM

HOUSING SERVICES

HOMEWARD BOUND OF MARIN	(415) 382-3363	WWW.HBOFM.ORG
MILL STREET CENTER (ADULTS ONLY)	(415) 457-9561	
GILEAD HOUSE	(415) 257-3866	WWW.GILEADHOUSE.ORG
FAIR HOUSING OF MARIN	(415) 457-5025	WWW.FAIRHOUSINGMARIN.COM
MARIN HOUSING AUTHORITY	(415) 491-2525	WWW.MARINHOUSING.ORG

LGBTQI COMMUNITY

SPECTRUM COMMUNITY SERVICES	(415) 457-1115	WWW.SPECTRUMLGBTCENTER.ORG/
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BATTERER INTERVENTION PROGRAMS

MANKIND 24-HOUR HOTLINE	(415) 924-1070	WWW.CENTERFORDOMESTICPEACE.ORG/MANKIND
WOMANKIND	(415) 526-2532	WWW.MAWS.ORG/SAFETY-EMPOWERMENT

IMMIGRANT VICTIMS SERVICES

CANAL ALLIANCE	(415) 454-2640	WWW.CANALALLIANCE.ORG
CANAL WELCOME CENTER	(415) 526-2486	WWW.CWCENTER.ORG

SENIOR ADULT SERVICES

OMBUDSMAN / ELDER ABUSE	(800) 231-4024	WWW.CO.MARIN.CA.US/DEPTS/HH/MAIN/AG/PROGRAMS.CFM
ADULT PROTECTIVE SERVICES	(415) 507-2774	WWW.CO.MARIN.CA.US/DEPTS/HH/MAIN/AG/ADULT.CFM
SENIOR CITIZEN LEGAL SERVICES (M-TH: 10-4)	(415) 492-0920	
HOSPICE BY THE BAY (MARIN)	(415) 927-2273	WWW.HOSPICEBYTHEBAY.ORG

LEGAL OPTIONS

Any person who has been sexually assaulted has several legal options: criminal prosecution against the assailant; and/or civil prosecution against the assailant; and/or the College District disciplinary procedure if the assailant is an employee or student.

CRIMINAL PROSECUTION

Notification or reporting to the police agency having jurisdiction over the location where the crime or attempted crime occurred begins the criminal prosecution. If the crime occurs off campus or District properties, the District Police Department can facilitate contact for the sexual assault survivor with the appropriate law enforcement agency and/or provide information as to how to contact them.

All law enforcement agencies have trained police officers who will facilitate medical and counseling services, referrals, evidence collection and information. You will be interviewed at a location of your choice and will be allowed or offered an advocate(s) to accompany you during all aspects of the investigation. Under California law, a sexual assault survivor's name and any identifying information can't be released without the survivor's written consent. The protection of the survivor's name and any identifying information will be of the highest priority. A survivor's decision to prosecute does not necessarily have to be made during initial contact with officers and the survivor's decision determines officers' subsequent investigation protocol. Police Officers have legal authority to arrest the assailant as appropriate and to forward the case to the District Attorney's Office for criminal prosecution upon completion of the investigation. District Police will also help ensure the survivor of sexual assault has an advocate from the court, the department, community agencies, and/or friends or family of their choosing to support them through the criminal prosecution process if the survivor decides to prosecute the assailant.

CIVIL PROSECUTION

Survivors of sexual assault can consult an attorney about initiating a suit in civil court against their assailant for damages. The purpose of a civil suit is to compensate the survivor for the wrong done to them. A civil action can be brought against the assailant regardless of the decision to criminally prosecute.

COLLEGE DISTRICT RAPE AND SEXUAL ASSAULT POLICY AND RESPONSE PROCEDURES

The Marin Community College District has adopted Student Conduct Standards and the formal policy and response procedures BP3540 and AP3540 to address response to rape and sexual assault:

MARIN COMMUNITY COLLEGE DISTRICT POLICY BP 3540 GENERAL INSTITUTION BP 3540 SEXUAL AND OTHER ASSAULTS ON CAMPUS

References: Education Code Sections 67385 and 67385.7; 20 U.S. Code Section 1092(f) (Jeanne Clery Act); 34 Code of Federal Regulations Section 668.46(b)(11) (Institutional Security Policies and Crime Statistics)

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

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

DATE ADOPTED: MAY 17, 2011
(REPLACES COLLEGE OF MARIN POLICY 7.0054)

MARIN COMMUNITY COLLEGE DISTRICT PROCEDURE AP3540 AP 3540 SEXUAL AND OTHER ASSAULTS ON CAMPUS

References: Education Code Section 67385; 20 U.S. Code Section 1092(f) (Jeanne Clery Act); 34 Code of Federal Regulations Section 668.46(b)(11) (Institutional Security Policies and Crime Statistics)

Any sexual assault or physical abuse, including, but not limited to, rape, as defined by California law, whether committed by an employee, student, or member of the public, occurring on District property or on an off-campus site or facility maintained by the District or on grounds or facilities maintained by a student organization is a violation of Board policies and administrative procedures and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. (Also see AP 5500 titled Standards of Student Conduct)

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

These written procedures and protocols are designed to ensure victims of sexual assault receive treatment and information. (For physical assaults/violence, also see AP 3500 titled Campus Safety, AP 3510 titled Workplace Violence Plan, and AP 3515 titled Reporting of Crimes).

All students, faculty members, or staff members who allege they are the victims of a sexual assault on District property shall be provided with information regarding options and assistance available to them. Information shall be available from District Police, which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until District Police is authorized to release such information. Situations that fall under the auspices of mandated reporting shall be addressed according to appropriate laws and regulations. In instances involving District employees, District Police shall work with Human Resources as appropriate.

District Police shall provide all alleged victims of sexual assault with the following, upon request:

A list of personnel on campus who should be notified and procedures for notification, with the consent of the victim.

Information on District and off-campus services available to victims of sexual and other assaults, including counseling services.

A copy of the Board policy and administrative procedure regarding sexual assault.

A description of each of the following procedures:

1. criminal prosecution
2. civil prosecution (i.e., lawsuit)
3. District disciplinary procedures, both student and/or employee, as appropriate
4. modification of class schedules and
5. tutoring, if necessary

All alleged victims of sexual assault on District property shall be kept informed, through the District Police of any ongoing investigation. Information shall include the status of any student or employee disciplinary proceedings or appeal; alleged victims of sexual assault are required to maintain any such information in confidence, unless the alleged assailant has waived rights to confidentiality.

The District shall maintain the identity of any alleged victim or witness of sexual assault on District property, as defined above, in confidence unless the alleged victim or witness specifically waives that right to confidentiality. All inquiries from reporters or other media representatives about alleged sexual assaults on District property shall be referred to the District's Public Information Office, which shall work with the District Police to assure that all confidentiality rights are maintained.

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

A description of educational programs to promote the awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses

Procedures to follow if a sex offense occurs, including who should be contacted, the importance of preserving evidence to prove a criminal offense, and to whom the alleged offense should be reported

Information on a student's option to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that campus personnel will assist the student in notifying these authorities, if the student so requests

Information for students about existing on and off-campus counseling, mental health, or other student services for victims of sex offenses

Notice to students that the campus will change a victim's academic situation after an alleged sex offense and of the options for those changes, if those changes are requested by the victim and are reasonably available

Procedures for campus disciplinary action in cases of an alleged sex offense, including a clear statement that:

- a. The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding and
- b. Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged sex offense. Compliance with this paragraph does not violate the Family Educational Rights and Privacy Act. For the purposes of this paragraph, the outcome of a disciplinary proceeding means the final determination with respect to the alleged sex offense and any sanction that is imposed against the accused

A description of the sanctions the campus may impose following a final determination by a campus disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses

EDUCATION AND PREVENTION INFORMATION

The District provides information about sexual assault prevention during orientation programs. The information shall be developed in collaboration with campus-based and community-based victim advocacy organizations. In addition, sexual violence prevention and education information shall be posted on the District's website and in the Student Handbook. (Education Code Section 67385.7)

Also see AP 3500 titled Campus Safety, AP 3510 titled Workplace Violence Plan, and AP 3515 Reporting of Crimes

**OFFICE OF PRIMARY RESPONSIBILITY: COLLEGE OPERATIONS (DISTRICT POLICE DEPARTMENT)
PROPOSED PROCEDURE AS OF 09/25/2014**

MARIN COMMUNITY COLLEGE DISTRICT ADMINISTRATIVE PROCEDURE AP 3540 GENERAL INSTITUTION REVISED BY COLLEGE OPERATIONS 9.19.2014 AP 3540 SEXUAL AND OTHER ASSAULTS ON CAMPUS

References: Education Code Section 67385; 20 U.S. Code Section 1092(f) (Jeanne Clery Act); 34 Code of Federal Regulations Section 668.46(b) (11) (Institutional Security Policies and Crime Statistics)

Any sexual assault or physical abuse, including, but not limited to, rape, domestic violence, dating violence, sexual assault, or stalking, as defined by California law, whether committed by an employee, student, or member of the public, occurring on District property, in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities or at another location, or on an off-campus site or facility maintained by the District or on grounds or facilities maintained by a student organization is a violation of Board Policies and Administrative Procedures and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. (Also see AP 5500 titled Standards of Student Conduct)

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

"Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a romantic or intimate relationship will be determined based on the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.

