

Annual Security And Fire Safety Report 2025



EASTERN
ARIZONA
COLLEGE

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INTRODUCTION - ANNUAL REPORT PREPARATION

The Graham County Community College District dba Eastern Arizona College (EAC or the College) complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), 20 U.S.C. Code § 1092(f), which requires the distribution of an Annual Security Report and Annual Fire Safety Report to employees and students and notice of its availability to prospective employees and students. The College combines the report into one document, "The Annual Security and Fire Safety Report." The report is intended to inform the campus community of campus safety information, Clery Act crime and fire statistics, policies and procedures relating to sexual violence, emergency response, and other safety factors. The crime statistics in this report are a collection of crimes reported to campus police, campus security officers, local law enforcement, Title IX coordinators, and other campus security authorities.

The EAC Campus Police Department, the Student Life Office, the Enterprise Risk Management Office, and the Office of the Vice President of Administration/CBO work together to prepare and publish the report. The Director of Enterprise Risk Management submits the crime statistics (and other related information) for the College electronically to the United States Department of Education by the deadline provided each year. Notice of the availability of the report is sent by email to all enrolled students and employees, by the deadline provided each year. The email contains a link to College's Security and Safety webpage: <https://eac.edu/student-life/campus-safety/>, and the report can be found at the bottom of that page. The link is also provided on all position opening notices (PON), in the academic catalog, on full and part-time contracts, and various web pages (i.e., "Employment Opportunities," "Admissions Form," "Student Life" and "Consumer Information") on www.eac.edu. Paper copies are available and will be provided upon request by contacting the Office of Enterprise Risk Management, located in the Student Services Building, Room 251, 615 N. Stadium Avenue, Thatcher, AZ 85552, or by calling (928) 428-8488.

CAMPUS LAW ENFORCEMENT AUTHORITY

EAC Police Department

The Eastern Arizona College Police Department (EAC PD) is staffed by two full-time, fully certified law enforcement officers, and eleven part-time security officers. EAC PD provides safety and security services 24 hours a day, 365 days a year.

EAC police officers are certified peace officers under Arizona State law (A.R.S. §13-3871), are authorized to carry firearms, and have the authority to use police powers of arrest. EAC police officers have the authority to issue citations, make arrests, conduct criminal investigations, and are responsible for the enforcement of the College's rules and regulations.

EAC security officers do not possess arrest power. They do, however, have the authority to ask persons for identification, determine whether individuals have lawful business on campus, detain individuals for investigative purposes, and are responsible for the enforcement of the College's rules and regulations. Security officers work in cooperation with campus police officers and local law enforcement agencies.

EAC PD works closely with surrounding law enforcement agencies including Graham County Sheriff's Office, Greenlee County Sheriff's Office, Thatcher Police Department, Pima Police Department, Clifton Police Department, and Safford Police Department.

Local law enforcement police officers or Sheriff's Department officers may be called on campus: a) if and when a person needing help has been unable to contact EAC PD or EAC PD is unable to respond to a call and b) at the request of EAC PD when additional assistance is needed.

The EAC Police Department Office is located at:	Campus Police/Security can be reached at:
620 N. College Avenue Thatcher, AZ 85552	(928) 428-8240 or (928) 428-8241 (daytime) (928) 965-8240 (after hours) (928) 428-0808 (Graham County Sheriff's Dispatch) In an emergency, dial 911

DAILY CRIME LOG

A daily crime log, listing all criminal and alleged criminal incidents reported to campus police or campus security, is maintained at each of the three campuses. The log contains the date and time the incident occurred, the date and time the incident was reported, nature of the incident, incident report number, general location of the incident, and the disposition of the incident. A log is available on-site, during normal business hours, at the EAC Campus Police Department, located at 620 N. College Avenue, Thatcher, AZ.

Note: In order to protect an ongoing criminal investigation or the identity of a victim, Campus Police/Security may classify criminal incident or alleged criminal incident information as confidential and prohibit its release.

REGISTERED SEX OFFENDER NOTIFICATION

The Campus Sex Crimes Prevention Act requires institutions of higher education to issue a statement to its campus community where law enforcement agency information regarding registered sex offenders in the state may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, of each institution of higher education in that State at which the person is enrolled as a student, carries on a vocation, or is employed.

A.R.S. § 13-3825 Community Notification requires community notification of Level 2 or 3 sex offenders residing in the area. This includes notification to the surrounding neighborhood, area schools, appropriate community groups, and prospective employers. Information on the identity and residential address of all levels of registered sex offenders is available at the Arizona Department of Public Safety's website at <https://www.azdps.gov/services/public/offender>.

Note: AZ DPS Sex Offender Registry is powered by a third-party website – Offender Watch.

EAC PD will coordinate with the local law enforcement agency to receive registered sex offender community notification flyers. Campus police/security will notify the campus community of students, employees, and volunteers who have been identified as Level 2 and Level 3 registered sex offenders when they have been apprised of the information.

EA PD will place Level 2 and Level 3 Sex Offender notifications on its website as part of the compliance with the above requirement when it is determined that a Level 2 or Level 3 sex offender is a student or employee of the College. To find this information, visit EAC's "Security and Safety" webpage by clicking on the following link: <https://eac.edu/campus-safety/>.

SECURITY AND ACCESS TO CAMPUS FACILITIES

Eastern Arizona College campuses are open to faculty, staff, students, and the public. Administrative buildings are open during normal business hours while other facilities on the campuses have individual hours of operation. Entrance to these buildings is controlled by key access with varied levels of access. Employees are responsible for ensuring that all classroom facilities remain locked when not in use, and only those persons authorized to attend classes or to utilize EAC facilities (i.e., students, faculty, staff, and those authorized through an approved facility request form to utilize specific facilities) have access to them. Employees entering locked/armed buildings after hours are encouraged to leave a business card or note for identification purposes at the alarm console and vice versa upon exit. Employees are instructed not to share alarm (security) codes or keys and to immediately report lost or stolen keys.

Security cameras are located throughout the Thatcher campus, and Discovery Park which are monitored by the EAC PD. Campus police/security at all three campuses patrol the facilities and grounds.

The Director of Residence Life, Residence Life Administrator, EAC PD, and residence hall residents are responsible for the security of residents and residence halls on EAC's Thatcher campus. All residence halls have full-time staff to assist residents with safety and security concerns. Additionally, EAC PD regularly patrols campus housing. All residents are notified of the Residence Life Handbook, which outlines safety and security considerations while living in campus housing. Residents are encouraged to keep their individual rooms locked at all times. Entry doors, wing doors, community, and laundry room doors are to be kept locked. A room key is required to access these entry points. Those found to have violated resident life policy by propping open any of these doors, are subject to disciplinary action and a fine.

