

**October 2024**

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**ANNUAL  
SECURITY  
&  
FIRE SAFETY  
REPORT**

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**PURPOSE:**

- A. Des Moines Area Community College and the Public Safety Department are committed to providing the highest level of quality campus safety and security services to the College community. The College and Public Safety Department recognize the extreme value in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and have developed these procedures to maintain compliance.
- B. The Public Safety Department, by October 1<sup>st</sup> of each year, prepares, publishes, and distributes to current students and employees, and to applicants for enrollment and employment, via the Public Safety web site and, in writing upon request, the Annual Security and Fire Safety Report (ASFSR) which contains information with respect to Public Safety policies and procedures, campus crime statistics, and campus fire safety statistics.
  - 1. A link to the ASFSR is delivered to all current students and employees along with other required compliance consumer information.
  - 2. DMACC maintains multiple campuses and centers, and all are included in the ASFSR.

**SECURITY REPORT**

**REPORTING OF CRIMES AND EMERGENCIES:**

- A. To ensure a safe and secure campus environment, students, staff, faculty, and visitors are encouraged and expected to report all suspected criminal activity and/or emergencies.
- B. To report suspected criminal activity and/or emergencies, call Public Safety (Dispatch) by dialing (515) 964-6500 or 5-6500 from a campus phone. Non-emergencies should also be reported by using the same listed phone numbers.
  - 1. If the report requires an emergency response from local police, fire, EMS, or other emergency services, reporting persons should also call 911 or 8-911 from a campus phone.
  - 2. Reporting persons have the option of making an anonymous report of a crime.
  - 3. The College does employ professional counselors and therefore does have a means for making confidential reports as needed.
- C. The College outsources security services to a third-party contractor – Securitas Security Services USA, Inc. Public Safety officers are appropriately scheduled to maintain a safe and secure campus environment. Public Safety will respond to all reports of criminal activity and emergencies. Actual response time may be affected by factors including the number of Public Safety officers on duty and their needed involvement in other criminal activities or emergencies at the time of the report. Public Safety officers are trained to prioritize reports based on emergency potential. Public Safety will investigate all reported incidents, even in those cases when no criminal activity is detected, and criminal prosecution is not anticipated.

**TIMELY WARNINGS OF REPORTS:**

- A. To keep the campus community well informed of necessary information regarding criminal activity and emergencies, Public Safety will issue timely warnings. The issuance of timely warnings is primarily the responsibility of the Director of Public Safety.
- B. Timely warnings consist of reports made to the campus community related to crimes reported to Public Safety or other local authorities that are considered a threat to other students, staff, faculty, or visitors. These reports

to the campus community will be provided in a manner that is timely and that will aid in the prevention of similar occurrences.

- C. Timely warnings may be sent via campus e-mail, posted on the Public Safety website, posted in the form of a flyer on campus bulletin boards, and/or posted using the College's InformaCast emergency messaging system.
- D. The Director of Public Safety is the primary point of contact for all reports made for the purpose of timely warnings and the annual statistical disclosure.
- E. The Public Safety Department maintains a close working relationship with local law enforcement agencies with which the College has concurrent jurisdiction. These local authorities notify Public Safety when any crimes or incidents occur that might warrant the issuance of a timely warning to the campus community.

**DAILY LOG:**

- A. The Public Safety Department maintains a daily log whereby incidents reported to Public Safety or other local authorities, made known to Public Safety, are recorded.
- B. The daily log includes the date, time, nature, general location, and disposition, if known, of the reported incident.
- C. Daily log entries are, except where disclosure of the information is prohibited by law or disclosure would jeopardize the confidentiality of the victim, open to public inspection within two business days of the initial report.
- D. New information relating to a daily log entry is recorded not later than two business days after the new information becomes available.
- E. Release of information may be delayed, if there is clear and convincing evidence that the release of information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence.

**CRIME PREVENTION PROGRAMS:**

- A. College students, staff, faculty, and visitors are primarily responsible for their own safety and should make every effort to make their surroundings as safe and secure as possible. Links relating to crime prevention are available on the Public Safety website.
- B. Public Safety offers selected crime prevention informational meetings and training to both students and employees. Crime Prevention information is provided to new employees at the time they are hired and to new students during orientation.
- C. For specific information on crime prevention programs, contact Public Safety.
- D. In conjunction with Public Safety crime prevention programming, Public Safety also provides new students and employees with information regarding Public Safety practices and procedures.

**CRIME STATISTICS:**

- A. In accordance with federal law, Public Safety takes several steps to ensure that required crime statistics are compiled accurately and completely for the most recent calendar year as well as the three preceding calendar years. The Director of Public Safety is primarily responsible for compiling annual crime statistics.

1. The Director of Public Safety communicates annually with records personnel from the local law enforcement agencies which have concurrent jurisdiction with the College and Student Affairs, to collect required crime statistics data.
  2. The Director of Public Safety sends an annual campus-wide e-mail notice asking for all employees who are considered a Campus Security Authority (CSA) to report any information on campus crime statistics that were reported to them during the year.
    - a. Definition of Campus Security Authority:
      - i. A campus police department or a campus security department of an institution.
      - ii. Individuals who have responsibility for campus security but do not constitute a campus police department or a campus security department, such as individuals who are responsible for monitoring entrance into institutional property.
      - iii. Individuals or organizations specified in the institution's statement of campus security policy as individuals or organizations to which students and employees should report criminal offenses.
      - iv. An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor, the official is not considered a Campus Security Authority when acting as a pastoral or professional counselor.
  3. The College does not have procedures for voluntary, confidential reporting of crime statistics for inclusion in the annual crime statistics, including such procedures in conjunction with counseling services.
  4. Once data has been collected, the Director of Public Safety organizes and reports the information on the Annual Security and Fire Safety Report (ASFSR) and files a copy of this report with the U.S. Department of Education, as required by law.
- B. Crime statistics are compiled in accordance with the crime definitions used in the Uniform Crime Reporting (UCR) system of the Department of Justice and Federal Bureau of Investigation and the National Incident-Based Reporting System (NIBRS) edition of the UCR handbook. Modifications in these definitions are used as implemented in the Hate Crimes Statistics Act. Crime statistics do not identify victims of crimes or persons accused of crimes.
- C. Crime statistics are collected as required by law for the following crimes and violations:
1. Murder/ Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.
  2. Negligent Manslaughter: The killing of another person through gross negligence.
  3. 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.
  4. 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 using 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.)

5. Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.
6. 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.)
7. 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.
8. Hate Crimes: Crimes involving bodily injury to any person in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim.
9. Weapon Law Violations: 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.
10. Drug Law 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, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
11. 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.)
12. 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 incapable 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.