“Domestic violence” includes felony or misdemeanor crimes of violence committed by:

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

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

These written procedures and protocols are designed to ensure victims of domestic violence, dating violence, sexual assault, or stalking receive treatment and information. (For physical assaults/violence, also see AP 3500 titled Campus Safety, AP 3510 titled Workplace Violence Plan, and AP 3515 titled Reporting of Crimes).

All students, faculty members, or staff members who allege they are the victims of a domestic violence, dating violence, sexual assault, or stalking on District property shall be provided with information regarding options and assistance available to them.

Information shall be available from District Police, which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until District Police is authorized to release such information. Situations that fall under the auspices of mandated reporting shall be addressed according to appropriate laws and regulations. In instances involving District employees, District Police shall work with Human Resources as appropriate.

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

- A list of personnel on campus who should be notified and procedures for notification, with the consent of the alleged victim.
- Information on District and off-campus services available to victims of sexual and other assaults, including counseling services, transportation to a hospital (if necessary), and a list of other available campus resources or appropriate off-campus resources.
- A copy of the Board policy and administrative procedure regarding domestic violence, dating violence, sexual assault, or stalking.
- A description of each of the following procedures:
 - a. criminal prosecution
 - b. civil prosecution (i.e., lawsuit)
 - c. District disciplinary procedures, both student and/or employee, as appropriate
 - d. modification of class schedules and
 - e. tutoring, if necessary

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

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

The District shall maintain the identity of any alleged victim or witness of domestic violence, dating violence, sexual assault, or stalking on District property, as defined above, in confidence unless the alleged victim or witness specifically waives that right to confidentiality. All inquiries from reporters or other media representatives about alleged domestic violence, dating violence, sexual assault, or stalking on District property shall be referred to the District's Public Information Office, which shall work with the District Police to assure that all confidentiality rights are maintained.

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

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

- c. A description of the sanctions the campus may impose following a final determination by a campus disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible domestic violence, dating violence, sexual offense, or stalking.

EDUCATION AND PREVENTION INFORMATION

The District provides, as a part of the orientation program, education and prevention information about domestic violence, dating violence, sexual assault, or stalking. The information shall be developed in collaboration with campus-based and community-based victim advocacy organizations. In addition, domestic violence, dating violence, sexual assault, or stalking sexual violence prevention and education information shall be posted on the District's website and in the Student Handbook. (Education Code Section 67385.7)

Also see AP 3500 titled Campus Safety, AP 3510 titled Workplace Violence Plan, and AP 3515 Reporting of Crimes

OFFICE OF PRIMARY RESPONSIBILITY: COLLEGE OPERATIONS (DISTRICT POLICE DEPARTMENT)

DATE APPROVED: APRIL 19, 2011

DATE REVISED: MARCH 3, 2012

RAPE AND SEXUAL ASSAULT RESPONSE PROCEDURES FOR MARIN COMMUNITY COLLEGE DISTRICT EMPLOYEES

Upon learning of a rape or sexual assault, it is important to support and protect the victim while following District procedures. In accordance with Federal Crime Reporting Act, in all cases where the employee has "significant responsibility dealing with student and campus activities," that employee shall maintain and report statistics on sexual assaults where the victim does not want to report the crime, to the police department. (For questions, contact the District Police Department).

IF THE VICTIM WISHES TO REPORT A SEXUAL ASSAULT: Immediately contact the District Police Department by calling 415-485-9696 or 911.

IF THE VICTIM IS NOT A MINOR, ELDER, OR DEPENDANT ADULT AND DOES NOT WISH TO REPORT: Encourage the victim to contact Health Services, Counseling, or the District Police Department to obtain referral and support services. If possible, escort the victim to the departments listed.

IF THE VICTIM IS A MINOR, ELDER OR DEPENDANT: These reports are mandated to be reported to the District Police Department.

COLLEGE DISTRICT DISCIPLINARY PROCEDURE

If the crime occurs on campus or any district property and the assailant is a student, in addition to criminal and civil action, campus administrative action may be initiated through the office of the Dean of Students. The district may sanction/discipline a student charged with sexual assault, which may include, but is not limited to: probation, counseling, suspension or expulsion.

If the assailant is a faculty or staff member, besides criminal and civil action, they may be subject to disciplinary action under applicable human resources and employment policies or collective bargaining agreements. Report suspected employee misconduct to the Director of Human Resources.

A survivor may request a change in academic arraignments after a sexual assault. The district will make every effort to accommodate such requests if the changes are reasonably available. Contact the Dean of Students office for additional information.

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

IF YOU BECOME THE VICTIM OF A SEXUAL ASSAULT

1. Get to a safe place.
2. Notify the police agency having jurisdiction of the location where the crime or attempted crime occurred. If you are unsure of the jurisdiction you may call any police agency.
3. Seek medical attention whether or not you intend to notify the police, even if you have not been seriously injured. A medical examination is important to check for sexually transmitted diseases, other infections, injuries and pregnancy.
4. Help preserve evidence. Physical evidence is paramount in helping to prosecute assailants. Evidence generally must be collected within 72 hours of the assault and only by a certified medical facility upon the request of a law enforcement agency. To preserve evidence after an attack, you should not change your clothes, bathe, shower, or take any other personal hygiene action before contacting police. If it becomes absolutely necessary that you change your clothes, each item should be packaged separately in a paper bag. If oral contact took place, do not brush your teeth, use mouthwash or smoke. Do not straighten up the crime scene.

For additional information regarding sexual assault go to www.maws.org

PUBLIC INFORMATION ABOUT REGISTERED SEX OFFENDERS ON CAMPUS

Information about certain designated persons required to register in California as sex offenders is available to students, staff, faculty, and the public by viewing the California Department of Justice's Internet web site at www.meganslaw.ca.gov. There are additional sex offenders in California that are not included on this site, but are known to law enforcement. Detailed personal profile information on individual registrants may be obtained by using a sex offender's specific name, Zip Code, or City/County listings. Additionally, the map application may be used to search individual neighborhoods throughout California to determine the specific location of any of those registrants on whom the law allows the Department of Justice to display a home address. The Internet web site does not list sex offender information specifically by a college or university name or zip code where a sex offender may work, attend, reside, or volunteer.

The Marin Community College District may have persons enrolled, employed, residing, carrying on a vocation, transient and located upon District properties, or volunteering on District facilities who have been convicted of certain sex crimes that require them to register their status as a sex offender in the State of California with the law enforcement agency having jurisdiction over where they reside and additionally with the Marin Community College District Police Department. In limited circumstances, and in compliance with Federal and State law, Marin County Law Enforcement Protocols, and District policies, the District Police may disclose the identity of a sex offender to the District community and/or to specified individuals within the District.

TIMELY WARNING CRIME ALERT BULLETINS

The District Police Department believes that a well-informed community is an integral component in maintaining the safest campuses and facilities possible. It is the policy of District to have the Police Chief, and/or designee, confer as necessary and applicable with administrators, legal counsel, and surrounding law enforcement agencies, after a violent crime occurs or a crime that is deemed by the Chief of Police and/or designee to represent a continuing threat to students, staff, faculty, or visitors and disseminate "timely warning" crime alert information within 24 to 48 hours, as well as post and disseminate hard copies of crime bulletins, alerting the campus community. Bulletins also include prevention information to assist members of our educational community from becoming a victim of a similar crime. Bulletins shall include, but are not limited to, those crimes that are listed in the Clery Act.

CRIME DEFINITIONS

The following crime definitions are used in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program.

Criminal Homicide: Manslaughter by Negligence: The killing of another person through gross negligence.

Criminal Homicide: Murder and Non Negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

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. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary: The unlawful entry of a structure with the intent to commit a felony or a theft. UCR classifies offenses locally known as burglary (any degree) as: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts at these offenses.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned--including joyriding.)

Weapon Law Violations: 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; and all attempts to commit any of the aforementioned.

Drug Abuse Violations: 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).

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

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.

Domestic Violence: Crimes of violence committed by a spouse, former spouse, intimate partner, cohabitant, former cohabitant, person with whom the suspect has had a child, or person similarly situated to a spouse under the domestic or family violence laws of the jurisdiction, or any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating Violence: Crimes of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; includes sexual or physical abuse or the threat of such abuse; does not include acts included under the definition of domestic violence.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, or means follows, monitors, observes, surveils, threatens, or communicates.

(THE FOLLOWING SEX OFFENSE DEFINITIONS ARE EXCERPTED FROM THE NATIONAL INCIDENT-BASED REPORTING SYSTEM EDITION OF THE UNIFORM CRIME REPORTING PROGRAM.)

Sex Offenses - Forcible: 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 capable of giving consent.

- a. Forcible Rape: The carnal knowledge of a 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 because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
- b. Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- c. Sexual Assault with an Object: The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of 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 because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- d. Forcible Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, 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 because of his/her youth or because of his/her temporary or permanent mental incapacity.

Sex Offenses - Non Forcible: Unlawful, non-forcible sexual intercourse.

- a. Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- b. Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent

CRIME STATISTICS 2011-2013

The following statistics are being provided as part of the Marin Community College District's commitment to safety and security on campus and to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

The statistics are reported crimes that have occurred on-campus, in non-campus areas, and in public areas adjacent to campus. These statistics also include data received from other law enforcement agencies in response to annual requests.