SECURITY AND MAINTENANCE OF CAMPUS FACILITIES

The Maintenance Department maintains and regularly inspects the buildings and grounds with a careful eye on safety and security. They also respond to reports of potential safety and security hazards (i.e., broken windows, locks, etc.) making prompt repairs. Campus Police/Security regularly patrols the campus and reports any hazardous conditions to the Maintenance Department (i.e., malfunctioning doors, lights, etc.) which falls under their purview.

Students and employees are encouraged to report any maintenance-related, safety and security or potential safety and security hazards to:

Thatcher Campus

During Regular Business Hours

Maintenance Department(928) 428-8300 (Closes at 3:00 p.m.)

Campus Police Department(928) 428-8240/(928) 428-8241

After Hours

Campus Police Department(928) 965-8240 (After hours #)

Alternative Method to Contact Campus Police Department - Anytime

Graham County Sheriff's Office Dispatch(928) 428-0808

EMERGENCY RESPONSE GUIDELINES

The personal safety and well-being of our students, faculty and staff is always an important concern of ours. However, a truly safe campus can only be achieved through the cooperation of all students, faculty, and staff. We encourage you to be an active participant in your safety and the safety of other members of our campus community. Anyone at any campus location who becomes aware of a crime (or is the victim of a crime) or any emergency should make an accurate and prompt report of the occurrence to Campus Police/Security or appropriate campus staff.

Emergency/Non-Emergency Contact Information

Students, faculty, and staff are encouraged to become familiar with these numbers:

Thatcher Campus		
In an emergency: DIAL 911		
<u>Emergency Numbers</u>		
Bomb Threat/Bomb Removal	911	
Emergency Medical Services	911	
Fire Department	911	
Police Department	911	
EAC Campus Police Department	(928) 428-8240/	(928) 428-8241
EAC Campus Police Department (After Hours #)	(928) 965-8240	
Graham County Sheriff's Dispatch (Alternative Method to Contact Campus PD)	(928) 428-0808	
3E Company (HazMat/SDS)	(800) 451-8346	
AzCH Nurse Assist (Behavioral Health – Crisis Services Line)	(866) 495-6735	
<u>Non-Emergency Numbers</u>		
Animal Control (GCS Dispatch)	(928) 428-0808	
AZ DPS (Safford Substation)	(928) 428-2505	
Communications Center (Tucson)	(520) 746-4500	
Emergency Operations Center	(928) 428-7382	
Graham County Attorney	(928) 428-3620	
Graham County Health Dept.	(928) 428-1962	
Graham County Highway Dept.	(928) 428-3652	
Graham County Sheriff's Office	(928) 428-3141	
Mt. Graham Regional Medical Ctr.	(928) 348-4177	
Mt. Graham Safe House	(928) 348-9104	
Thatcher Fire Department	(928) 428-2290	
Thatcher Police Department	(928) 428-2296	
Town of Thatcher (Utilities)	(928) 428-2290	

All Campuses	
National Domestic Violence Hotline	(800) 799-7233
National Sexual Assault Hotline	(800) 656-4673
Poison Control Center	(800) 222-1222
SO AZ Center Against Sexual Assault	(800) 400-1001
24/7 Sexual Assault Crisis Line	
Suicide Prevention Lifeline	988
(Call, Chat and Text)	

Emergency Procedures

Eastern Arizona College has established a Crisis Management Team to guide response to campus crises that pose a threat to health, life, and property. The standing Crisis Management Team includes individuals from the areas of student affairs, facilities planning and management, public safety, marketing and public relations, risk management, information technology, and faculty. In the event of a crisis, this standing team would be expanded to include other members of the College community as appropriate based on the nature of the crisis.

In accordance with the College's Crisis Management Protocol, the team is responsible for gathering and reviewing details of the crisis, determining crisis management and response activities, specifying communication procedures with internal and external audiences, and briefing senior staff. In a crisis, the College president has the ultimate decision-making authority. The vice presidents will act in the president's absence.

The Crisis Management Team is also responsible for providing education regarding crisis management to the campus community and for establishing positive working relationships with community law enforcement and emergency management personnel.

A. Purpose:

The basic emergency procedures are to enhance the protection of lives and property through effective use of College and campus community resources. Whenever an emergency or unusual occurrence affecting the campus reaches proportions that cannot be handled by routine measures, the President or designee may declare a state of emergency, and these contingency guidelines may be implemented.

There are two general types of emergencies that may result in the implementation of this plan. These are:

1. large-scale disorder, and
2. large-scale natural/ man-made disaster

Since an emergency may be sudden and without warning, these procedures are designed to be flexible in order to accommodate contingencies of various types and magnitudes.

B. Scope:

These procedures apply to all College personnel, buildings, and grounds, to include adjoining peripheral areas.

C. Types of Emergencies and/or Unusual Occurrences:

- Active shooter and hostage situation
- Bomb threats and suspicious packages/object; explosions

- Demonstration and disturbance or student unrest
- Earthquake, severe dust storm, tornado/severe thunderstorm
- Fire
- Flooding
- Gas leaks and hazardous material spill
- Medical emergency
- Power outages
- Violence on campus/in the workplace

D. Definitions:

Emergency - an incident, potential or actual, which affects an entire building, buildings, or campus site, and/or disrupts the overall operations of the College. Outside emergency services will probably be required, as well as major efforts from campus support services. Major policy considerations and decisions will usually be required from the College administration during times of crises. These types of emergencies should be immediately reported to Campus Police and the Graham County Sheriff's Office dispatch.

Disaster - any natural or man-made event that has taken place and has seriously impaired or halted the operations of the College. In some cases, mass personnel casualties and severe property damage may be sustained. A coordinated effort of all campus-wide resources is required to effectively control the situation. Outside emergency services will be essential. In all cases of disaster, Emergency Command Post will be activated, and the appropriate support and operational plans will be executed.

Unusual Occurrence - any incident or minor natural disaster, (i.e., flood, wind damage, water leak, etc.), actual or potential, which will not seriously affect the overall functional capacity of the College. Report this type of incident to the Maintenance Department or Campus Police immediately.

Any incident that has the potential for adverse publicity concerning Eastern Arizona College should be promptly reported to the Administration and/or Campus Police.

E. Assumptions:

The College Emergency Response Plan is based on a realistic approach to the problems likely to be encountered on campus during an emergency, disaster, or unusual occurrence. Hence, the following are general guidelines:

- An emergency, disaster or unusual occurrence may occur at any time of the day or night, weekend, or holiday, with little or no warning.
- The succession of events in an emergency, disaster or unusual occurrence are not predictable, hence, published support and operational plans will serve only as a guide and checklist, and may require field modifications in order to meet the requirements of the event.
- Disasters may affect residents in the geographical area of Eastern Arizona College; therefore, city, county and federal emergency services may not be readily available. A delay in off-campus emergency services may be possible.