13. 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.
  14. Domestic Violence: Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
  15. Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
  16. Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her safety or the safety of others or suffer substantial emotional distress.
- D. For purposes of reporting crime statistics with respect to the above listed crimes, Public Safety distinguishes, by means of separate categories, criminal offenses that occur on campus property, in or on a non-campus building or property, and on public property.
1. On-Campus: Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).
  2. Non-Campus Building or Property: Any building or property owned or controlled by a student organization recognized by the institution; and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.
  3. Public Property: All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.
- E. Public Safety will monitor, with assistance from the local law enforcement agencies with which the College has concurrent jurisdiction, any criminal activities occurring at off-campus locations recognized by the College as student organizations or off-campus locations where students regularly engage in educational activities.
- F. Crime Statistics by Campus/Center Location:





























13. Templeton:

Calendar Year 2023	On-Campus				On-Campus Residential				Non-Campus Property				Public Property				Grand Total
	Reported to:				Reported to:				Reported to:				Reported to:				
	DMACC	Local Police	Non-Police	Sub Total	DMACC	Local Police	Non-Police	Sub Total	DMACC	Local Police	Non-Police	Sub Total	DMACC	Local Police	Non-Police	Sub Total	
Murder, Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Disciplinary Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Disciplinary Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Law Disciplinary Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

  

Calendar Year 2022	On-Campus				On-Campus Residential				Non-Campus Property				Public Property				Grand Total
	Reported to:				Reported to:				Reported to:				Reported to:				
	DMACC	Local Police	Non-Police	Sub Total	DMACC	Local Police	Non-Police	Sub Total	DMACC	Local Police	Non-Police	Sub Total	DMACC	Local Police	Non-Police	Sub Total	
Murder, Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Disciplinary Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Disciplinary Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Law Disciplinary Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

- a. No hate crimes were reported in the calendar year 2023.
- b. Templeton is a new facility remodeled and opened in the spring of 2023.

**EMERGENCY RESPONSE AND EVACUATION PROCEDURES:**

- A. Many of the College’s buildings are equipped with emergency audio speaker systems which Public Safety utilizes to broadcast emergency messages, using InformaCast, immediately upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, staff, faculty, or campus visitors.
- B. Public Safety will, without delay, considering the safety of the campus community, determine the content of the notification and initiate the emergency notification, unless the notification will, in the professional judgment of Safety and Security, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.
- C. Public Safety, depending upon the type of emergency, will confer with the Incident Command Team and Policy Group to confirm that there is a significant emergency, will then decide the content of the emergency notification and who should be notified, and will then initiate the appropriate notification.

- D. Public Safety, the Incident Command Team, and Policy Group, when available, are responsible for conferring during an emergency to determine the appropriate emergency notification and response.
- E. The College also utilizes InformaCast to deliver emergency information to students, staff, faculty, and any others that may be inquiring as to the status of an emergency at the College.
- F. Emergency response procedures are included in the College Emergency Operations Plan. Emergency response procedure posters are displayed in various locations across all campuses.
- G. The College's emergency notification mechanisms are tested at least annually, and the College conducts a several emergency drills throughout the year. These tests are documented to include a description of the exercise/drill, date, and time, and whether it was announced or unannounced.
- H. InformaCast:
  - 1. Students and employees are automatically signed up to receive emergency alerts through InformaCast.
  - 2. Parents or other concerned individuals may sign up to receive emergency alerts through InformaCast by downloading the InformaCast application and clicking on the appropriate campus location.

**ROLE OF PUBLIC SAFETY:**

- A. Public Safety officers are appropriately scheduled to maintain a safe and secure campus environment.
- B. Public Safety officers are responsible for the enforcement of college policies, rules and regulations and will involve local law enforcement as needed.
  - 1. Public Safety officers are non-sworn security officers and do not possess the powers provided to police officers in the State of Iowa. Public Safety employs a combination of armed and unarmed officers.
- C. Public Safety maintains a close working relationship with local law enforcement agencies with which the College has concurrent jurisdiction. These local law enforcement agencies respond promptly when their presence is requested on college property.
  - 1. The Director of Public Safety and the Public Safety Supervisor maintain liaison with these local agencies and meet formally and informally with administrators from these agencies to discuss issues relating to Public Safety.
  - 2. The College does have on-campus and off-campus housing which requires the monitoring and recording of student on- and off-campus criminal activity.
- D. In accordance with Public Safety policies and procedures, Public Safety officers will effectively handle all situations on campus within the scope of their duties, responsibilities, and authority. Public Safety officers will call for and assist local law enforcement agencies when situations reach outside of that scope.

**MAINTENANCE AND ACCESS TO CAMPUS FACILITIES:**

- A. College facilities exist to support the principal functions of education and community service. In addition to academic classrooms, laboratories, and offices, the College has recreation, athletics, housing, administrative support, maintenance, utility facilities, etc.

- B. The College generally seeks to maintain open access to its facilities, but also exercises the right to restrict access to facilities (e.g., access to security, laboratory, maintenance, and utility facilities is restricted for safety and operational purposes).
  - 1. After hours, during holidays or breaks, and during other College closings, campus facilities will be locked, and access is limited to those with proper authorization.
  - 2. Public Safety is responsible for campus access and will regulate campus facilities access authorization. Most campus buildings utilize electronic card access control systems to grant access to campus facilities to authorized employees.
  - 3. Access to campus facilities, other than those facilities for which an employee is authorized, can only be obtained with permission from the employee's supervisor and Public Safety.
  
- C. Maintenance of campus facilities continues to play a vital role in the overall safety and security of the campus in general. Public Safety, in conjunction with Facilities Planning and Management, work diligently to ensure campus facilities are safe and secure for all staff, faculty, students, and visitors.
  - 1. Parking lots, sidewalks, crosswalks, and building exteriors are appropriately lit after dark. Public Safety officers regularly survey exterior campus lighting and report any malfunctions as part of their daily duties.
  - 2. Public Safety and other key employees conduct regular safety and hazard inspections which include inspections of campus building exterior doors, windows, access control systems, alarms, and life safety equipment and report any hazards per reporting requirements.
  - 3. Exterior plants, shrubbery, and trees are maintained in such a way as to prevent security breaches and potential perpetrator hiding places.
  - 4. Most campus buildings utilize CCTV surveillance video camera equipment. The CCTV system is monitored by Public Safety (Dispatch).
  - 5. Members of the campus community are encouraged and expected to assist Public Safety and Facilities Planning and Management in continuing their efforts to maintain safe and secure campus facilities, by reporting any potential hazards as soon as they are discovered.
  
- D. Housing:
  - 1. The Campus View Apartments on the Ankeny Campus are not owned or operated by DMACC. The Campus View Apartment security policy can be obtained from the Campus View Housing Manager at 515-954-7474.
  - 2. Borgen Square Apartments on the Boone Campus are owned and operated by DMACC. Public Safety patrols the Borgen Square Apartments. In addition to Public Safety, the Boone Police Department regularly patrols campus and assists with investigations of criminal activities as needed.
  - 3. New Hope Village Apartments in Carroll are not owned or operated by DMACC. The Carroll Police Department regularly patrols this complex and assists with investigations of criminal activities as needed.