Crime statistics reported as occurring "on-campus" include incidents reported to the District Police Department as well as incidents reported to other campus officials, including but not limited to directors, deans, student affairs, the Vice President of Student Services, advisors to students, student organizers, and athletic coaches.

Reports received from campus officials may have been submitted anonymously and may result in criminal statistics higher than those reported to the FBI by District Police pursuant to their reporting guidelines. The listed "crime definitions" will help you understand these statistics. Hard copies of this information are available upon request from the District Police Department. If you have any questions, please contact the District Police Records Unit at 415-485-9455.

HATE CRIMES

Hate Crimes: "Hate crimes" are crimes that, upon investigation, manifest evidence that the victim was intentionally selected because of the perpetrator's bias. Clery Act statistics for hate crimes are derived from any of the Clery Act reportable crimes listed in the Crime Definitions section and, beginning in 2009, the following additional crimes. Note: Non-Criminal hate incidents are not included.

Larceny/Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Note: Constructive possession is defined by Black's Law Dictionary, 6th edition, as "where one does not have physical custody or possession, but is in a position to exercise dominion or control over a thing."

Simple Assault: 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.

Intimidation: 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.

Destruction/Damage/Vandalism of Property (Except Arson): 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.

The District does not condone hate violence and is responsible for ensuring that the rights guaranteed by state law and the U.S. Constitution are protected for all people regardless of their ethnicity, race, national origin, religion, sex, sexual orientation, disability, or political/religious beliefs of that person or group. Unlawful discrimination and grievance procedures are formalized in District Policies AP3430 and AP3435 which can be found in the Health and Safety Policies section of this report.

REPORTED HATE CRIMES 2011

CRIMINAL OFFENSE	TOTAL	RACE	RELIGION	SEXUAL ORIENTATION	GENDER	DISABILITY	ETHNICITY / NATIONAL ORIGIN
MURDER/ NON-NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0
SEX OFFENSES - FORCIBLE	0	0	0	0	0	0	0
SEX OFFENSES - NON FORCIBLE	0	0	0	0	0	0	0
INCEST	0	0	0	0	0	0	0
STATUTORY RAPE	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0
SIMPLE ASSAULT	0	0	0	0	0	0	0
LARCENY THEFT	0	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0	0
DESTRUCTION / DAMAGE / VANDALISM OF PROPERTY	0	0	0	0	0	0	0

REPORTED HATE CRIMES 2012

CRIMINAL OFFENSE	TOTAL	RACE	RELIGION	SEXUAL ORIENTATION	GENDER	DISABILITY	ETHNICITY / NATIONAL ORIGIN
MURDER/ NON-NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0
SEX OFFENSES - FORCIBLE	0	0	0	0	0	0	0
SEX OFFENSES - NON FORCIBLE	0	0	0	0	0	0	0
INCEST	0	0	0	0	0	0	0
STATUTORY RAPE	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	1	1	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0
SIMPLE ASSAULT	0	0	0	0	0	0	0
LARCENY THEFT	0	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0	0
DESTRUCTION / DAMAGE / VANDALISM OF PROPERTY	0	0	0	0	0	0	0

SPECIAL CATEGORY–STUDENT DISCIPLINARY REFERRALS

WEAPONS, DRUGS AND LIQUOR LAW VIOLATIONS

KENTFIELD CAMPUS									
ARREST	ON CAMPUS			NON-CAMPUS			PUBLIC PROPERTY		
CATEGORY	2011	2012	2013	2011	2012	2013	2011	2012	2013
WEAPONS	0	0	0	0	0	0	0	0	0
DRUGS	0	0	0	0	0	0	0	0	0
LIQUOR	0	0	0	0	0	0	0	0	0

INDIAN VALLEY CAMPUS									
ARREST	ON CAMPUS			NON-CAMPUS			PUBLIC PROPERTY		
CATEGORY	2011	2012	2013	2011	2012	2013	2011	2012	2013
WEAPONS	0	0	0	0	0	0	0	0	0
DRUGS	0	0	0	0	0	0	0	0	0
LIQUOR	0	0	0	0	0	0	0	0	0

DAILY LOG ACCESS

The District Police Department maintains a daily log of officer activity and calls for police service for the most recent 60-day period. The log is open for public inspection during normal business hours of 8:00 a.m. - 5:00 p.m., Monday - Friday. Log entries older than 60 days can be obtained by request within 2 business days. The daily log can also be accessed through the College of Marin Police Department website at: www.marin.edu/police/press-log.html

LAW ENFORCEMENT AUTHORITY

The District Police Department is a full-service, fully certified, police agency within the State of California staffed by sworn peace officers 24 hours a day, 7 days a week, every day of the year. The District Police Department is not a branch of any other law enforcement agency.

The Police Officers are vested with law enforcement powers pursuant to California Penal Code Section 830.32(a) and California Education Code Section 72330, have police authority throughout the state, and primary law enforcement jurisdiction for all crimes occurring on District properties. Police officers have full powers of arrest, enforce local, state and federal laws both on and off campus, and as full peace officers, their police authority includes concurrent law enforcement jurisdiction on adjacent streets and in the communities surrounding District properties. The District Police Department also complies with the Kristin Smart Campus Safety Act by maintaining formal operational agreements with law enforcement agencies sharing concurrent law enforcement jurisdiction to ensure prompt law enforcement response and collaboration in incidents requiring inter-agency cooperation. Police Officers employed by the District meet all training requirements as mandated by the California Commission on Peace Officer Standards and Training and actually are mandated to have more training than county or municipal law enforcement officers. Each Police Officer has graduated from a regional police academy, completed a rigorous field

training program, and must complete a probationary period. Additionally, each police officer is updated in training throughout the year to include firearms, defensive tactics, first aid/CPR, and legal updates.

Officers also receive many hours of specialized training to include crime prevention, sexual assault investigation, emergency preparedness and response, evidence collection, domestic violence response, and more and attend countywide and statewide police planning and training meetings and conferences. All officers also receive specific training designed to meet the diverse needs of the educational community. Law enforcement duties and responsibilities of police officers are identical to municipal police departments or sheriff departments in your home community.

FACILITY ACCESS AND SECURITY

AP 3501 CAMPUS SECURITY AND ACCESS

Reference: 34 Code of Federal Regulations Part 668.46(b)(3)

During business hours, the District will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours access to all District facilities is by key, if issued, or by admittance via the District Police. In the case of periods of extended closing, the District will admit only those with prior written approval to all facilities.

Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic will have regular periodic security surveys. The Chief Business Officer and administrators from other concerned areas review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications. Additionally, during the academic year, the Director of Facilities Planning, Maintenance & Operations and District Chief of Police shall meet to discuss campus security and access issues of pressing concern.

OFFICE OF PRIMARY RESPONSIBILITY: DISTRICT POLICE DEPARTMENT

REPORTING CRIMES AND EMERGENCIES

Criminal activity and other emergencies that occur on campus should be reported to the District Police Department immediately. District police officers respond to all on-campus reports of fire, police, or medical emergencies.

The District Police Department has primary law enforcement jurisdiction for all criminal incidents that occur on campuses and District facilities. This includes incident investigation, follow-up, and resolution. If you are off-campus and are uncertain of the police jurisdiction you are in, your emergency call will be properly routed by dialing 911. For non-emergency information, contact any Marin County police agency and the dispatcher will refer you to the agency with primary jurisdiction over your incident.

Emergencies on-campus: For all police, fire, and medical emergencies call 911 from any phone on campus. District Police Officers will be dispatched to all crimes in progress and other emergencies along with appropriate fire and medical personnel as necessary.

Non-emergencies on-campus: The non-emergency, business telephone number to reach the District Police Department is 415-485-9455. This number should be utilized to report property crimes such as theft from a car or building, or to obtain non-emergency police services and information such as fingerprinting, parking citation information, requests for safety escorts to and from parking lots and buildings, and crime prevention information.

Emergencies non-campus facilities and off-campus: The non-campus facilities and off-campus emergency telephone number in Marin County is "9-1-1." Use this number for community-based fire, police, and medical services. The call is free from all payphones. When dialing 9-1-1 from a cellular telephone, you may be connected to the California Highway Patrol Dispatch Center in Benicia, CA so you will need to provide dispatchers with the county, city, and specific location where emergency response is needed.

PROPOSED PROCEDURE AS OF 09/25/2014

MARIN COMMUNITY COLLEGE DISTRICT ADMINISTRATIVE PROCEDURE AP 3515 GENERAL INSTITUTION AP 3515 REPORTING OF CRIMES

References: Education Code Sections 212 and 87014; Penal Code Sections 245 and 11160; Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998; 20 U.S. Code Section 1232g; 34 Code of Federal Regulations Part 668.46; 34 Code of Federal Regulations Part 99.31(a)(13), (14); Campus Security Act of 1990

Members of the Marin Community College District who are witnesses or victims of a crime should immediately report the crime to District Police.