- An emergency may be declared if information indicates that such conditions are developing or are probable.
- F. **Declaration of Campus State of Emergency:** The authority to declare a “Campus State of Emergency” rests with the President or the Vice President of Administration/CBO, or in their absence, a designee, as follows:
- During the period of any major campus emergency, the on-duty police/security officer shall place into immediate effect the appropriate procedures necessary in order to meet the emergency, safeguard persons and property, and maintain facilities. The on-duty police/security officer shall immediately consult with the President, Vice President of Administration/CBO or designee regarding the emergency and the possible need for a declaration of a “Campus State of Emergency.”
 - When this declaration is made, only those persons as emergency response team members will be allowed in the immediate area of the emergency or disaster site. Campus Emergency Command Post.

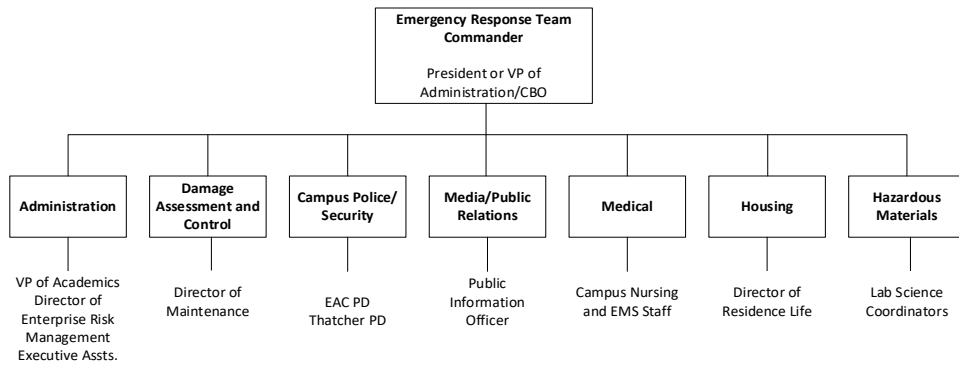
When a major emergency occurs, or is imminent, it shall be the responsibility of the Emergency Response Team to establish an Emergency Command Post. The Campus Police Office near the Memorial Bell Tower on College Avenue shall be kept operational at all times. A secondary Emergency Command Post may be designated, if necessary. If the Campus Police Office is not available due to acting on the emergency, the Thatcher Police Department at Thatcher Town Hall may be used as an Emergency Command Post. A conference room on campus may be designated for emergency crews to stage and for use by the College Public Information Officer and local media crews.

Emergency command post equipment includes, but is not limited to:

- Cellular telephones
- Portable, hand-held radios
- Barrier tape and traffic cones
- First-aid kit
- Copy of Emergency Response Guidelines
- College emergency contact list and emergency services numbers
- Campus telephone directory and local telephone directory
- Flashlights

Campus Emergency Response Team

In addition to establishing an Emergency Command Post as necessary, the police or security officer on shift shall immediately begin contacting all necessary members of the Campus Emergency Response Team that are available and may be needed for the specific emergency or incident. The team may consist of, but is not limited to, the following personnel:



The Team Commander is to designate substitutes for each necessary post with the resources available at the time. The Emergency Response Team members are to keep in constant communication with the Emergency Command Post. General responsibilities of the Team Members are as follows:

Team Commander: Eastern Arizona College President or Vice President of Administration/CBO or designee

1. Notifies, coordinates, and directs the College Emergency Response Team.
2. Works with the on-duty police/security officer and others in assessing the emergency and preparing the College's response.
3. Determines the type and magnitude of the emergency and establishes an appropriate Emergency Command Post.
4. Notifies and conducts liaison activities with the College administration, governmental agencies, Emergency Response Team, and others, as necessary.
5. Begins assessment of the College's condition and extent of emergency.
6. Notifies and uses the assistance of law enforcement agencies, Campus Police, College employees and if necessary, students, in order to maintain campus safety and order.
7. Ensures appropriate notification is made to off-campus staff when necessary.
8. Declares an end, when appropriate, to the "campus state of emergency."
9. Performs other related duties, as dictated by the type of emergency.
10. Directs the preparation of a report, evaluating the final outcome of the emergency.

Maintenance: Director of Maintenance or designee.

1. Provides equipment and personnel to perform shutdown procedures, hazardous area control, barricades, damage assessment, debris clearance, emergency repairs, and equipment protection.
2. Provides vehicles, equipment, and operators for movement of personnel and supplies; assigns vehicles as required to the Emergency Response Team for emergency use.
3. Obtains the assistance of utility companies as required for emergency operation.
4. Furnishes emergency power and lighting systems as required.
5. Surveys habitable space and relocates essential services and functions.
6. Provides facilities for emergency generator fuel during actual emergencies.

7. Provides for storage of vital records at an alternate site, coordinates with building and area coordinators for liaison and necessary support.
8. Provides support to the Emergency Response Team as requested.

Campus Police/Security:

1. Maintains the Campus Police office in a state of constant readiness.
2. Activates the Emergency Response Team by proper notification.
3. Monitors Campus emergency warnings and evacuations.
4. Obtains assistance from city, county, state, and federal government agencies when necessary.
5. Provides traffic control, access control, perimeter and internal security and fire prevention services, as needed.
6. Maintains personnel in the Command Post for telephone and radio traffic.

Media/Public Information: Public Information Officer.

1. Establishes liaison with the news media for dissemination of information as requested by the President or Vice President of Administration/CBO or designee.
2. Establishes liaison with local radio and/or television services for public announcements.
3. Arranges for photographic and audio-visual services of the event.
4. Advises the President or designee of all news concerning the extent of the event affecting the campus.
5. Prepares news releases for approval and release to the media concerning the event.

Medical: Campus Emergency Medical Services Staff (EAC Nursing staff may also be called upon to assist in an emergency situation, but only if resources are needed and requested by local hospitals or other emergency staff.) EAC EMS Staff may be first to respond to incidents on the Thatcher Campus along with Campus Police.

1. Designates and commands a medical triage/treatment area for related injury or ill victims.
2. Provides emergency care for sick and injured.
3. Provides technical and safety assistance during emergency or disaster conditions.
4. Evaluates Campus hazards to environmental health and industrial safety during and after the event.
5. Prepares and submits a report to the President regarding injuries and/or illnesses associated with the event.

Housing: Director of Housing.