**STUDENT CONDUCT AND CRIMINAL ACTIVITY AT OFF-CAMPUS LOCATIONS:**

- A. The DMACC Student Conduct, Discipline and Appeals Procedure applies to conduct that occurs on DMACC property, at DMACC sponsored activities (including study abroad programs), at clinical sites, attendance centers

or any College facility, and off-campus conduct that adversely affects the DMACC community and/or the pursuit of its educational mission.

- B. If an adverse student conduct issue arises at an off-campus location that is recognized by the College, DMACC relies on local law enforcement and/or security staff provided by the off-campus location to respond to the situation. The DMACC Judicial Officer will correspond with the appropriate law enforcement and/or security staff who responded to the student conduct issue and will decide whether the Student Conduct policy should be applied to conduct occurring off-campus, on a case-by-case basis.

**DRUGS AND ALCOHOL:**

- A. DMACC is committed to alcohol-free and drug-free campuses. Board policies and administrative procedures are available to students, employees, and the public on the DMACC website.
- B. The following policies exist to comply with the Drug Free Schools and Campuses Act:
  - 1. The use of alcohol is prohibited on college property except as authorized by college regulations or College authority. All Iowa state laws and local statutes regarding the possession, use and distribution of alcohol must be observed.
  - 2. The manufacture, possession, use and/or distribution of illegal substances is forbidden on college property or at any College-sponsored activity.
  - 3. No employees or students may appear on college property if because of the use of alcohol, drugs, or other illegal substances, they cannot adequately perform normal functions or if they impede the normal operation of the College. This shall not prohibit proper use of legally prescribed medication.
  - 4. Any violation of these policies will result in prosecution under Iowa law when applicable, as well as disciplinary action by the College deemed appropriate within the policies of conduct prescribed and approved by the Board.
- C. Drug and alcohol abuse education.
  - 1. Annually the College mails all current students and employees the compliance material required by the Department of Education regarding Drug-Free Schools and Campuses.
  - 2. Students can access substance abuse resources and services through the Student Assistance Program (SAP).
  - 3. Employees can access substance abuse resources and services through the Employee Assistance Program (EAP).
- D. Experimenting with and use of alcohol and/or drugs during the college years has often been a concern and may significantly impact one's ability to experience success. If you have concerns for yourself or another, please contact a DMACC Counselor to discuss possible options. Counselors are available on a confidential basis and have access to resources for assessment, evaluation and, if necessary, treatment.

**SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING:**

- A. Prohibition:
  - 1. The College expressly prohibits sexual assault, domestic violence, dating violence, and stalking and strongly encourages anyone with knowledge of any of these crimes to report this information to Public Safety

immediately. The College complies fully with the Campus Sexual Violence Elimination Act (SaVE) and the Violence Against Women Act (VAWA).

B. Prevention:

1. While it is important to understand that sexual assault, domestic violence, dating violence, and stalking is never the victim's fault, it can be empowering to take steps to attempt to reduce one's vulnerability.
2. Programs and Information:
  - a. Public Safety offers sexual assault, domestic violence, dating violence, and stalking awareness and prevention information to college staff, faculty, and students.
  - b. In conjunction with local service agencies, the College attempts to keep the campus community up to date on safety issues, including, sexual assault, sexual abuse, domestic violence, dating violence, stalking, and date rape drugs.
  - c. Public Safety requests that victims provide copies of orders of protection, restraining orders, no contact orders, etc. and continually update this information as appropriate.

C. Procedures to Follow if a Sexual Assault Occurs:

1. Medical Care:

a. Emergency Room Exam:

- i. Seeking medical care is important, whether the victim chooses to report the sexual assault to the police. A local hospital emergency room can provide immediate medical attention.
- ii. After a sexual assault, the primary medical concerns are physical injuries, sexually transmitted diseases, and pregnancy. At the time of the examination, testing will also be done in a systematic way to collect evidence that can be used to prosecute the person accused of committing the sexual assault.

D.

- iii. It is important that the victim does not bathe, douche, or change clothing before the exam. These actions could destroy potential evidence.
- iv. Local sexual assault advocacy agencies maintain on-call rape crisis counselors that will respond at any time to support the victim through the emergency room medical exam.

Polk County	(515) 286-3600
Jasper County	(641) 791-3446
Boone County	(515) 432-3606
Story County	(515) 292-0500
Carroll County	(888) 356-2006
Iowa CASA	(515) 244-7424

- b. Evidence Collection: The medical exam is also designed for thorough and complete evidence collection. Evidence may be collected, whether the victim chooses to report the assault to the police, so that it is available later, if needed.
- c. Cost: The [Sexual Assault Examination Payment Program](#) will pay for the sexual assault examination regardless of whether the victim reports the crime to law enforcement.



2. Criminal Justice Procedures:

a. Public Safety:

- i. Sexual assault, sexual abuse, domestic violence, and dating violence are violent crimes. Like all other violent crimes, it is the responsibility of the State to prosecute the accused offender on the victim's behalf. The victim of sexual assault, domestic violence, or dating violence is encouraged to immediately report the incident to Public Safety or a DMACC counselor. Public Safety will initiate the investigation and assist the victim in exercising the option to inform the appropriate law enforcement authorities.
- ii. Seeking law enforcement assistance and court action can reduce the chance that the same accused offender will assault the victim, or someone else.
- iii. Public Safety will provide victims with a copy of the [Crime Victim Rights in Iowa](#) brochure.

b. Prosecution by the Courts:

- i. Whenever sexual assault, sexual abuse, domestic violence, or dating violence is committed, the State considers the crime an act against the people of the State. Therefore, criminal cases are tried by the County Attorney's Office. The victim is considered a witness to the crime and does not have to pay fees for assistance from the County Attorney's Office.
- ii. The victim's report of the crime, medical report, and evidence will be used to help prosecute the case, and the victim may be called to testify in court.

c. Campus Disciplinary Action (Title IX): In accordance with the College's Nondiscrimination policy and Title IX procedure:

- i. The Title IX Coordinator will entitle both the accuser and the accused to the same opportunities to have others present during any campus disciplinary proceeding.
- ii. The Title IX Coordinator will provide both the accuser and the accused with information regarding the outcome of any campus disciplinary proceeding brought alleging a sex offense, domestic violence, or dating violence.
- iii. Campus disciplinary sanctions for cases involving alleged sex offenses, domestic violence, or dating violence may include, but are not limited to, suspension, expulsion, and criminal prosecution.