In the event an employee is assaulted, attacked, or menaced by a student, the employee should notify the District Police and shall notify his/her supervisor as soon as practical after the incident. The supervisor of any employee who is attacked, assaulted, or menaced shall assist the employee to promptly report the attack or assault to the District Police if the employee has not done so already. The supervisor himself/herself shall make the report if the employee is unable or unwilling to do so. Reporting a complaint to local law enforcement will not relieve the District of its obligation to investigate all complaints of harassment.

The District will instruct members of the District Police Department to notify students and employees complaining of sexual violence of their right to file a sex discrimination complaint with the District in addition to filing a criminal complaint, and to report incidents of sexual violence to Chief Human Resources Officer if the complainant consents.

The District shall publish warnings to the campus community about the following crimes:

- Criminal homicide - murder and non-negligent manslaughter;
- Criminal homicide - negligent manslaughter;
- Sex offenses - forcible and non-forcible sex offenses;
- Domestic violence, dating violence and stalking
- Robbery;
- Aggravated assault;
- Burglary;
- Motor vehicle theft;
- Arson;

- Arrests for liquor law violations, drug law violations, and illegal weapons possession;
- Persons who were not arrested for liquor law violations, drug law violations, and illegal weapons possession, but who were referred for campus disciplinary action for same;
- Crimes that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability and involve larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property, or any other crime involving bodily injury;
- Those reported to the District Police; and
- Those that are considered to represent a continuing threat to other students and employees.

In the event that a situation arises, either on or off campus, that, in the judgment of the District Police Chief, constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The warning will be issued through the District notification system(s) to students, faculty, staff and the campus' student newspaper. The information shall be disseminated by District Police in a manner that aids the prevention of similar crimes.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the District Police Chief may also post a notice on the campus-wide electronic bulletin board on the District's web site at: www.marin.edu, providing the community with more immediate notification. The electronic bulletin board is immediately accessible via computer by all faculty, staff, and students. Anyone with information warranting a timely warning should report the circumstances to the District Police Department, by phone at 911 or in person at the District Police Department Headquarters at 835 College Avenue, Kentfield, CA.

The District shall not be required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor. The Clery Act defines pastoral counselor as a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor. The definition of a professional counselor is a person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his/her license or certification. This definition applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution. To be exempt from disclosing reported offenses, pastoral or professional counselors must be acting in the role of pastoral or professional counselors. This means that a dean of students who has a professional counselor's license, but is employed by the institution only as a dean and not as a counselor, is not exempt from reporting.

If there is an immediate threat to the health or safety of students or employees occurring on campus, the District shall follow its emergency notification procedures.

The District shall annually collect and distribute statistics concerning crimes on campus. All District staff with significant responsibility for student and campus activities shall report crimes about which they receive information.

The District shall publish an Annual Security Report every year that contains statistics regarding crimes committed on campus and at affiliated locations for the previous three years. The Annual Security Report shall also include policies pertaining to campus security, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, victims' assistance program, student discipline, campus resources, and other matters. The District shall make the report available to all current students and employees.

The District will also provide perspective students and employees with a copy of the Annual Security Report upon request. A copy of the Annual Security Report can be obtained by contacting the District Police Department located at 835 College Avenue, Kentfield, CA 94904.

TO REPORT A CRIME

Contact the District Police Department at 415-485-9696 (non-emergencies) and dial 911 (emergencies only). Any suspicious activity or person seen in the parking lots or loitering around vehicles or inside buildings should be reported to the District Police Department. In addition, individuals may report a crime to the following areas:

Chief Student Services Officer

415-485-9618

Chief Counseling Officer

415-485-9432

Chief Student Health Officer

415-485-9462

Chief Human Resources Officer

415-485-9331

If the individual is the victim of a crime and does not want to pursue action within the District's System or the criminal justice system, the individual may still want to consider making a confidential report. With the individual's permission, the District Police Department can file a report on the details of the incident without revealing his/her identity. The purpose of a confidential report is to comply with the individual's wish to keep the matter confidential, while taking steps to ensure the future safety of himself/herself and others. With such information, the District can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

The District Police Department encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the District Police Department cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other campus security authorities as identified below. Confidential reports of crime may also be made to Chief Human Resources Officer at 415-485-9331.

The District may disclose the final results of disciplinary proceeding to a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, regardless of the outcome. The District may also disclose to anyone, the final results of a disciplinary proceeding in which it concludes that a student violated District policy with respect to a crime of violence or non-forcible sex offense. The offenses that apply to this permissible disclosure are:

- Arson
- Assault offenses
- Burglary
- Criminal homicide - manslaughter by negligence
- Criminal homicide - murder and non-negligent manslaughter

- Destruction, damage, or vandalism of property
- Kidnapping or abduction
- Robbery
- Forcible sex offenses

OFFICE OF PRIMARY RESPONSIBILITY: COLLEGE OPERATIONS

DATE APPROVED: FEBRUARY 17, 2009

DATE REVISED: MAY 21, 2013

HEALTH AND SAFETY POLICIES

DRUG AND ALCOHOL POLICIES / DRUG FREE CAMPUS

The Marin Community College District complies with the Drug Free Workplace Act of 1990 and the Higher Education Act Section 120a...

The Marin Community College District is committed to achieving a drug and alcohol free environment for students and employees.

The Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989 require that, as a condition of receiving funds or financial assistance under any Federal program, Marin Community College District must create and maintain a drug-free environment and implement a program to prevent the unlawful possession, use, or distribution of drugs, and the abuse of alcohol, by its students and employees.

In addition to being a violation of Federal and State laws, the possession and/or use of alcohol, the unlawful manufacture, distribution, dispensing, possession or use of illegal controlled substances on Marin Community College District campuses, off-campus centers, workplace site of employees, or at any District-sponsored event is prohibited. No one may use illegal substances, or abuse legal substances, including alcohol, in a manner which impairs performance of assigned tasks. Violators of this prohibition are subject to criminal prosecution and/or disciplinary action, including reprimand, probation, suspension or expulsion, and/or termination from employment. This is formalized in District Policy 3550, and the Student Conduct Standards stated below:

MARIN COMMUNITY COLLEGE DISTRICT POLICY NO. 3550 GENERAL INSTITUTION BP 3550 DRUG AND ALCOHOL FREE ENVIRONMENT AND DRUG PREVENTION PROGRAM

References: 20 U.S. Code Section 1145g (Drug Free Schools and Communities Act); 41 U.S. Code Section 702 (Drug Free Workplace Act of 1988); 34 Code of Federal Regulations Sections 86.1 et seq.; Business and Professions Code Section 25608

The District shall be free from the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in all facilities under the control and use of the District.

Any student or employee who violates this policy will be subject to disciplinary action, which may include referral to an appropriate rehabilitation program, suspension, demotion, expulsion, or dismissal.

The Superintendent/President shall assure that the District distributes annually to each student the information required by the Drug Free Schools and Communities Act Amendments of 1989 and complies with other requirements of the Act.

See BP/AP 3560 titled Alcohol on Campus

DATE ADOPTED: DECEMBER 14, 2010
(REPLACES COLLEGE OF MARIN POLICY 5.0035)

MARIN COMMUNITY COLLEGE DISTRICT POLICY BP 3560
GENERAL INSTITUTION
BP 3560 ALCOHOLIC BEVERAGES

Reference: Business and Professions Code Section 25608

The Superintendent/President is authorized to enact procedures as appropriate and permitted by law regarding serving alcoholic beverages on campus or at fund-raising events held to benefit non-profit corporations. Alcoholic beverages shall not be served on campus except in accordance with these procedures.

ALSO SEE BP/AP 3550 TITLED DRUG AND ALCOHOL FREE ENVIRONMENT AND DRUG PREVENTION PROGRAM
DATE ADOPTED: JULY 19, 2011

MARIN COMMUNITY COLLEGE DISTRICT POLICY BP 3570
GENERAL INSTITUTION
BP 3570 SMOKE FREE LEARNING AND WORKING ENVIRONMENT

References: Government Code Sections 7596, 7597, and 7598; Labor Code Section 6404.5; Education Code Sections 70902 and 76033(e); Penal Code Sections 602 and 853.6; Vehicle Code Section 4000.1; Marin County Ordinance 3464

The Board recognizes the relationship between smoking and various health risks, including lung disease, cancer and heart disease. Furthermore, a strong link between environmental tobacco smoke or "secondhand smoke" and health risks has also been demonstrated.

Therefore, the Board prohibits smoking by all employees, students, and visitors at all times on any District property EXCEPT in Designated Smoking Areas. District property refers to any and all buildings, parking lots, District vehicles, as well as property on the Kentfield Campus, the Indian Valley Campus, and the Bolinas Marine Lab property.

The term smoking in this policy refers to cigarette, cigar, pipe, or other means of smoking.

ALSO SEE AP 3570 TITLED SMOKE FREE LEARNING AND WORKING ENVIRONMENT
OFFICE OF PRIMARY RESPONSIBILITY: COLLEGE OPERATIONS
DATE ADOPTED: JANUARY 20, 2009
(REPLACES COLLEGE OF MARIN POLICY 8.006)
DATE REVISED: JULY 19, 2011

STANDARDS OF CONDUCT

BP 5500 STANDARDS OF CONDUCT

References: ACCJC Accreditation Standard II.A.7.b; Education Code Sections 48900(q), 66300, 66301, 66450, 67361, 67362, 76033, 76120, 78907, 81600, and 87708; Government Code Sections 995 et seq.; Business and Professions Code Section 4240; Health and Safety Code Sections 11014.5 and 11053; Penal Code Sections 415, 502, and 626.2

The Standards of Conduct governing students shall be implemented in accordance with the requirements for due process of the federal and state law and regulations.