1. Activates evacuation of residence halls when deemed necessary.
2. Notifies residence hall students of emergency procedures.
3. Monitors residence halls' evacuation.
4. Assists with and facilitates inspections of residence halls.

5. Maintains a headcount of the residents.

Hazardous Materials: Lab Science Coordinators.

1. Determines if a hazardous material spill is serious enough to notify local fire department, and if so.
2. Activates evacuation of the building/lab to a safe location.
3. Calls fire department and reports details of the spill to proper emergency personnel.
4. Provides technical and safety assistance.

An Emergency Response debriefing will follow immediately after the declaration of the end of the State of Emergency. Emergency Response Team members will prepare and submit to the President, a report evaluating the emergency.

Faculty/Leadership Responsibilities

Administrators, Deans, and Directors: Every administrator, dean, director, or designee is a Building/Facility Coordinator for every activity under their control and has the following general responsibilities prior to and during any emergency.

- a. Emergency Preparedness
 - i. Allow employees time for training in emergency techniques (i.e., in-person and online trainings, etc.).
 - ii. Designate, in advance, a safe staging area where students and/or staff in their area will go in case of an emergency. This may require a primary and secondary area.
- b. Emergency Situations
 - i. Inform all employees under their direction of the existing emergency.
 - ii. Evaluate the impact that the emergency has on their activity and take appropriate action. This may include ceasing operations and initiating an evacuation of a building.
 - iii. Maintain emergency telephone communication with officials from their location or from an alternate location, if necessary.

Faculty and Supervisors: Each faculty and staff supervisor have the responsibility to:

- a. Educate their students and/or employees concerning College emergency procedures as well as evacuation procedures for their building and/or activity.
- b. Inform their students and/or staff of an emergency and initiate emergency procedures as outlined in this guide.
- c. Designate, in advance, a safe staging area where students and/or staff will go in case of an emergency. This may require a primary area and a secondary area more distant from their classroom or work area.
- d. Evaluate, survey, and estimate their assigned building facility or activity in order to determine the impact a fire, earthquake or other disaster could have on their facility. Report all safety hazards to Campus Police and Maintenance. Notify Maintenance, in writing, of any concerns that could cause potential accidents or be hazardous to those using the facility.

- e. **IMPORTANT:** Inform all students, staff, and faculty to conform to building evacuation guidelines during any emergency and to report to the predetermined staging or gathering area where a head count can be taken.

Communication in an Emergency

Eastern Arizona College will, without delay, and taking into account the safety and the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

In the event of a campus emergency, call 911. The Graham County Sheriff's department dispatch center will inform both Campus Police, EMS staff, and EAC Administration in the event of an emergency. Campus Police/Security will respond to the emergency, and depending on the event, EAC EMS Staff may also respond.

An emergency warranting use of the Campus Emergency Alert System (Omnilert®) will be initiated by the Campus Police Department, the President, the Vice President of Administration/CBO, or the Director of Risk Management.

Campus emergencies that would qualify for activation of the Campus Emergency Alert/Omnilert® System:

1. Active shooters
2. Dangerous weapons on campus
3. Bomb threats
4. Hazardous chemical spills
5. Dangerous suspects at large
6. Campus fires
7. Others as determined by the Administration and Campus Police

In case of an emergency on campus, the Emergency Alert Text/Email system will be activated. The College may post information to its website, Facebook, or Twitter feed. Please visit these sites for updates and information.

EAC website: www.eac.edu

Facebook: <https://www.facebook.com/easternarizonacollege>

Twitter: <https://twitter.com/eacmonsters>

When the alert system is activated:

1. Follow the directions provided through the Emergency Alert Text/Email system and any other instructions received from authorities (i.e., police, fire personnel, etc.).
2. If able to do so, assist others around you and move to a safe location.
3. Stay tuned for further information using the systems mentioned above.
4. Once the emergency is over, a campus official will announce an "all clear" through text, email, or other means.

Note: Weather notifications have a very short timeframe, and severe storms are often difficult to predict precisely. As a result, the EAC emergency notification system may also be used to alert the campus about severe weather watches, warnings, or tornadoes, but the College will also rely on the most effective methods of notification for severe weather: local weather alerts via radio or TV and the National Weather Service.

Inquiries about an emergency situation:

Direct requests from the media to EAC Marketing and Public Relations Director: (928) 428-8320. EAC's District Office and Marketing and Public Relations Office are the only campus offices authorized to disseminate official information about campus emergencies to the campus community.

Emergency Preparedness/Response

The College has an emergency response booklet which can be found by contacting the Campus Police Department. The booklet was designed to provide a basic contingency manual for Eastern Arizona College administrators, faculty, and staff members to plan for campus emergencies and unusual occurrences should they occur. While it does not cover every conceivable situation, it does supply the basic administrative guidelines necessary to cope with most emergencies and other occurrences. Below are the emergency guidelines provided within each booklet to help prepare students, faculty, and staff when having to respond to an emergency or unusual occurrence:

Active Shooter

If you become aware of an active shooter on campus:

1. Get away from the situation as quickly as possible (Run)
2. If you cannot get away, take cover to protect yourself. Secure doors, turn off lights, and stay quiet, low, and out of sight. (Hide)
3. Dial 911; or
Campus Police Department(928) 428-8240/(928) 428-8241
Campus Police Department (After Hours) (928) 965-8240
Graham County Sheriff's Dispatch (928) 428-0808
4. If unable to Run, or if your Hide situation becomes dangerous, prepare to fight with any available means. (Fight).

If a threat to human safety occurs on campus:

1. The College's Emergency Notification System will be activated with text/email alert messages.
2. Information-including safety instructions for students, faculty, and staff will - also be made on the College's website and social media accounts such as Facebook, Twitter, etc.

Bomb Threat

Bomb threats are managed on a case-by-case basis, based on the characteristics of the situation. Anonymous bomb calls sometimes lead to threats other than bombs. There are cases where such calls were a device to lead evacuees to real danger: a bomb in a meet-up location or an active shooter.

The decision to evacuate or secure in place is determined based on where individuals will be safest. A threat is not assumed to be inside the building. Evacuation is not always the safest response to a bomb threat. Do not attempt to evacuate the building without the authorization or assistance of emergency

personnel. Current emergency management guidelines caution against automatic evacuation. In most cases, people are likely to be more secure in their offices, classrooms, or other building facilities than in hallways that have not been searched or outdoors where an actual threat may be even more likely to exist.