3. Emotional Recovery:

- a. Sexual assault, domestic violence, dating violence, and stalking are a crisis and victims all handle crisis in different ways. The emotional reaction to sexual assault, domestic violence, dating violence, and stalking is complex and often confusing.
- b. Talking with someone who understands can help a victim sort out the emotional aftermath of sexual assault, domestic violence, dating violence, or stalking. A counselor who has knowledge of the trauma related to sexual assault, domestic violence, dating violence, and stalking can help a victim gain perspective on the situation. DMACC Counseling can assist or recommend appropriate counseling services for victims in accessing these services.

- c. The College will assist the victim of a sexual assault, domestic violence, dating violence, or stalking in making changes to their academic schedule, or living conditions (housing) when these changes are requested by the victim and are reasonably available.
- d. Counseling Services.
  - i. Students who have been subject to sexual assault or abuse are encouraged to contact a [DMACC Counselor](#). Additional information on DMACC Counseling resources can be found at [Counseling Resources](#).
  - ii. Employees who have been subject to sexual assault or abuse are encouraged to access resources and services through the [Employee Assistance Program](#).
  - iii. The [Iowa Victim Service Call Center](#) is Iowa's statewide 24-hour hotline for survivors of sexual assault or abuse, their friends and family, and people concerned about the effects of sexual violence. Call (800) 770-1650 or text "IOWAHELP" to 20121.

**SEX CRIMES PREVENTION ACT:**

- A. Information provided by the State of Iowa concerning registered sex offenders, especially registered sex offenders who are or may be enrolled at or employed by the College, may be obtained:
  - 1. By contacting Public Safety (515) 964-6612.
  - 2. By accessing the Public Safety website.
  - 3. Or by accessing the [Iowa Sex Offender Registry](#).
- B. Iowa law requires a person who has been convicted of certain sex offense crimes to register with the Sheriff in the county in which they reside. In addition, if they attend or work at an institution of higher education, they must also register with the Sheriff in the county in which the institution is located.
- C. In accordance with Iowa law, persons whose names appear on any state offender registry are not permitted to live in housing located on DMACC property or managed by DMACC.

**MISSING STUDENT PROCEDURE:**

- A. The purpose of this procedure is to establish the College's response to reports of missing students, as required by the Higher Education Opportunity Act (HEOA) of 2008.
- B. This procedure applies to students who reside in DMACC-operated campus housing or student housing physically located on DMACC property operated by an outside contractor.
- C. For purposes of this procedure, a student may be a "missing student" if the student's absence is contrary to their usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include, but are not limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or has been with persons who may endanger the student's welfare.
- D. Designation of Confidential Emergency Contact Information:
  - 1. Students will be given the opportunity annually to designate an individual or individuals to be contacted by the College for the purposes of this procedure.

- a. Boone Campus—per housing contract.
  - b. Other student housing located on DMACC property—per housing contract.
    - i. A designation will remain in effect until changed or revoked by the student.
    - ii. This information will remain confidential and will be made available only to the DMACC administrators.
    - iii. Students who do not designate a contact person should be aware that local law enforcement will be immediately notified in the case that they are believed to be a ‘missing student.’
- E. Official notification procedures for missing students:
- 1. Any individual on campus who has information that a residential student may be a missing student should notify the appropriate DMACC administrator as soon as possible and not longer than 24 hours after making this determination.
  - 2. The contacted DMACC administrator will gather all essential information about the residential student from the reporting person and from the student’s acquaintances (description, clothes last worn, where student might be, who student might be with, vehicle description, information about the physical and mental well-being of the student, an up-to-date photograph, class schedule, etc.). Appropriate campus staff will be notified to aid in the search for the student and the confidential contact person listed on the DMACC Housing Application will be notified.
  - 3. If the above actions are unsuccessful in locating the student or it is apparent immediately that the student is a missing person (e.g., witnessed abduction), no later than 24 hours after the DMACC administrator determines that a residential student is missing:
    - a. The DMACC administrator will contact local law enforcement to report the student as a missing person and local law enforcement will take charge of the investigation.
    - b. The DMACC administrator will notify the emergency contact that the student is believed to be missing.
- F. Campus communications about missing students:
- 1. In cases involving missing students, law enforcement personnel are best suited to provide information to the media that is designed to elicit public assistance in the search for a missing student. Therefore, all communications regarding missing students will be handled by law enforcement authorities, who may consult with the DMACC administrator.
  - 2. All inquiries to the College regarding missing students, or information provided to any individual at the College about a missing student, shall be referred to the DMACC administrator, who should refer such inquiries and information to law enforcement authorities.
  - 3. Prior to providing the DMACC community with any information about a missing student, the DMACC administrator should consult with the President’s Office and with law enforcement authorities to ensure that communications do not hinder the investigation.

# **JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT, AS AMENDED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013**

## **PURPOSE:**

- A. The College does not discriminate based on sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, the College issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a college official. In this context, the College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the campus community.
- B. The College has established a Crisis Management Team. A segment of this team meets as needed, and in addition to other violence prevention activities, the team is responsible for developing, reviewing, and revising protocols, policies, and procedures for addressing violence against women on campus.

## **DEFINITIONS:**

- A. **Consent:** Knowing, voluntary, and clear permission by word or action to engage in mutually agreed upon sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Consent to a specific sexual contact (such as kissing or fondling) cannot be presumed to be consent for another specific sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. Silence or the absence of resistance alone is not consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred. Individuals can withdraw consent at any time during sexual activity by expressing in words or actions that they no longer want the act to continue, and, if that happens, the other person must stop immediately. A person cannot consent if they are incapacitated. Under this policy, a person is incapacitated if they are disabled or deprived of ability to act or reason for oneself, is unable to understand what is happening, or is disoriented, helpless, asleep, or unconscious for any reason, including due to alcohol or other drugs.
- B. **Incapacitation:** A state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why, or how” of their sexual interaction). This policy also covers a person whose incapacity results from mental disability, involuntary physical restraint and/or from taking of an incapacitating substance. Under Iowa law, a person is incapacitated if the person is temporarily incapable of apprising or controlling the person’s own conduct due to the influence of a narcotic, anesthetic, or intoxicating substance; if a person is unable to communicate an unwillingness to act because the person is unconscious, asleep or is otherwise physically limited; or if the person has a bodily impairment or handicap that substantially limits the person’s ability to resist or flee. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated this policy. It is not an excuse that the respondent to a claim of sexual misconduct was intoxicated and, therefore, did not realize the other person’s incapacity.
- C. **Sexual Assault:** An offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. Under the Iowa Code, sexual abuse is defined as: Any sex act

between persons is sexual abuse by either of the persons when the act is performed with the other person in any of the following circumstances:

1. The act is done by force or against the will of the other. If the consent or acquiescence of the other is procured by threats of violence toward any person or if the act is done while the other is under the influence of a drug-inducing sleep or is otherwise in a state of unconsciousness, the act is done against the will of the other.
  2. Such other person is suffering from a mental defect or incapacity which precludes giving consent or lacks the mental capacity to know the right and wrong of conduct in sexual matters.
  3. Such other person is a child.
- D. 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 cohabitating with or has cohabitated with the victim as a spouse, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. Iowa Code 236.2 pertains to Domestic Abuse and states the following:
1. Domestic abuse means committing assault as defined in section 708.1 under any of the following circumstances:
    1. The assault is between family or household members who resided together at the time of the assault.
    2. The assault is between separated spouses or persons divorced from each other and not residing together at the time of the assault.
    3. The assault is between persons who are parents of the same minor child regardless of whether they have been married or have lived together at any time.
    4. The assault is between persons who have been family or household members residing together within the past year and are not residing together at the time of the assault.
    5. The assault is between persons who are in an intimate relationship or have been in an intimate relationship and have had contact within the past year of the assault. In determining whether persons are or have been in an intimate relationship, the court may consider the following nonexclusive list of factors:
      - a. The duration of the relationship.
      - b. The frequency of interaction.
      - c. Whether the relationship has been terminated.
      - d. The nature of the relationship, characterized by either party's expectation of sexual or romantic involvement.
- E. Emergency Shelter Services: Include but are not limited to secure crisis shelters or housing for victims of domestic abuse.
- F. Family or Household Members: Spouses, persons cohabiting, parents, or other persons related by consanguinity or affinity.

- G. Intimate Relationship: A significant romantic involvement that does not need to include sexual involvement. An intimate relationship does not include casual social relationships or associations in a business or professional capacity. A person may be involved in an intimate relationship with more than one person at a time.
- H. Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship will be determined based on a consideration of the following factors:
1. The length of the relationship.
  2. The type of relationship.
  3. The frequency of interaction between the people involved in the relationship.
  4. There is no provision in the Iowa Code for Dating Violence. DMACC will use the Iowa Code's Assault criteria along with relationship factors to determine whether an incident constitutes Dating Violence under the Clery Act.
- I. Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or suffer substantial emotional distress. Iowa Code 708.11 states:
1. Stalking:
    - i. As used in this section, unless the context otherwise requires:
      - a. Accompanying Offense: Any public offense committed as part of the course of conduct engaged in while committing the offense of stalking.
      - b. Course of Conduct: Repeatedly maintaining a visual or physical proximity to a person without legitimate purpose or repeatedly conveying oral or written threats, threats implied by conduct, or a combination thereof, directed at or toward a person.
      - c. Immediate Family Member: A spouse, parent, child, sibling, or any other person who regularly resides in the household of a specific person, or who within the prior six months regularly resided in the household of a specific person.
      - d. Repeatedly: On two or more occasions.
    - ii. A person commits stalking when all the following occur:
      - a. The person purposefully engages in a course of conduct directed at a specific person that would cause a reasonable person to fear bodily injury to, or the death of, that specific person or a member of the specific person's immediate family.
      - b. The person has knowledge or should have knowledge that the specific person will be placed in reasonable fear of bodily injury to, or the death of, that specific person or a member of the specific person's immediate family by the course of conduct.
      - c. The person's course of conduct induces fear in the specific person of bodily injury to, or the death of, the specific person or a member of the specific person's immediate family.
    - iii. A person who commits stalking in violation of this section commits a class "C" felony for a third or subsequent offense.

- iv. A person who commits stalking in violation of this section commits a class "D" felony if any of the following apply:
    - a. The person commits stalking while subject to restrictions contained in a criminal or civil protective order or injunction, or any other court order that prohibits contact between the person and the victim, or while subject to restrictions contained in a criminal or civil protective order or injunction or other court order that prohibits contact between the person and another person against whom the person has committed a public offense.
    - b. The person commits stalking while in possession of a dangerous weapon, as defined in section 702.7.
    - c. The person commits stalking by directing a course of conduct at a specific person who is under eighteen years of age.
    - d. The offense is a second offense.
  - v. A person who commits stalking in violation of this section commits an aggravated misdemeanor if the offense is a first offense that is not included in paragraph "b".
4. Violations of this section and accompanying offenses shall be considered prior offenses for the purpose of determining whether an offense is a second or subsequent offense. A conviction for, deferred judgment for, or plea of guilty to, a violation of this section or an accompanying offense which occurred at any time prior to the date of the violation charged shall be considered in determining that the violation charged shall be considered in determining that the violation charged is a second or subsequent offense. Deferred judgments pursuant to section 907.3 for violations of this section or accompanying offenses and convictions or the equivalent of deferred judgments for violations in any states under statutes substantially corresponding to this section or accompanying offenses shall be counted as previous offenses. The courts shall judicially notice the statutes of other states that define offenses substantially equivalent to the offenses and can therefore be considered corresponding statutes. Each previous violation of this section or an accompanying offense on which conviction or deferral of judgement was entered prior to the date of the violation charged shall be considered and counted as a separate previous offense. In addition, however, accompanying offenses committed as part of the course of conduct engaged in while committing the violation of stalking shall be considered prior offenses for the purpose of that violation, even though the accompanying offenses occurred at approximately the same time. An offense shall be considered a second or subsequent offense regardless of whether it was committed upon the same person who was the victim of any other previous offense.
5. Notwithstanding section 804.1, rule of criminal procedure 2.7, Iowa court rules, or any other provision of law to the contrary, upon the filing of the complaint and a finding of probable cause to believe an offense has been committed in violation of this section, or after the filing of an indictment of information alleging a violation of this section, the court shall issue an arrest warrant, rather than a citation or summons. A peace officer shall not issue a citation in lieu of arrest for a violation of this section. Notwithstanding section 804.21 of any other provision of law to the contrary, a person arrested for stalking shall be immediately taken into custody and shall not be released pursuant to pretrial release guidelines, a bond schedule, or any similar device, until after the initial appearance before a magistrate. In establishing the conditions of release, the magistrate may consider the defendant's prior criminal history, in addition to the other factors provided in section 811.2.
6. For purposes of determining whether the person should register as a sex offender pursuant to the provisions of chapter 692A, the fact finder shall decide as provided in section 692A.126.

### **PREVENTION and EDUCATION:**

- A. The College engages in comprehensive educational programming to prevent domestic violence, dating violence, sexual assault, and stalking. Educational programming consists of online training (SafeColleges) and awareness materials for all students and employees and ongoing awareness and prevention information for students and employees that:
  - 1. Identifies domestic violence, dating violence, sexual assault, and stalking as prohibited conduct.
  - 2. Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking.
  - 3. Defines what behavior and actions constitute consent to sexual activity.
  - 4. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander.
  - 5. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.
  - 6. Provides an overview of information contained in the Annual Security and Fire Safety Report in compliance with the Clery Act.