The Standards of Conduct shall identify potential disciplinary actions that may be taken for violations of the standards of conduct described in this policy, including but not limited to the removal, suspension or expulsion of a student.

The Board of Trustees shall consider any recommendation from the Superintendent/President for expulsion. The Board shall consider an expulsion recommendation in closed session unless the student requests that the matter be considered in a public meeting. Final action by the Board on the expulsion shall be taken at a public meeting.

Information on inappropriate student conduct and disciplinary actions shall be made widely available to students through the District catalog and other relevant District publications.

When a student is suspended or expelled for disrupting the orderly operations of a District campus or facility, or both, the student shall be denied access to the campus or facility, or both, for a period of one year or the term of the suspension, whichever is shorter. Sanctions imposed as a result of violations of the student standards of conduct are intended to maintain order within the District.

The Administrative Dean who authorized the sanctions shall give written notice to the student's instructor(s) of the sanctions within 15 days of imposing the sanctions.

The following conduct shall constitute good cause for discipline, including but not limited to removal, suspension or expulsion of a student when the conduct relates to college activity or college attendance.

1. Assault, battery, or attempted assault or battery, or any threat of force or violence upon a student or District personnel.
2. Possession, sale or otherwise furnishing any firearm, dirk, dagger, ice pick, knife, explosive or other dangerous object, including but not limited to any facsimile of the foregoing objects, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from the Chief of Police who has the concurrence of the Superintendent/ President. Possession of a knife does not violate this provision if possession is at the direction of an academic employee for use in a District-sponsored activity or class, for a lawful purpose within the scope of the student's employment with the District, or for lawful use in food preparation or consumption. Also see BP/AP 3530 titled Weapons on Campus
3. Unlawful possession, use, sale, offering to sell, or furnishing, or being under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind; or any poison defined in Business and Professions Code Section 4240, or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
4. Committing, or attempting, or being an accomplice to robbery or extortion.
5. Causing or attempting to cause damage to district property or to private property on campus.

6. Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen District property, or knowingly receiving stolen private property on campus.
7. Willful or persistent smoking in any area where smoking has been prohibited by law or regulation of the District.
8. Committing sexual harassment as defined by law or by District policies and procedures.
9. Engaging in harassing or discriminatory behavior based on ethnic group identification, national origin, religion, age, sex or gender, race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, genetic information, or on the basis of one or more of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.
10. Willful misconduct which results or has the potential to result in injury or death to a student or to District personnel or which results in cutting, defacing, or other damage to any real or personal property owned by the District or on campus. The District may require students who cause damage to replace property or pay the cost of damages.
11. Continued disruptive behavior, continued willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent interruption or abuse of, District personnel.
12. Cheating, plagiarism (including plagiarism in a student publication), or knowingly engaging in other forms of academic dishonesty, including, but not limited to:
 - a. Copying, in part or whole, from someone else's quiz, examination, or work. For purpose of this item, "examination" includes quizzes, tests, and other graded or evaluated exercise.
 - b. Submitting work presented previously in another course, if contrary to the rules of either course.
 - c. Altering or interfering with grading.
 - d. Using or consulting any sources or materials, including electronic devices, not authorized by the professor during an examination.
 - e. Committing other acts which defraud or misrepresent one's own academic work.
 - f. Incorporating sentences, paragraphs, or parts of another person's writing, without giving appropriate credit, and representing the product as one's own work.
 - g. Representing another's artistic/scholarly works (such as musical compositions, computer programs, photographs, paintings, drawings, or sculptures) as one's own.
 - h. Submitting an academic assignment purchased from a research/term paper service, or written by another individual; or work obtained electronically (e.g. via the internet) and representing it as own work.
 - i. Purposefully allowing another student to copy from your paper during an examination.
 - j. Giving your homework, term paper, or other academic work to another student to plagiarize.
 - k. Having another person fraudulently submit any work in your name.
 - l. Lying to an instructor or District official to improve your grade.
 - m. Allowing other persons to misrepresent themselves as the student for any purpose, including interacting with any District employees, submission of work, attendance, or taking examinations.

- n. Misrepresenting circumstances in an effort to improve a grade.
 - o. Altering graded work after it has been returned and then submitting the work for regarding without the instructor's permission.
 - p. Removing tests or examinations from the classroom or other area without the approval of the instructor.
 - q. Stealing or being an accomplice to stealing tests or examinations.
 - r. Forging signatures on drop/add slips or altering other District documents.
13. Dishonesty; forgery; alteration or misuse of District documents, records or identification; or knowingly furnishing false information to the District.
 14. Unauthorized possession, duplication, or use of keys to any District premises or unauthorized entry upon or use of District facilities.
 15. Engaging in expression which is, libelous or slanderous; or which so incites others as to create a clear and present danger of the commission of unlawful acts on District premises or at District sponsored or supervised functions, or the violation of lawful District administrative procedures, or the substantial disruption of the orderly operation of the District.
 16. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
 17. Unauthorized preparation, giving, selling, transferring, distributing, or publishing for any commercial purpose, of any contemporaneous recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to handwritten or typewritten class notes, except as permitted by any District Policy or Administrative Procedure.
 18. The use by a student of any electronic listening or recording device in any classroom without the prior consent of the instructor, except as necessary to provide reasonable auxiliary aids and academic adjustments or accommodations to a student with a disability.
 19. Violation of BP/AP 3720 titled Information Technology Use or any conduct that constitutes a computer-related crime pursuant to Penal Code Section 502.
 20. The offering of any inducement or item of value to influence the awarding of any grade or to alter any official District record.
 21. Solicitation or acceptance of money or other item of value as an inducement, encouragement, or reward for intercollegiate participation in violation of Education Code Section 67361 or false declarations regarding eligibility for participation in intercollegiate athletics under Education Code Section 67362.
 22. Accessing and/or disclosing confidential District information, including student records, without authorization. Also see BP/AP 3300 titled Public Records, BP/AP 4231 titled Grade Changes, and BP/AP 5040 titled Student Records.
 23. Failure to obey federal, state, and local laws in connection with District attendance or activity.
 24. Tampering with the election of any student organization recognized by the District.
 25. Hazing defined as a "method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a

former, current, or prospective pupil. For purposes of this subdivision, 'hazing' does not include athletic events or school-sanctioned events." (Education Code Section 48900(q))

26. Abuse of the Student Conduct System, including but not limited to:

- a. Failure to obey the summons of the Student Conduct Hearing Committee or District official.
- b. Falsification, distortion, or misrepresentation of information.
- c. Disruption or interference with the orderly conduct of a judicial proceeding or Student Conduct Hearing Committee.
- d. Attempting to discourage an individual's proper participation in, or use of, the District judicial system.
- e. Attempting to influence the impartiality of a member of a judicial body prior to, and/or during the course of, the judicial proceeding or Student Conduct Hearing Committee.
- f. Failure to comply with the sanctions imposed under the Standards of Conduct and/or Education Code.
- g. Influencing or attempting to influence another person to commit an abuse of the judicial system.

27. Operating bicycles or motorized bicycles, skateboards, roller skates, roller blades, scooters, and other similar devices on any property owned, maintained, or controlled by the District in violation of AP 6850 titled Bicycles, Skateboards, Roller Skates, Roller Blades, Scooters and Other Similar Devices on Campus.

Students who engage in any of the above conduct are subject to the procedures outlined in AP 5520 titled Student Discipline Procedures.

Also see BP/AP 6850 titled Bicycles, Skateboards, Roller Skates, Roller Blades, Scooters and Other Similar Devices on Campus, AP 6520 titled Security for District Property, BP/AP 3410 titled Nondiscrimination, and BP/AP 3900 titled Speech: Time, Place, and Manner

DATE ADOPTED: MAY 17, 2011
(REPLACES COLLEGE OF MARIN POLICIES 4.0020, 4.0022, AND 4.0025)

WEAPONS POSSESSION

BP 3530 WEAPONS ON CAMPUS

Reference: Penal Code Section 626.7

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

AP 3530 WEAPONS ON CAMPUS

Reference: Penal Code Section 626.7

Firearms, knives, explosives, or other dangerous objects, including but not limited to any facsimile firearm, knife, or explosive, are prohibited on all District property.

Activities involving firearms or other weapons conducted under the direction of District officials or as

authorized by an official law enforcement agency shall be reported to the District Police before taking place.

Any person who believes that he or she may properly possess a firearm or other weapon on District property or other facility of the District must promptly notify the District Police. Bringing or possessing any dirk, dagger, ice pick, or knife having a fixed blade longer than 2 1/2 inches upon District property, unless the person is authorized to possess such a weapon in the course of his or her employment, has been authorized by a District employee to have the knife, or is a duly appointed peace officer, who is engaged in the performance of his or her duties.