If you receive a telephone bomb threat:

1. Listen carefully.
 - Be polite and show interest.
 - Try to keep the caller talking so that you can gather more information about the device, the validity of the threat, or the identity of the caller.
 - Listen carefully for background noises.
2. Note the phone number of the caller if your telephone has a display. You can display the number of the caller on many EAC phones by pressing "Call Log."
3. Gather as much information as possible.
 - If possible, use the Bomb Threat Information Checklist, available in the [emergency response booklet](#), to question the caller in a polite and nonthreatening manner.
4. Upon completion of the call:
Dial 911; or

Campus Police Department	(928) 428-8240/(928) 428-8241
Campus Police Department (After Hours)	(928) 965-8240
Graham County Sheriff's Dispatch	(928) 428-0808
5. Then complete the Bomb Threat Information Checklist while the call is still fresh in your memory.
6. Remain available to answer questions.
7. If the threat was received by another individual and he/she is relaying information to you, use the Bomb Threat Information Checklist to gather as much information as possible.

FLU AND COVID-19

Eastern Arizona College follows CDC guidelines and all state and local health department guidelines. Please visit <https://eac.edu/current-students/activities-campus/about-the-flu> to find the most current information for our students, faculty, and staff.

Demonstration/Disturbance

As an institution of higher education, the College is dedicated to the principle that a free exchange of ideas is fundamental to the pursuit and dissemination of knowledge. To that end, the College is committed to protecting every member of the College Community's right to speak, write, listen to, explore, and debate competing ideas.

The freedom to express ideas does not mean members of the College Community may exercise that freedom in ways that are incompatible with Ordinary College Operations or the rights of other members of the College Community, including their right to a full and equal opportunity to pursue their education, to a College environment free from impermissible or Prohibited Discrimination and Harassment, to access the resources available at the College, and to express their own opinions and beliefs. The College may restrict Public Expression that violates state, federal, or local law; defames a specific person; or constitutes

a Breach of the Peace, Commercial Speech, Fighting Words, Gratuitous Violence, Harassment, a Heckler's Veto, Obscenity, Prohibited Discrimination, or a True Threat; or otherwise disrupts Ordinary College Operations, College Sponsored Activities, or College Authorized Activities.

The College expressly prohibits any conduct that adversely affects or directly threatens to adversely affect the health or safety of members of the College Community or their opportunity to enjoy College programs and College Sponsored Activities or materially disrupts Ordinary College Operations.

If you have a question about whether a demonstration is unlawful, call:

Campus Police Department(928) 428-8240/(928) 428-8241
Vice President of Academic and Student Affairs(928) 428-8261
Campus Police Department (After Hours) (928) 965-8240
Graham County Sheriff's Dispatch (928) 428-0808

If a disturbance appears to threaten the safety of faculty, staff, or students:

1. Dial 911; or

Campus Police Department(928) 428-8240/(928) 428-8241
Campus Police Department (After Hours) (928) 965-8240
Graham County Sheriff's Dispatch (928) 428-0808

2. Lock doors when possible and appropriate to isolate the disturbance.
3. Take steps to protect your own safety and the safety of others.
4. Leave the area and encourage others to leave the area. Do not engage or otherwise become a participant.

Peaceful non-obstructive demonstration:

These demonstrations should not be obstructed by College personnel. If the demonstrators are asked to leave but refuse to leave by regular facility closing time, the demonstration will be considered non-violent, but disruptive, and appropriate measures will be taken.

Disruptive non-violent demonstrations:

In the event these demonstrations block access to College facilities or interfere with the operation of the college, demonstrators will be asked to terminate the disruptive activity by the Campus Dean or designee. If the demonstrators persist in the disruptive activity, they will be informed that failure to discontinue the specified activity within a given time frame may result in disciplinary action, including suspension or expulsion or possible intervention by civil authorities.

The following statements (statement "A" and statement "B") may be used when addressing the demonstrators.

Statement "A" (Identify yourself and your position) "This assembly and the conduct of each participant is disrupting the operations of the College and is in clear violation of the rules of this College. You have previously been called upon to disperse and terminate this demonstration. If you do not terminate and disperse within 15 minutes, I will, under authority of the Governing Board, take whatever measures are deemed necessary to restore order, including calling for Police assistance. Any student who continues to participate in this demonstration is subject to possible arrest and will also be subject to suspension."

Statement "B" (Identify yourself and your position) "You have previously been directed to terminate this demonstration and you have been put on notice as to the consequence of your failure to do so. Since you have chosen to remain in violation of the rules and regulations of the College, each of you are hereby

suspended and subject to later review. The Police will now be called to assist in dispersing this assembly. Those who fail to leave will be subject to arrest.”

When police arrive, the ranking Police supervisor will declare: “This is an unlawful assembly, anyone not leaving immediately will be arrested.” After a few minutes (5-10 minutes) officers may lawfully arrest those unlawfully remaining.

Violent, disruptive demonstrations:

In the event that a violent demonstration in which injury to persons or property damage occurs or appears imminent, the Vice President of Administration must be notified. Police and other local law enforcement should be contacted by calling 9-1-1. The situation will then fall under Police jurisdiction.

Earthquake

During an earthquake, if you are:

Inside

1. Immediately take cover under a table or desk or stand in a doorway. In areas where cover is not available, kneel at the base of an interior wall, facing the wall and with head down and covered by arms.
2. Turn your body away from windows and mirrors.
3. Be alert for falling objects and stay away from overhead fixtures, filing cabinets, bookcases, and electrical equipment.

Outside

1. Move to an open area away from buildings, trees, and power lines.
2. If unable to move to an open area, watch for falling objects.

In an Automobile

1. Stop your vehicle in the nearest open area.
2. Stay in the vehicle until the shaking stops.

After an earthquake:

1. Be aware of the possibility of aftershocks.
2. If possible and it is safe to do so, evacuate the building as soon as the shaking has ceased.
3. Do not move injured persons unless they are in obvious immediate danger (from fire, building collapse, etc.).
4. Open doors carefully. Watch for falling objects.
5. Do not use elevators.
6. Do not use matches or lighters.
7. Limit use of telephone to calls for emergency services.

Explosion

Chemicals, leaking gas, faulty boilers, or falling aircraft are some possible causes of life-threatening explosions.

If you hear or are in the area of an explosion:

1. Dial 911; or
Campus Police Department(928) 428-8240/(928) 428-8241
Campus Police Department (After Hours) (928) 965-8240
Graham County Sheriff's Dispatch (928) 428-0808
2. Crawl under a table or desk.
3. Be prepared for possible further explosions.
4. Stay away from windows, mirrors, overhead fixtures, filing cabinets, bookcases, and electrical equipment.
5. Evacuate the building if the fire alarm sounds.
6. Do not move seriously injured persons unless they are in obvious immediate danger (of fire, building collapse, etc.).
7. Feel doors for heat before opening, and open carefully.
8. Watch for falling objects.
9. Do not use elevators.
10. If requested, accompany, and assist persons with disabilities.
11. Do not use matches, lighters, or other open flames in the vicinity of the explosion.
12. Limit use of telephone to call for emergency services.
13. Meet at a predetermined location to account for all members of your unit.