### **REPORTING:**

- A. The College has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of medical, counseling and support services, and additional remedies to prevent contact between a reporting party and a responding party, such as academic, working, and living accommodations, if reasonably available. Students should contact the Title IX Coordinator and employees should contact the Director of Human Resources.
- B. After an incident of sexual assault or domestic violence, the victim should consider seeking medical attention as soon as possible as evidence may be collected even if you choose not to make a report to law enforcement. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing, or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence as may be necessary to the proof of criminal activity may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs, or other copies of documents, if they have any, which would be useful to the police. Although the College strongly encourages all members of its community to report violations to law enforcement, it is the victim's choice whether to make such a report and victims have the right to decline involvement with law enforcement. The College will assist any victim with notifying local laws enforcement if they so desire.
- C. If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you are strongly encouraged to report the incident promptly to Public Safety. The College will provide resources to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.



- D. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, they nevertheless should consider speaking with Public Safety or local law enforcement to preserve evidence if the victim changes their decision later.
- E. If a report of domestic violence, dating violence, sexual assault, or stalking is reported to a college official, the following procedures will be followed as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report.

Incident:	Procedure:	Evidentiary Standard:
<b>Sexual Assault</b>	<ol style="list-style-type: none"> <li>1. Provide the reporting party with information on access to medical care.</li> <li>2. Assess immediate safety needs of the reporting party.</li> <li>3. Assist the reporting party with contacting police.</li> <li>4. Provide the reporting party with referrals to mental health providers.</li> <li>5. Assess the need to implement protective measures (change in class schedule, protective order, etc.).</li> <li>6. Provide information on applying for a protective order.</li> <li>7. Inform the reporting party regarding time frames for inquiry, investigation, and resolution.</li> <li>8. Inform the reporting party of the outcome of the investigation, whether the responding party will be administratively charged, and outcome of any hearings.</li> </ol>	Preponderance of the evidence standard
<b>Stalking</b>	<ol style="list-style-type: none"> <li>1. Assess immediate safety needs of the reporting party.</li> <li>2. Assist complainant with contacting law enforcement.</li> <li>3. Provide information on applying for a protective order.</li> <li>4. Provide information to the reporting party on how to preserve evidence.</li> <li>5. Assess need for protective measures to protect the reporting party.</li> </ol>	Clear and convincing evidentiary standard
<b>Dating Violence</b>	<ol style="list-style-type: none"> <li>1. Assess immediate safety needs of the reporting party.</li> <li>2. Assist the reporting party with contacting law enforcement.</li> <li>3. Provide information on applying for a protective order.</li> <li>4. Provide information to the reporting party on how to preserve evidence.</li> <li>5. Assess the need to implement protective measures to protect the reporting party.</li> </ol>	Clear and convincing evidentiary standard
<b>Domestic Violence</b>	<ol style="list-style-type: none"> <li>1. Assess the immediate safety needs of the reporting party.</li> <li>2. Assist the reporting party with contacting law enforcement.</li> <li>3. Provide information on applying for a protective order.</li> <li>4. Provide information to the reporting party on how to preserve evidence.</li> <li>5. Assess the need to implement protective measures to protect the reporting party.</li> </ol>	Clear and convincing evidentiary standard

**ASSISTANCE FOR VICTIMS:**

- A. Regardless of whether a victim elects to pursue a criminal complaint, the College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with information about their rights. [Iowa Code Chapter 915 – Victim Rights](#).
- B. Further, the College complies with Iowa law in recognizing [Protective, No Contact, and Restraining Orders](#). Any person who obtains a protective order should provide a copy to Public Safety. Public Safety will meet with the victim to develop a plan to reduce risk of harm while on campus or coming and going from campus. Public Safety will provide victims with information on how to obtain a protective order.
- C. To the extent of the victim’s cooperation and consent, the College will work cooperatively to ensure that the victim’s health, physical safety, work, and academic status are protected, pending the outcome of a formal investigation of the complaint. If reasonably available, a victim may be offered changes to academic, working, and living situations in addition to information on counseling, health services and assistance in notifying local law enforcement.
- D. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating the complaint or delivering resources or support services to the victim. The College does not publish the name of crime victims nor house identifiable information regarding victims in the Public Safety daily crime log or online. Victims may request that directory information on file be removed from public sources by request.

**RESOURCES FOR VICTIMS:**

<a href="#">Public Safety</a>	<a href="mailto:security@dmacc.edu">security@dmacc.edu</a>	(515) 964-6612
<a href="#">Counseling</a>	<a href="mailto:pr29966-mfp2@dmacc.edu">pr29966-mfp2@dmacc.edu</a>	(515) 964-6200
<a href="#">Student Affairs/Title IX</a>	<a href="mailto:dkmckittrick@dmacc.edu">dkmckittrick@dmacc.edu</a>	(515) 964-6574
<a href="#">Human Resources</a>	<a href="mailto:humanresources@dmacc.edu">humanresources@dmacc.edu</a>	(515) 964-6408

**ADJUDICATION OF VIOLATIONS:**

- A. Whether criminal charges are filed, a person may file a complaint alleging that a student or employee violated a college policy. Reports of all domestic violence, dating violence, sexual assault and stalking made to Public Safety will automatically be investigated regardless of if the victim chooses to pursue criminal charges.
- B. The College disciplinary process includes a prompt, fair, and impartial investigation, and resolution process. Investigators are trained on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to investigate that protects the safety of the victim and promotes accountability. The policy provides that:
  - 1. The reporting party and responding party each can attend a hearing before a properly trained hearing board.
  - 2. The reporting party and responding party each can be advised by a personal advisor of their choice, at their expense, at any stage of the process, and to be accompanied by that advisor at any meeting or hearing (advisor may only consult and advise, but not speak for the advisee at any meeting or hearing).
  - 3. Student conduct decision is based on the preponderance of evidence standard.

4. The reporting party and responding party are notified simultaneously in writing of the outcome of any disciplinary proceeding, as well as any changes to those results or disciplinary actions prior to the time that such results become final.
  5. The reporting party and responding party each have the right to appeal against the outcome of the hearing and will be notified simultaneously in writing of the outcome after the appeal is resolved.
- C. A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures in the College's Nondiscrimination policy to remedy any hostile environment.

**CONFIDENTIALITY:**

- A. The College will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking, to the fullest extent of the law.

**DISCIPLINE and PROTECTIVE MEASURES:**

- A. In all cases, investigations that result in a policy violation, as proved by a preponderance of the evidence, will lead to the initiation of disciplinary procedures against the responding party. The College may also implement protective measures following the report of domestic violence, dating violence, sexual assault, or stalking which may include changing academic, work schedule, living conditions, escorts, etc. Student violators are subject to the [Student Code of Conduct](#). Employee violators are subject to discipline, up to and including termination of employment. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law. The College will determine whether protective measures should be implemented, and, if so, take steps to implement those protective measures as soon as possible.