OFFICE OF PRIMARY RESPONSIBILITY: COLLEGE OPERATIONS

WORKPLACE VIOLENCE

BP 3510 WORKPLACE VIOLENCE PLAN

References: 8 Cal. Code Regs. Section 3203; “Workplace Violence Safety Act of 1994” (Code of Civil Procedure Section 527.8 and Penal Code Sections 273.6 and 12021) Cal/OSHA: Labor Code Sections 6300 et seq.;

The Board of Trustees is committed to providing a District work and learning environment that is free of violence and the threat of violence. The Board’s priority is the effective handling of critical workplace violence incidents, including those dealing with actual or potential violence.

The Superintendent/President shall establish administrative procedures that assure that employees are informed regarding what actions will be considered violent acts, and requiring any employee who is the victim of any violent conduct in the workplace, or is a witness to violent conduct to report the incident, and that employees are informed that there will be no retaliation for such reporting.

AP 3510 WORKPLACE VIOLENCE PLAN

References: Cal/OSHA – Labor Code Sections 6300 et seq.; Title 8 Section 3203; Code of Civil Procedure Section 527.8; Penal Code Sections 273.6, 626.9, 626.10, and 12021

Responding to Threats of Violence

The top priority in this process is to immediately respond and address critical workplace incidents, especially those dealing with actual or potential violence.

Violence or the threat of violence against or by any employee of the District or any other person is unacceptable.

Should a non-employee on District property demonstrate or threaten violent behavior, he/she may be subject to criminal prosecution.

Should an employee, during working hours, demonstrate or threaten violent behavior he/she may be subject to disciplinary action and/or criminal prosecution.

The following actions are considered violent acts:

1. Striking, punching, or assaulting another person
2. Fighting or challenging another person to fight
3. Engaging in dangerous, threatening, or unwanted horseplay

4. Possession, use, or threat of use, of a firearm, knife, explosive, or other dangerous object, including but not limited to any facsimile firearm, knife, or explosive, on District property, including parking lots, other exterior premises, District vehicles, or while engaged in activities for the District in other locations, unless such possession or use is a requirement of the job
5. Threatening harm or harming another person, or any other action or conduct that implies the threat of bodily harm
6. Bringing or possessing any dirk, dagger, ice pick, or knife having a fixed blade longer than 2½ inches upon the grounds, unless the person is authorized to possess such a weapon in the course of his/her employment, has been authorized by a District employee to have the knife, or is a duly appointed peace officer who is engaged in the performance of his/her duties

Any employee who is the victim of any violent threatening or harassing conduct, any witness to such conduct, or anyone receiving a report of such conduct, whether the perpetrator is a District employee or a non-employee, shall immediately report the incident to the District Police Department, Human Resources, and his/her supervisor.

No person, acting in good faith, who initiates a complaint or reports an incident under this policy will be subject to retaliation or harassment.

Any employee reported to be a perpetrator shall be afforded due process before disciplinary action is taken.

In the event the District fears for the safety of the perpetrator or the safety of others at the scene of the violent act, the District Police and/or appropriate law enforcement personnel will be called.

**OFFICES OF PRIMARY RESPONSIBILITY: HUMAN RESOURCES
COLLEGE OPERATIONS (DISTRICT POLICE DEPARTMENT)**

HARASSMENT AND DISCRIMINATION

BP 3430 PROHIBITION OF HARASSMENT

References: Education Code Sections 200, 212.5, 44100, 66252, and 66281.5; Government Code Sections 12920 and 12950.1; Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000e

All forms of harassment are contrary to basic standards of conduct between individuals and are prohibited by state and federal law, as well as this policy, and will not be tolerated. The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation. It shall also be free of other unlawful harassment, including that which is based on any of the following statuses: race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation of any person, or because he or she is perceived to have one or more of the foregoing characteristics.

The District seeks to foster an environment in which all employees and students feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of harassment or for participating in a harassment investigation. Such conduct is illegal and constitutes a violation of this policy. All allegations of retaliation will be swiftly and thoroughly investigated. If the District determines that retaliation has occurred, it will

take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Any student or employee who believes that he or she has been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3435 titled Discrimination and Harassment Investigations. Supervisors are mandated to report all incidents of harassment and retaliation that come to their attention.

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities, and compensation.

To this end, the Superintendent/President shall ensure that the institution undertakes education and training activities to counter discrimination and to prevent, minimize, and/or eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The Superintendent/President shall establish procedures that define harassment on campus. The Superintendent/President shall further establish procedures for employees, students, and other members of the campus community that provide for the investigation and resolution of complaints regarding harassment and discrimination and procedures for students to resolve complaints of harassment and discrimination. All participants are protected from retaliatory acts by the District, its employees, students, and agents.

This policy and related written procedures shall be widely published and publicized to administrators, faculty, staff, and students, particularly when they are new to the institution. They shall be available for students and employees in all administrative offices.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion.

AP 3430 PROHIBITION OF HARASSMENT

References: Education Code Sections 212.5, 44100, and 66281.5, Title 5 Sections 59320 et seq., Title IX, Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000e

The District is committed to providing an academic and work environment free of unlawful harassment.

This procedure defines sexual harassment and other forms of harassment on campus, and sets forth a procedure for the investigation and resolution of complaints of harassment by or against any staff or faculty member or student within the District.

DEFINITIONS

General Harassment: Harassment based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation of any person, or the perception that a person has one or more of these characteristics is illegal and violates District policy. Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment. For example, repeated derisive comments about a person's competency to do the job, when based on that person's gender, could constitute gender-based harassment. Harassment comes in many forms, including but not limited to the

following conduct:

Verbal: Inappropriate or offensive remarks, slurs, jokes or innuendoes based on a person's race gender, sexual orientation, or other protected status. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status, or sexual orientation, unwelcome flirting or propositions, demands for sexual favors, verbal abuse, threats, or intimidation, or sexist, patronizing, or ridiculing statements that convey derogatory attitudes based on gender, race nationality, sexual orientation, or other protected status.

Physical: Inappropriate or offensive touching, assault, or physical interference with free movement. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling, or sexual gestures.

It also includes any physical assault or intimidation directed at an individual due to that person's gender, race, national origin, sexual orientation, or other protected status.

Visual or Written: The display or circulation of visual or written material that degrades an individual or group based on gender, race, nationality, sexual orientation, or other protected status. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics, or electronic media transmissions.

Environmental: A hostile academic or work environment exists where it is permeated by sexual innuendo, insults or abusive comments directed at an individual or group based on gender, race, nationality, sexual orientation, or other protected status, or gratuitous comments regarding gender, race, sexual orientation, or other protected status that are not relevant to the subject matter of the class or activities on the job.

A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements in the classroom or work environment. It can also be created by an unwarranted focus on, or stereotyping of, particular racial or ethnic groups, sexual orientations, genders, or other protected statuses. An environment may also be hostile toward anyone who merely witnesses unlawful harassment in his or her immediate surroundings, although the conduct is directed at others. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's learning or work.

Sexual Harassment: In addition to the above, sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature when:

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

This definition encompasses two kinds of sexual harassment:

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

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

Sexually harassing conduct can occur between people of the same or different genders. The standard for determining whether conduct constitutes sexual harassment is whether a reasonable person of the same gender as the victim would perceive the conduct as harassment based on sex.

Examples: Harassment includes, but is not limited to the following misconduct:

- a. Verbal: Inappropriate or offensive remarks, slurs, jokes, or innuendoes based on a person’s protected status, including but not limited to sex. This may include, but is not limited to, inappropriate comments regarding an individual’s body, physical appearance, attire, sexual prowess, marital status, or sexual orientation, unwelcome flirting or propositions, demands for sexual favors, verbal abuse, threats, or intimidation of a sexual nature, or sexist, patronizing, or ridiculing statements that convey derogatory attitudes about a particular gender.
- b. Physical: Inappropriate or offensive touching, assault, or physical interference with free movement. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling, or sexual gestures.
- c. Visual or Written: The display or circulation of offensive sexually oriented or other discriminatory visual or written material. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics, or electronic media transmissions.
- d. Environmental: An academic or work environment that is permeated with racially or sexually-oriented talk, innuendo, insults, or abuse not relevant to the subject matter of the class or activities on the job. A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements in the classroom or work environment. An environment may be hostile if unwelcome sexual behavior or other harassing behavior based on a protected status is directed specifically at an individual or if the individual merely witnesses unlawful harassment in his or her immediate surroundings. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual’s learning or work.

CONSENSUAL RELATIONSHIPS

Romantic or sexual relationships between supervisors and employees, or between administrators, faculty or staff members and students are discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships. A conflict of interest may arise if the administrator, faculty, or staff member must evaluate the student’s or employee’s work or make decisions affecting the employee or student. The relationship may create an appearance of impropriety and lead to charges of favoritism by other students or employees. A consensual sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing. In the event that such relationships do occur, the District has the authority to transfer any involved employee to eliminate or attenuate the supervisory authority of one over the other, or of a teacher over a student. Such action by the District is a proactive and preventive measure to avoid possible charges of harassment and does not constitute

discipline against any affected employee.

Academic Freedom

To the extent the harassment policies and procedures are in conflict with the District's policy on academic freedom, the harassment policies and procedures shall prevail. If the faculty member wishes to use sexually explicit materials in the classroom as a teaching technique, the faculty member must review that use with an administrator to determine whether or not this violates the sexual harassment policy.