Fire

Response to Fire or Suspected Fire:

1. If a burning odor or smoke is present, pull a fire alarm to activate the fire alarm system.
2. If possible, shut off gas in your area.
3. If you can help control the fire without personal danger and have received training, take action with an available fire extinguisher. If not, leave the area.
4. Never allow the fire to come between you and an exit.
5. Leave the building, checking as you leave to make sure everyone has left the immediate area. Close doors behind you to confine the fire.
6. Once you have evacuated the building:
Dial 911; or
Graham County Sheriff's Dispatch (928) 428-0808
Report the location of the fire and the material burning, if known. Report this information to fire and police personnel as they arrive.

Response to Audible Fire Alarms

1. If the audible fire alarm sounds, shut off any gas in your area and evacuate the building.
2. Leave immediately; do not delay locating personal items.
3. Try to make sure that all members of your department hear the alarm and evacuate the area by quickly checking nearby restrooms, copier rooms, storage rooms, etc., as you exit.
4. Use the nearest stairway. Do not use the elevator.
5. If requested, accompany, and assist persons with disabilities.
6. Shut all doors behind you as you go.
 - Closed doors can slow the spread of fire and smoke.
7. Evacuate as quickly as possible but in an orderly manner. Do not push or shove.
8. Once outside, move at least 100 feet from the building.
9. Meet at a predetermined location to account for all members of your unit.
10. Return to the building only when given the “all clear” by Campus Police or other proper emergency personnel.
 - Do not assume when the audible alarm ceases it is safe to enter the building. There are many possible reasons for the alarm to stop sounding.

Flooding/Water Leak

Serious water damage can occur from a number of sources: broken pipes, clogged drains, damaged skylights or windows, or construction errors.

If a water leak occurs:

1. Call and report the exact location and severity of the leak to:

During Regular Business Hours

Maintenance Department(928) 428-8300 (Closes at 3:00 p.m.)

Campus Police Department(928) 428-8240/(928) 428-8241

After Hours

Campus Police Department(928) 965-8240

Graham County Sheriff's Office Dispatch(928) 428-0808

Alternative Method to Contact Campus Police Department

2. If there are electrical appliances or outlets near the leak, use extreme caution. If there is any possible danger, evacuate the area.
3. If you know the source of the water and are confident of your ability to stop it (i.e., unclog the drain, turn off the water, etc.), do so.
4. Be prepared to assist as directed in protecting objects that are in jeopardy. Take only essential steps to avoid or reduce immediate water damage, such as covering objects with plastic sheeting or moving small or light objects out of danger.
5. Evacuate when necessary and safe to do so.

Gas or Carbon Monoxide Leak

If gas odor is detected in a building:

1. Call and report the exact location and severity of the leak to:

During Regular Business Hours

Maintenance Department(928) 428-8300 (Closes at 3:00 p.m.)
Campus Police Department(928) 428-8240/(928) 428-8241
College Administration(928) 428-8201/(928) 428-8201

After Hours

Campus Police Department(928) 965-8240

2. Evacuate students and staff to a safe distance outside the building.
3. Try to make sure that all members of your department and building evacuate the area by quickly checking nearby restrooms, copier rooms, storage rooms, etc., as you exit.
4. Use the nearest stairway. Do not use the elevator.
5. If requested, accompany, and assist persons with disabilities.
6. Shut all doors behind you as you go. Closed doors can slow the spread of fumes.
7. Evacuate as quickly as possible but in an orderly manner. Do not push or shove.
8. Once outside, move at least 100 feet from the building.
9. Meet at a predetermined location to account for all members of your unit. 10. Return to the building only when given the "all clear" by Campus Police or other proper emergency personnel.

Haboob or Severe Dust Storm

A watch means that weather conditions are favorable for the formation of a haboob or severe dust storm. A warning is issued when a haboob or severe dust storm has actually been sighted in the surrounding area. Emergency warning sirens may be activated when there is a warning.

If a haboob or severe dust storm warning has been issued when you are

Inside:

1. Stay inside. Bring inside individuals who may be outside.
2. Securely shut all doors. Close windows and blinds. Turn off Heat, Ventilation, and Air Conditioning (HVAC) systems and close vents to prevent dust from entering.
3. Stay away from glass windows and doors. If possible, move to an interior corridor, or room or office without windows and shut the door.
4. If requested, assist persons with disabilities to the safest area on the same floor.
5. Do not leave the shelter area until after the storm is over.
6. Continue to monitor the weather via radio or television until the warning has been lifted for your area.

Outside:

1. Find shelter and follow the information above.

Driving or in a vehicle

(Pull Aside Stay Alive Campaign suggests the following):

Residential/Business Street Driving

- Safely pull off the road while you still have visibility.
- Do not stop in a travel lane.
- Turn off car headlights and interior lights so that travelers don't assume you are on the road and try to follow you.
- Close air vents so dust does not come into the vehicle.
- Turn off the air conditioning and heating.
- Roll up all windows and ensure all doors are closed securely.
- Stay inside the vehicle with your seatbelt fastened.
- Never touch or try to move downed power lines.
- Call your local police department to handle dangerous situations.
- Wait for the storm to pass.
- Have emergency items such as food and water available in your vehicle.
- After storm passes brush off the front grill, vents below the wipers, and hood scoops prior to starting the vehicle.
- Pour water onto the windshield wiper vent before starting the engine after dusting the vents.

Interstate/Highway Driving

- Do not stop in a travel lane.
- Do not drive or stop in the emergency lane.
- Exit as soon as possible and wait for the storm to pass.
- If you can't safely exit the roadway, turn on your lights and reduce your speed.
- Do not stop in the middle of the roadway.
- If you need to stop, pull off the road completely, turn off lights, take your foot off the brake so other vehicles do not try to follow you.
- Close air vents, roll up all windows and ensure all doors are closed securely.
- Turn off the air conditioning and heating.
- Stay inside the vehicle with your seatbelt fastened.
- Never touch or try to move downed power lines.
- Call your local police department to handle dangerous situations.
- Wait for the storm to pass.
- Have emergency items such as food and water available in your vehicle.
- After storm passes brush off the front grill, vents below the wipers, and hood scoops.

- Pour water onto the windshield wiper vent before starting the engine after dusting the vents.

Hazardous Material Spill

“Hazardous material spill” - is a spill in which there is a significant amount of a hazardous material released or one in which the release of the substance cannot be controlled.