**SEX OFFENDER REGISTRATION:**

- A. The federal Campus Sex Crimes Prevention Act requires the College to issue a statement advising the campus community where Iowa law enforcement agency information concerning registered sex offenders may be obtained. It also requires registered sex offenders to provide notice of each institution of higher education at which the person is employed, carries on a vocation, volunteer's services, or is a student.
- B. Information provided by the State of Iowa concerning registered sex offenders, especially registered sex offenders who are or may be enrolled at or employed by the College, may be obtained:
1. By contacting Public Safety (515) 964-6612.
  2. By accessing the Public Safety website.
  3. Or by accessing the [Iowa Sex Offender Registry](#).
- C. Iowa law requires a person who has been convicted of certain sex offense crimes to register with the Sheriff in the county in which they reside. In addition, if they attend or work at an institution of higher education, they must also register with the Sheriff in the county in which the institution is located.
- D. In accordance with Iowa law, persons whose names appear on any state offender registry are not permitted to live in housing located on DMACC property or managed by DMACC.

# **FIRE SAFETY REPORT**

## **PURPOSE:**

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

## **ELEMENTS OF THE PROGRAM:**

- A. Elements of the campus fire safety program consist of:
  1. Fire prevention policies and practices.
  2. Fire safety educational and training initiatives.
  3. Description of fire protection equipment in the Boone Borgen Square Apartments, Ankeny Campus View Apartments, Carroll New Hope Village Apartments, Prairie Pointe Student Living, and Campus Town Apartments.
  4. Emergency evacuation procedures.
  5. Fire safety statistics.
  6. Proposed plans for future improvements to the campus fire safety program.
- B. The annual fire safety report summarizes the elements of the campus fire safety program, which is administered and maintained by the Public Safety department. This public disclosure is intended to inform current and prospective students and employees of the fire safety programs and policies in place at DMACC, and DMACC's state of readiness to detect and respond appropriately to fire-related emergencies. This report can be viewed online on the Public Safety webpage and hard copies of the report are available at the Public Safety department.

## **PROGRAM OBJECTIVES:**

- A. DMACC endeavors through astute observation and established industry practices to promote safe environmental conditions for faculty, staff, students, and visitors that are free from foreseeable fire hazards. The primary objective of the campus fire safety program is to recognize hazardous conditions and take appropriate action before such conditions result in a fire emergency. This goal is accomplished by:
  1. Conducting periodic review and update of fire prevention policies.
  2. Conducting regularly scheduled fire drills in DMACC-owned apartments and College buildings.
  3. Promoting fire safety awareness by conducting regularly scheduled training programs on fire prevention and emergency evacuation procedures, as well as providing up-to-date emergency evacuation maps specific to each College location.
  4. Inspecting, testing, and maintaining fire protection systems in accordance with National Fire Protection Association (NFPA) standards and Occupational Safety and Health Administration (OSHA) standards.

5. Performing plan review and code consultation related to current capital improvement and remodeling projects.
6. Mitigating fire hazards utilizing the information provided from regularly scheduled fire safety inspections performed by DMACC and DMACC's property insurance loss control consultant and fire protection consultants.

**FIRE PREVENTION POLICIES AND PROCEDURES:**

- A. Several fire prevention policies and procedures have been developed and implemented to complement the program objectives. NFPA, OSHA and the DMACC Emergency Procedures Guide were referenced during the development of these policies.
- B. DMACC houses students in five apartment buildings at the Boone Campus and one apartment building at the Carroll Campus, and privately owned Campus View Apartments on the Ankeny Campus. If a student or employee sees a fire, they should notify 911 immediately. After the fire has been extinguished, Public Safety should be called at (515) 964-6500 to report that a fire has occurred and details of the fire.
- C. Borgen Square Apartments:
  1. Holiday Decorations: Holiday garland and cut trees (e.g., Christmas trees) increase the risk of fire. These decorations and others like it are not permitted in the Borgen Square Apartments.
  2. Candles, Open Flames, and Grills: Incense, candles grills, and/or any other open-flame devices are not permitted in Student Housing. Violations of this rule may result in a \$100 fine.
  3. Combustible Fluids and Hazardous Chemicals: Explosive, flammable and/or toxic liquids, gases or other materials are prohibited in Student Housing. This includes, but is not limited to, dry ice, fireworks, and fog and smoke machines. Violations of this rule may result in a \$100 fine.
  4. Fire Safety Equipment: Residents are required to appropriately respond to fire alarms by evacuating apartment buildings when alarms are sounded. Residents may reenter the buildings after receiving permission from the housing staff. Tampering with fire safety equipment is prohibited. Violations may include, but are not limited to, disengaging a smoke alarm (e.g., removing the batteries or covering a smoke alarm). Triggering a fire alarm or activating a fire extinguisher in the absence of a fire may result in a \$500 fine.
  5. Smoking: The use of tobacco products, which include smokeless or smoking tobacco, is prohibited on all campus property in compliance with state law. Violations of this rule may result in a \$100 fine.
  6. Fire Safety Education and Training Initiatives: The Coordinator of Housing and all Housing Assistants receive fire safety training prior to the start of every Fall semester. Topics include a review of the fire prevention policies, weather safety, and emergency evacuation procedures. In addition, each apartment has emergency evacuation maps posted to direct residents to primary and secondary exits. Fire drills are conducted each Fall and Spring semester in coordination with Public Safety and the Boone Fire Department. Fire safety training programs are also provided to other students, staff, and faculty groups on campus by request. This program typically consists of a brief review of fire prevention policies and evacuation procedures.
  7. Emergency and Safety Procedures: Information about safety and emergency procedures including procedures for weather, evacuations, fire, and medical emergencies can be found on the Public Safety webpage.

8. Evacuation Procedures: Fire extinguishers are in each apartment and residents are responsible for knowing where it is located and how to use it. In case the fire cannot be controlled by the fire extinguisher:
  - a. Evacuate the apartment and immediately dial 911.
  - b. Notify residents in the neighboring apartments by knocking on doors on your way out of the building.
  - c. Notify the Housing Assistants and Coordinator of Housing immediately.
  - d. Residents are required to evacuate the building when the fire alarm sounds.
  - e. Residents are not allowed to reenter the building until directed to do so by housing staff.