OFFICE OF PRIMARY RESPONSIBILITY: HUMAN RESOURCES.

DATE APPROVED: NOVEMBER 6, 2008

EMERGENCY PREPAREDNESS

BP 3500 EMERGENCY PREPAREDNESS

Reference: Education Code Section 67380(a)(4)

The Board of Trustees is committed to a safe and secure District work and learning environment. To that end, the Superintendent/President shall establish a District Safety Plan with minimum disruption to the educational program and ensure that it is posted or otherwise made available to students. The District Safety Plan shall include availability and location of security personnel, methods for summoning assistance of District Police, any special safeguards that have been established, any actions taken in the preceding 18 months to increase safety, and any changes in safety precautions to be made during the next 24 months.

The Superintendent/President and/or designee is authorized to close District facilities, including the campuses, delay the opening of the campuses, or dismiss classes early for emergency reasons and to protect the health and safety of the campus community.

The Superintendent/President shall develop procedures for responding to District emergencies and shall ensure that:

1. District employees maintain a standard of care for supervision, control and protection of students commensurate with assigned duties and responsibilities.
2. District employees immediately report to the Superintendent/President or designee an accident or a safety hazard.
3. Students are not required to perform work or services which may be detrimental to their health.

AP 3500 EMERGENCY PREPAREDNESS

References: Education Code Section 212, 67380, and 87014, Penal Code Section 245, 20 U.S. Code Sections 1232(g) and 1292(f), 34 Code of Federal Regulations Section 668.46, 34 Code of Federal Regulations Sections 99.31(a)(13) and (14), Campus Security Act of 1990

A District Safety Plan shall be developed and is provided to students and District employees via publications and the District's website.

The District Police Department prepares and annually updates a report of all occurrences reported to campus police of and arrests for crimes that are committed on campus and that involve violence, hate violence, theft or destruction of property, illegal drugs, or alcohol intoxication, and of all occurrences of noncriminal acts of hate violence reported to campus authorities. Upon request, a written report will be submitted to the Board of Trustees.

Written records of noncriminal acts of hate violence shall include at least a description of the act of hate violence, the victim characteristics, and offender characteristics, if known.

Definitions

Prevention activities: increase awareness and minimize the potential for crisis in the workplace. Training is essential for all staff to learn how to recognize early warning signs, so that appropriate intervention can be provided for identified areas of conflict in the workplace.

Crisis or conflict constitutes any inappropriate or unreasonable disruption that interferes with the normal functioning of your work.

Acts of violence include any physical action, whether intentional or reckless, that harms or threatens the safety of self, another individual, or property.

A threat of violence includes any behavior that by its very nature could be interpreted by a reasonable person as intent to cause physical harm to self, another individual, or property.

Workplace includes off-campus locations as well as District sponsored activities where faculty, staff, or student employees are engaged in District business or locations where incidents occur as a result of the person's relationship to the District community.

Crisis and Conflict Intervention

Any employee experiencing an unsafe work condition should immediately contact his/her supervisor or the Human Resources Office. The supervisor shall immediately notify the Human Resources Office about any acts or threats of violence or intimidation. The employee will be provided consultation regarding resources available to resolve the unsafe work condition. It is the responsibility of all employees to immediately report threats, acts of violence, intimidation, or any other behavior which deliberately hurts or harms another person in the District to their immediate supervisor and District Police Department. Such reports will be promptly and thoroughly investigated.

Crisis Intervention Team

The Crisis Intervention Team is established to provide regular training and advice to individuals and departments. Training activities may include, but not be limited to, skill development in conflict resolution, communication, anger management, and early identification of any threat to personal safety. Team advising activities may include individual consultations, peer mediation, conflict resolution services, and referral to outside sources. Immediately upon notification of an act of violence or threat of violence or intimidation involving an employee, the team member notified will initiate Crisis Intervention Team procedures as stated below. In the event of an act or threat of violence or intimidation, the team will investigate the incident and forward the results of the completed investigation to the Human Resources Office for consideration. Law enforcement will take appropriate action if the incident involves injuries or criminal activity. The team will coordinate available resources to provide intervention, consultation, or referral which may include arranging for counselors to work with victims and observers of the incident.

Restraining Orders/Court Orders

An employee shall notify law enforcement of any restraining orders/court orders when named as a plaintiff and provide a copy of the order to District Police Department. In the event the supervisor is informed by an employee of a restraining order, the supervisor will contact District Police Department to ensure they are aware of it and that they have a copy of the restraining order on file.

OFFICE OF PRIMARY RESPONSIBILITY: COLLEGE OPERATIONS

**MARIN COMMUNITY COLLEGE DISTRICT PROCEDURE AP 3500
GENERAL INSTITUTION
AP 3500 CAMPUS SAFETY**

References: Education Code Section 212, 67380, and 87014; Penal Code Section 245 and 422.55; 20 U.S. Code Sections 1232(g) and 1292(f); 34 Code of Federal Regulations Section 668.46; 34 Code of Federal Regulations Sections 99.31(a)(13) and (14); Campus Security Act of 1990

A District Safety Plan shall be developed and is provided to students and District employees via publications and the District's website.

The District Police Department prepares and annually updates a report of all occurrences reported to campus police of and arrests for crimes that are committed on campus and that involve violence, hate violence, theft or destruction of property, illegal drugs, or alcohol intoxication, and of all occurrences of non-criminal acts of hate violence reported to campus authorities. Upon request, a written report will be submitted to the Board of Trustees.

Written records of non-criminal acts of hate violence shall include at least a description of the act of hate violence, the victim characteristics, and offender characteristics, if known.

For purposes of reporting under the Clery Act, "hate crimes" include domestic violence, dating violence, and stalking.

Definitions

Prevention activities increase awareness and minimize the potential for crisis in the workplace. Training is essential for all staff to learn how to recognize early warning signs, so that appropriate intervention can be provided for identified areas of conflict in the workplace.

Crisis or conflict constitutes any inappropriate or unreasonable disruption that interferes with the normal functioning of your work.

Acts of violence include any physical action, whether intentional or reckless, that harms or threatens the safety of self, another individual, or property.

A threat of violence includes any behavior that by its very nature could be interpreted by a reasonable person as intent to cause physical harm to self, another individual, or property.

Workplace includes off-campus locations as well as District-sponsored activities where faculty, staff, or student employees are engaged in District business or locations where incidents occur as a result of the person's relationship to the District community.

Education Code Section 67380 defines "hate violence" as: "any act of intimidation or physical harassment, physical force or physical violence, or the threat of physical force or physical violence, that is directed against any person or group of persons or the property of any person or group of persons because of ethnicity, race, national origin, sex, sexual orientation, gender identity, gender expression, disability, or political or religious beliefs of that person or group." Section 67380 requires reporting of both occurrences to Campus Police of, and arrests for, crimes that involve hate violence (Section 67380(a)(1)(A) and of "non-criminal acts of hate violence" (Education Code Section 67380(a)(1)(B)).

Crisis and Conflict Intervention

Any employee experiencing an unsafe work condition should immediately contact his/her supervisor or the Human Resources Office. The supervisor shall immediately notify the Human Resources Office about any acts or threats of violence or intimidation. The employee will be provided consultation regarding resources available to resolve the unsafe work condition.

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In the event of an act or threat of violence or intimidation, the team will investigate the incident and forward the results of the completed investigation to the Human Resources Office for consideration. Law enforcement will take appropriate action if the incident involves injuries or criminal activity.

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PROPOSED PROCEDURE AS OF 09/25/2014

OFFICE OF PRIMARY RESPONSIBILITY: COLLEGE OPERATIONS

DATE APPROVED: FEBRUARY 12, 2009

(REPLACES COLLEGE OF MARIN PROCEDURE 7.0009 DP.1)

DATE REVISED: MAY 21, 2013

EMERGENCY RESPONSE PLAN

BP 3505 EMERGENCY OPERATIONS PLAN

References: Education Code Sections 32280 et seq. and 71095; Government Code Sections 3100 and 8607(a); 19 California Code of Regulations (CCR) Sections 2400-2450; National Fire Protection Association 1600; Homeland Security Act of 2002; Homeland Security Presidential Directive-5; Executive Order S-2-05; 34 Code of Federal Regulations Part 668.46(g)

The District shall have emergency response and evacuation procedures for notifying the campus community in the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

The Superintendent/President shall establish procedures that ensure that the District implements a plan to be activated in the event of an emergency, or the occurrence of a natural disaster or hazardous condition. This plan must comply with the National Incident Management System (NIMS), the Standardized Emergency Management System (SEMS) and should incorporate the functions and principles of the Incident Command System (ICS), the Master Mutual Aid Agreement (MMAA) and any other relevant programs. The plan must incorporate NIMS and SEMS to facilitate the coordination between and among

agencies in the event of an emergency or natural disaster.

Compliance with NIMS and SEMS mandates include but are not limited to:

1. Establishing disaster preparedness procedures or a plan and
2. Completion of training sessions by college personnel in compliance with NIMS and SEMS guidelines
 - a. Training requirements vary based on job titles or assigned roles within the emergency management plan

District personnel must be informed that as public employees, they are also disaster service workers during national, state, and local emergencies. The District must ensure that its employees are in compliance with the disaster service worker oath requirements.