Examples	Hazardous Material Spills	<ul style="list-style-type: none"> – more than one gallon of bleach – more than 100 mL of sulfuric acid – more than one gallon of gasoline – any quantity of mercury
	Infectious Materials	<ul style="list-style-type: none"> – include blood and other body fluids

Response to a Hazardous Material Spill

1. If the hazardous material comes in contact with your skin, immediately flush the affected area with copious amounts of water for at least 15 minutes and then seek medical attention.
2. If contact or the spill quantity is significant:
Dial 911; or
 Campus Police Department(928) 428-8240/(928) 428-8241
 Campus Police Department (After Hours) (928) 965-8240
 Graham County Sheriff's Dispatch (928) 428-0808
3. Stop or contain the source of the hazardous material, if safely possible.
4. Evacuate the immediate area, closing doors behind you.
5. Unless you are trained, do not attempt to clean up the spill yourself.
6. Make yourself available to emergency personnel to supply critical information to aid in cleaning up.
7. Provide as much of the following information as possible:
 - Where the hazardous material spill occurred. Specify the floor, room number, and location in the room.
 - Whether a fire and/or explosion has occurred.
 - Whether there are any injuries and if so, how many.
 - The material that spilled.
 - The state of the material (i.e., solid, liquid, gas, combination).
 - Whether any of the hazardous material has escaped from the spill location in the form of chemical vapors/fumes or running or dripping liquid.

Response to an Infectious Material Spill

1. If the infectious material comes in contact with your skin, immediately wash with soap and water.
2. Unless you are trained, do not attempt to clean up the spill yourself.
3. Contact:

During Regular Business Hours

Maintenance Department(928) 428-8300 (Closes at 3:00 p.m.)
Campus Police Department(928) 428-8240/(928) 428-8241
Graham County Sheriff's Office Dispatch(928) 428-0808

After Hours

Campus Police Department(928) 965-8240
Graham County Sheriff's Office Dispatch(928) 428-0808

4. Make yourself available to responding Environmental Health and Safety personnel to supply information to aid in clean up.

Note: Eastern Arizona College (Thatcher Campus) contracts with 3E Company to provide 24-hour, on-call hazardous material information for the College. You may call them at 800-451-8346 or email their Customer Support at support@3eco.com. Visit their website at <https://www.3eco.com> to obtain safety information and other details.

Hostage Situation

If you are involved in a hostage situation:

1. Dial 911, if safely possible; or
Campus Police Department(928) 428-8240/(928) 428-8241
Campus Police Department (After Hours) (928) 965-8240
Graham County Sheriff's Dispatch (928) 428-0808
Supply as many details as possible including the number of persons involved, description of hostage takers, weapons displayed, threats made, etc.
2. Do what you are told without argument.
3. Do not attempt to negotiate or argue with the hostage taker.
4. Try to get others to remain calm. Tell them to do what they are told.

Shooting or Stabbing:

If a student, faculty, or staff member is attacked in a building or on campus, students should move away from the scene immediately and seek help from the nearest classroom or staff member. Any witness of the attack should identify himself or herself to the responding staff member or police officer. In doing so, this will assist responding emergency personnel in aiding the victim and the identification and apprehension of the assailant.

Faculty or staff member in charge:

1. Call 9-1-1 to request police and emergency medical assistance, if needed.
2. Assess the situation and notify the campus administration office.
3. If you are aware of a shooting or stabbing, or suspect one occurring, lock your doors (if possible) to prevent an attacker from entering your area.
4. Secure the area where the attack occurred. Do not permit the curious to enter or disturb anything.
5. Try to determine if the attacker is still on campus.
6. If it is safe, administer first aid to the injured.

7. Identify and remove any witnesses from the scene to separate, unoccupied areas. Have them begin to write down what they saw and heard.
8. Expect the arrival of news media. Brief campus administration office staff and refer all news reporters' questions to the person designated to act as the spokesperson for the College.
9. When the situation is clear, notify all in your area.
10. Inform all students, faculty, and staff to avoid rumors.
11. Debrief all those directly involved.

Faculty:

1. Immediately report the incident.
2. Maintain order and make sure students are kept safely away from the area. Remain with your class at all times.
3. If there are any injuries assess the nature of the emergency and, if safe, administer first aid and keep the curious away from the injured party.
4. As soon as possible, write down what you observed and heard for police investigators.

Gunfire (sniper or drive-by shooting):

1. Dial 9-1-1 when you hear gunfire or suspect someone is shooting near your location.
2. If possible, lock outside doors.
3. Immediately move all the people away from windows. Do not allow anyone to get up and look outside any window, even if you suspect the situation is over. Wait until the police arrive and declare that everything is safe.
4. If the gunfire is directed toward your office or classroom, immediately instruct everyone to lie down on the floor and take cover.
5. If someone knocks on your door and identifies him/herself as a police officer, ask enough questions to ensure s/he is indeed an officer and not a perpetrator.
6. If there are injuries, administer first aid and call for medical responders (Dial 9-1-1).
7. When the situation has been declared safe, report the situation to the campus administration office.
8. If you are contacted by the news media, refer all inquiries to the campus administration office.
9. After the situation has been resolved and declared safe, prepare a written report of the incident for police and the Senior Dean.

In any of the situations mentioned above, or in any other emergency, police and/or fire officials will be in charge and will operate under the Incident Command System (ICS). On major incidents, it will take some time to assemble the resources needed, and to resolve the issue. Sometimes it may seem that things are "taking too long," and there will be a tendency for people to return to their normal activities before the official "All Clear" is given. In order to address this, it is desirable that the Campus Dean or some member of the senior campus staff remain with the Incident Command group, both to act as an information source and to serve as a liaison between responders and campus staff.

Medical Emergency

If someone becomes ill or injured and requires immediate medical assistance:

1. Dial 911; or
Graham County Sheriff's Dispatch (928) 428-0808
Provide detailed information on the location of the ill or injured person.
2. Unless you are trained, do not attempt to render any first aid before assistance arrives.
3. Do not attempt to move a person who has fallen and appears to be in pain.
4. Attempt to obtain the following information from the ill or injured person:
 - a. Name, if not known.
 - b. Description of symptoms.
 - c. Allergies.
 - d. Medications.
 - e. Major medical history (heart condition, asthma, diabetes, etc.).
5. Remain at the scene after emergency personnel have arrived to provide information.
6. Preparing for such emergencies includes being trained in emergency first aid and CPR.