D. Campus View Apartments:

1. Smoking: The use of tobacco products, which include smokeless or smoking tobacco, is prohibited on all campus property in compliance with state law. Violations of this rule may result in a \$100 fine.
2. Fire: The burning of candles and incense is not permitted in any apartment. Halogen lamps are not permitted due to the potential fire hazard. Tampering with or damaging fire safety equipment is a violation of state law and violators may be prosecuted and/or fined. Due to the severity of a tampering violation, a meeting may be held concerning residential status at Campus View Apartments.
  - a. Burning candles and/or incense violation: \$50 fine.
  - b. Fire Safety equipment tampering violation: \$200 fine plus the maintenance cost of cleaning, repairing or replacing/fire safety equipment.
3. Electrical Wiring: Tenants shall not use temporary wiring or extension cords running directly from portable electric fixtures to convenience outlets, beneath floor coverings, or through doorways, transoms, or similar structural elements. Tenants shall not knowingly overload the circuitry of the dwelling unit. The use of extension cords shall only be limited to heavy-duty cords with surge protectors as per City Code regulations. Fine: \$50 for each occurrence.
4. Baseboard Heaters: Tenants should not place any items within 2 inches of the baseboard heaters due to fire hazard. \$50 fine.
5. Evacuation: Fire evacuation practices will be held on a regular basis. All residents must evacuate the building when alarm is sounded, and not reenter until an ALL CLEAR is given by staff. Failure to cooperate in evacuation of the building is a violation of state law, and violators may be prosecuted and/or fined. If a fire alarm sounds, it is critically important for evacuation to occur quickly and safely. During a fire emergency, it is important to stay calm and exit the building in an orderly fashion. Evacuation information is in each stairwell. Please refer to this information and become educated in the evacuation process. It is essential that you evacuate the building and relocate in the parking lots away from the building. Evacuation violation: \$100 fine.
6. Smoke Detectors: Tenants should test smoke detectors at least every other week and report problems in writing to the landlord immediately. Tenants shall replace batteries as necessary. Tenants shall not tamper with or otherwise disable smoke detectors. \$50 fine.
7. Hazardous Materials: Tenant shall not keep dangerous, flammable, or explosive materials that might unreasonably increase the danger of fire or explosion or that might be considered hazardous or extra hazardous by any responsible insurance company.

E. New Hope Village Apartments:

1. **Holiday Decorations:** Holiday garland and cut trees (e.g., Christmas trees) increase the risk of fire. These decorations and others like it are not permitted in DMACC Student Housing.
2. **Candles, Open Flames, and Grills:** Incense, candles grills, and/or any other open-flame devices are not permitted in Student Housing. Violations of this rule may result in a \$100 fine.
3. **Combustible Fluids and Hazardous Chemicals:** Explosive, flammable and/or toxic liquids, gases or other materials are prohibited in Student Housing. This includes, but is not limited to, dry ice, fireworks, and fog and smoke machines. Violations of this rule may result in a \$100 fine.
4. **Fire Safety Equipment:** Residents are required to appropriately respond to fire alarms by evacuating apartment buildings when alarms are sounded. Residents may reenter the buildings after receiving permission from the housing staff. Tampering with fire safety equipment is prohibited. Violations may include, but are not limited to, disengaging a smoke alarm (e.g., removing the batteries or covering a smoke alarm). Triggering a fire alarm or activating a fire extinguisher in the absence of a fire may result in a \$500 fine.
5. **Smoking:** The use of tobacco products, which include smokeless or smoking tobacco, is prohibited on all campus property in compliance with state law. Violations of this rule may result in a \$100 fine.
6. **Fire Safety Education and Training Initiatives:** The Coordinator of Housing and all Housing Assistants receive fire safety training prior to the start of every Fall semester. Topics include a review of the fire prevention policies, weather safety, and emergency evacuation procedures. In addition, each apartment has emergency evacuation maps posted to direct residents to primary and secondary exits. Fire drills are conducted each Fall and Spring semester in coordination with Public Safety and the Boone Fire Department. Fire safety training programs are also provided to other students, staff, and faculty groups on campus by request. This program typically consists of a brief review of fire prevention policies and evacuation procedures.
7. **Emergency and Safety Procedures:** Information about safety and emergency procedures including procedures for weather, evacuations, fire, and medical emergencies can be found on the Public Safety webpage.
8. **Evacuation Procedures:** Fire extinguishers are in each apartment and residents are responsible for knowing where it is located and how to use it. In case the fire cannot be controlled by the fire extinguisher:
  - a. Evacuate the apartment and immediately dial 911.
  - b. Notify residents in the neighboring apartments by knocking on doors on your way out of the building.
  - c. Notify the Housing Assistants and Coordinator of Housing immediately.
  - d. Residents are required to evacuate the building when the fire alarm sounds.
  - e. Residents are not allowed to reenter the building until directed to do so by housing staff.

**FIRE PROTECTIVE FEATURES:**

A. Borgen Square Apartments:

1. Monitored by a supervised fire alarm system equipped with a public address panel. The hallways in the core of the complex and each bedroom are protected by an automatic, supervised wet pipe sprinkler system that is integrated with the fire alarm system.
2. The fire alarm system is continuously monitored and supervised by NECO.
3. ABC dry chemical fire extinguishers are installed in each apartment as well as throughout the common areas and mechanical spaces in the complex.
4. Emergency lighting and exit signs illuminate the means of egress.

B. Campus View Apartments:

1. Monitored by a supervised fire alarm system equipped with a public address panel. The new wing to the east is protected by an automatic sprinkler system and a dry extinguisher system in the attic that is integrated with the fire alarm system.
2. The fire alarm system is continuously monitored and supervised by ATECH.
3. ABC dry chemical fire extinguishers are throughout the common areas and mechanical spaces in the complex.
4. Other features include emergency lighting and exit signs to illuminate the means of egress.
5. Emergency evacuation procedures for students and employees inhabiting other campus buildings can be found in the DMACC Emergency Procedures Guide. The Emergency Procedures Guides are posted in classrooms, offices, and other places of public assembly across campus.
6. Private security service measures may include uniformed security guards, closed-circuit television, building security systems, exterior lighting, courtesy phones, and attention to landscaping materials. Public Safety inspects campus exterior lighting and exterior door locks on a regular basis.

C. New Hope Village Apartments:

1. Monitored by a supervised fire alarm system equipped with a public address panel. The commons area and bedrooms are protected by an automatic, supervised wet pipe sprinkler system that is integrated with the fire alarm system.
2. The fire alarm system is continuously monitored and supervised by Feld Fire.
3. ABC dry chemical fire extinguishers are installed in each apartment as well as throughout the common areas in the complex.
4. Other features include emergency lighting and exit signs to illuminate the means of egress.



**FIRE SAFETY STATISTICS:**

	2021	2022	2023
<b>Campus Location</b>	<b># Fires</b>	<b># Injuries</b>	<b># Deaths</b>
Campus View Apartments (Ankeny)	0	0	0
Borgen Square Apartments (Boone)	0	0	0
New Hope Village Apartments (Carroll)	0	0	0