The Superintendent/ President should ensure that a team is created to carry out compliance with NIMS and SEMS mandates. The responses to emergencies or natural disasters are organized by SEMS into five categories: field response, local government, operational areas, regions, and state.

The plan should contain information regarding activation and chain of command responsibilities. Compliance with NIMS mandates requires planning and incorporation for all phases of emergency management including mitigation and prevention, preparedness, response, and recovery. The District must ensure that its disaster plan is updated regularly and must comply with NIMS and SEMS to receive state or federal funding.

AP 3505 EMERGENCY OPERATIONS PLAN

References: Education Code Sections 32280 et seq. and 71095; Government Code Sections 3100 et seq., 8558, 8559, 8600, 8605, and 8607(a); Homeland Security Act of 2002; National Fire Protection Association 1600; Homeland Security Presidential Directive-5; Executive Order S-2-05; 19 California Code of Regulations (CCR) Sections 2400-2450; 34 Code of Federal Regulations Part 668.46(b)(13) and (g)

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

General information about the emergency response and evacuation procedures for the District are publicized each year as part of the District's Clery Act compliance efforts and that information is available on the District web site via the Police Department link.

All members of the campus community are notified on an annual basis that they are required to notify the District Police Department of any incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and employees on campus. District Police Department 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. In addition, District Police Department has a responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the community. If so, 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.

Upon confirmation or verification by the District that a legitimate emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus, the District will determine the content of the message and will use some or all of the systems described below to communicate the threat to the 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 District will, without delay, take 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 District Police Department, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In the event of a serious incident that poses an immediate threat to members of the campus community, the District has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus community. These methods of communication include network emails, emergency text messages that can be sent to a cell phone (individuals can sign up for this service on the District web site), public address system in specific buildings, District website. The District will post updates during a critical incident on the District web site at www.marin.edu. Individuals can call the District's recorded information telephone line at 415-457-8811 for updates.

The District's Public Information Officer will be responsible for the dissemination of emergency information to the larger community through cell phone alerts to parents/guardians, radio, TV alerts.

TESTING EMERGENCY RESPONSE AND EVACUATION PROCEDURES

An evacuation drill is coordinated by the District Police Department once per year for campus facilities. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The District Police Department has established primary evacuation locations in advance. However, these locations may be subject to change due to time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. The District Police Department and District staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

Evacuation drills are monitored by the District Police Department and District administration to evaluate egress and behavioral patterns. Reports are prepared by participating departments which identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments and offices for consideration.

The District conducts numerous announced and unannounced drills and exercises each year and conducts follow-through activities designed for assessment and evaluation of emergency plans and capabilities. District Police Department and District administration coordinate announced and unannounced evacuation drills once per year, as described above, to test the emergency response and evacuation procedures, and to assess and evaluate the emergency evacuation plans and capabilities. For each test conducted, District Chief of Police or Designee will document a description of the exercise, the date, time, and whether it was announced or unannounced. The District will publish a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year.

In the event of an emergency, natural disaster or the occurrence of a hazardous condition the District must ensure the activation of a plan or procedures to protect and govern employees, students, visitors and children in childcare programs on its campuses and facilities. The District should implement a campus emergency management team to aid in creation and implementation of its emergency procedures or plan.

The District's Emergency Operations Plan should adopt California's Standardized Management System (SEMS) and the National Incident Management System (NIMS). The purpose of SEMS is to provide a standardized response to emergencies involving multiple jurisdictions or multiple agencies. Compliance with requirements includes the use of the basic principles and components of emergency management which include the Incident Command System (ICS), multi-agency or inter-agency coordination, the

operational area concept and established mutual aid systems. SEMS and NIMS both utilize ICS. ICS is the combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure that is responsible for the management of resources to effectively accomplish the District's stated objectives in response to an incident.

For major incidents NIMS provides a consistent nationwide template to ensure that local, state, and federal agencies work together to prepare for, prevent, respond to, and recover from incidents. The following are criteria and areas that should be included in the District's Emergency Response Plan.

Compliant emergency response plans provide information on preparedness, prevention, response, recovery, and mitigation policies and procedures.

Compliant emergency response plans also provide information on coordinating with the appropriate local, state, and federal government authorities, and nongovernmental entities on comprehensive emergency management and preparedness activities.

SEMS

Below is information that specifically relates to SEMS and compliance with SEMS. State agencies are required by law to use SEMS. There are five designated levels in the SEMS organization: field response, local government, operational areas, regions, and state. Each level is activated as needed.

- "Field response level" commands emergency response personnel and resources to carry out tactical decisions and activities in direct response to an incident or threat.
- "Local government level" manages and coordinates the overall emergency response and recovery activities within their jurisdiction.
- "Operational area level" manages and/or coordinates information, resources, and priorities among local governments within the operational area and serves as the coordination and communication link between the local government level and the regional level.
- "Regional level" manages and coordinates information and resources among operational areas within the mutual aid region designated pursuant to Government Code Section 8600 and between the operational areas and the state level. This level along with the state level coordinates overall state agency support for emergency response activities.
- "State level" manages state resources in response to the emergency needs of the other levels, manages and coordinates mutual aid among the mutual aid regions and between the regional level and state level, and serves as the coordination and communication link with the federal disaster response system.

The local government level, operational area level, regional level, and the state level shall include the following functions:

- Management,
- Operations,
- Planning/intelligence,
- Logistics, and
- Finance/Administration.

Training

The District shall determine the appropriate level(s) of SEMS training for each of its employees. This

determination is dependent upon the employee's potential assignment during an emergency response situation. The District should ensure that its emergency response personnel can demonstrate and maintain, the minimum SEMS performance objectives, at the appropriate level, is required by the District's training programs.

Compliance with SEMS

To be compliant with SEMS requirements the District must include the five essential SEMS functions in its Emergency Response Plan. To be in compliance with SEMS, the Emergency Response Plan must at minimum, address the following functions:

- Management,
- Operations,
- Logistics,
- Planning/Intelligence, and
- Finance/Administration.

Local government must use SEMS in order to be eligible for state funding for response-related personnel costs which occur in response to an incident. The District shall use SEMS to coordinate multiple jurisdiction or multiple agency emergency and disaster operations.

In the event that a local emergency occurs and the Governor declares a state of emergency, if the District responds to said emergency, the District shall complete and transmit an after action report to the California Office of Emergency Services (OES) within 90 days of the close of the incident period. The after action report shall at a minimum include a review of the response actions taken, the application of SEMS, the identified training needs, suggested modifications to SEMS, necessary modifications to the SEMS plans and procedures and an up to date recall of the recovery actions.

NIMS

The District must also be in compliance with the federal requirements for emergency preparedness or NIMS.

The components of NIMS are:

- Command and Management including ICS,
- Preparedness,
- Resource Management,
- Communications and Information Management,
- Supporting Technologies, and
- NIMS Management and Maintenance.

COMPLIANCE WITH NIMS

To comply with NIMS requirements, the District must ensure that its employees receive the appropriate NIMS training. NIMS compliance is measured by a performance-based "metrics" system. In addition to the training requirements, the District must also comply with state and federal preparedness laws for public institutions.

The District can work with the Disaster Resistant California Community Colleges (DRCCC) program to ensure it's in compliance with state and federal requirements.

Definitions

The following definitions may be relevant to the implementation of the Emergency Response Plan:

Emergency: a condition of disaster or of extreme peril to the safety of persons and property caused by such conditions as air pollution, fire, flood, hazardous material incident, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestations or disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake or other conditions, other than conditions resulting from a labor controversy.

Incident: an occurrence or event, either human-caused or by natural phenomena, that requires action by emergency response personnel to prevent or minimize loss of life or damage to property and/or natural resources.

Incident Command System (ICS): the nationally used standardized on-scene emergency management concept specifically designed to allow its user(s) to adopt an integrated organizational structure equal to the complexity and demands of single or multiple incidents without being hindered by jurisdictional boundaries. ICS is the combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure, with responsibility for the management of resources to effectively accomplish stated objectives pertinent to an incident.

Office of Primary Responsibility: College Operations

CAMPUS NOTIFICATION BY COM CONNECT

College of Marin has implemented COM Connect to stay connected with students and faculty and provide them with information in the event of an emergency.

COM Connect is a mass notifications system that enables College of Marin officials to reach students and faculty with personalized messages to create a more connected community and enhancing safety and preparedness.

In case of an emergency, College of Marin can use COM Connect to provide critical updates before, during, and after an incident.

The Office of the President, Vice President of Operations, Chief of Police and Police Sergeant can communicate to the campus through each individual's preferred mode, including

1. Voice
2. Text
3. Email
4. TTY/TDD devices (for the hearing impaired)
5. Posts to RSS feeds, Facebook, and Twitter

**PLEASE CONTACT CAMPUS POLICE AT 415-485-9455 WITH ANY QUESTIONS
COLLEGE OF MARIN POLICE DEPARTMENT 835 COLLEGE AVE. KENTFIELD, CA 94904**



**Marin Community College District
Police Department**
835 College Ave.
P.O. Box 521
Kentfield, CA 94914-0521

Kentfield Campus
835 College Ave.
Kentfield, CA 94904

Indian Valley Campus
1800 Ignacio Blvd.
Novato, CA 94949