Defibrillator Location Information:		
	<u>Building</u>	<u>Location in Building</u>
North Campus	Activities Center Center for Bus. & Information Tech. Library Science and Allied Health Bldg. North Campus classrooms Residence Towers	Raised Directory near men's room North of keypad at South entrance North CMU wall at interior of double doors West of Room 315/across from Room 312 NC5 access hall Surface mount on wall, east of reception
Middle Campus	Academic Programs (AP) Campus Police Nursing Education Center Student Services (SS)	East main entry double door next to fire ext. cabinet In police vehicle (Lance Lines) SW entry by fire ext. cabinet and building directory Financial Aid wall next to fire extinguisher cabinet
South Campus	Gym Fine Arts Auditorium ITE Building/Fab Lab South Campus Classrooms (SC5) Wellness Center (Gym)	Athletic Training Room North entrance between two main entrance doors Near Wood Shop Sports Medicine Lab Unit exists on site in shelf at staff desk area
Discovery Park	Main Office	Location at main office

Possible Poisoning:

1. Dial (800) 222-1222 to reach the Poison Control Center. The center can also answer questions about poisons and poison prevention.
2. Dial 911 or Graham County Sheriff's Dispatch (928) 428-0808 if the person has collapsed, is not

breathing, or is having seizures,

Power Outage

Power Outage Response

1. Keep a flashlight in your area. Many cellphones have a light feature.

2. Call

During Regular Business Hours

Maintenance (928) 428-8300 (Closes at 3:00 p.m.)

Campus Police Department (928) 428-8240/(928) 428-8241

After Hours

Campus Police Department (928) 965-8240

Graham County Sheriff's Office Dispatch (928) 428-0808

Alternative Method to Contact Campus Police Department

3. Provide assistance to others in your immediate area who may be unfamiliar with the space.
4. If you are in an unlighted area, proceed cautiously to an area that has emergency lights.
5. If you are in an elevator, stay calm. Use the emergency button or telephone to alert Campus Police.
6. Initiate power outage protocols for critical operations such as fume hoods.

Suspicious Mail or Package

Some typical characteristics, which in combination may trigger suspicions, are:

- Restricted marking such as "Personal" or "Special Delivery."
- No return address or one that cannot be verified as legitimate.
- A city or state in the postmark that does not match the return address.
- Unusual weight based on size.
- Lopsided or oddly shaped, strange odors, oily stains, crystallization, protruding wires, rigid or bulky, excessive tape or string.

If you receive a suspicious letter or package:

1. Do not try to open it.
2. Isolate it.
3. Call:

Campus Police Department (928) 428-8240/(928) 428-8241

Campus Police Department (After Hours) (928) 965-8240

Graham County Sheriff's Dispatch (928) 428-0808

If you open a parcel containing suspicious material or alleged to contain suspicious material:

1. Set it down where you are.
 - Do not move the contaminated material.

- If any material spills out of the letter or package, do not try to clean it up and do not brush off your clothes as this could disperse material into the air.
2. If the material is corrosive or presents an immediate danger, wash, or rinse your hands.
 3. Close the door to the area where the suspicious parcel was opened and do not allow others to enter the area.
 4. Call:
 - Campus Police Department(928) 428-8240/(928) 428-8241
 - Campus Police Department (After Hours) (928) 965-8240
 - Graham County Sheriff's Dispatch (928) 428-0808
 5. Stay at the scene to answer questions from Campus Police and Maintenance Facilities personnel. If anyone enters the closed area in which the suspicious letter or package is, that person should also stay at the scene.

Suspicious Object

"Suspicious object" - is defined as any package, parcel, container, or other object that is suspected of being an explosive device because it is out of place or unusual for that location and cannot be accounted for, or because a threat has been received.

If you find a suspicious object:

1. Do not touch the object.
2. Move people 100 feet or more away from the object.
 - Do not use portable radio equipment or cell phones within 100 feet of the suspicious object.
3. Dial 911 or
 - Campus Police Department(928) 428-8240/(928) 428-8241
 - Campus Police Department (After Hours) (928) 965-8240
 - Graham County Sheriff's Dispatch (928) 428-0808
4. Follow police instructions precisely.
5. Do not attempt to evacuate the building without the authorization or assistance of emergency personnel.
 - Current emergency management guidelines caution against automatic evacuation. In most cases, people are likely to be more secure in their offices, laboratories, or classrooms than in hallways that have not been searched or outdoors where an actual threat may be even more likely to exist.
6. If a search of the building is conducted, you and other staff may be asked to accompany Campus police officers since you are more likely to notice something out of the ordinary in your own area or facility.

Tornado

"Tornado watch" - means that weather conditions are favorable for the formation of a tornado.

"Tornado warning" - is issued when a tornado has actually been sighted in the surrounding area. Emergency warning sirens may be activated when there is a tornado warning.

If a tornado warning has been issued and you are:

Inside:

1. Stay inside.
2. Stay away from outside walls, windows, mirrors, glass, overhead fixtures, and unsecured objects such as filing cabinets or bookcases.
3. If possible, move to a below-ground-level floor, interior corridor, or room or office without windows and crouch low with your hands covering the back of your head and neck.
4. Do not use elevators.
5. If requested, assist persons with disabilities to the safest area on the same floor.
6. Do not leave the shelter area until after the storm is over.
7. Continue to monitor the weather via radio or television until the tornado warning has been lifted for your area.

Outside:

1. If you are in your car, get out of it. Never try to outrun a tornado.
2. Look for a nearby safe structure in which to take shelter.
3. If there is no shelter, lie down flat in a low area such as a ditch away from trees with your hands covering the back of your head and neck.

Violence on Campus

If you witness an act of violence on campus:

1. Get away from the situation as quickly as possible.
2. If you cannot get away, take cover to protect yourself. Secure doors, turn off lights, and stay quiet, low, and out of sight.
3. Dial 911 or
Campus Police Department(928) 428-8240/(928) 428-8241
Campus Police Department (After Hours) (928) 965-8240
Graham County Sheriff's Dispatch (928) 428-0808

If a threat to human safety occurs on campus:

1. The campus Police will initiate the Campus Emergency Alert System (Omnalert®) and all students, employees, and those community members who have subscribed to the alert service, should receive a text and/or email with alert notifications.
2. Information-including safety instructions for students, faculty, and staff will be made available to the campus community through e-mail, opt-in text messaging.

Violence in the Workplace

Workplace violence often begins with inappropriate behavior or signs that, when detected and reported, may help prevent its occurrence. The following information may be helpful in detecting or anticipating workplace violence and help to create a safer, healthier workplace for everyone.

If violence occurs or there is an immediate threat of violence:

1. Leave the area immediately, if possible. If this is not possible, try to lock yourself in a secure area. Secure doors, turn off lights, and stay quiet, low, and out of sight.

2. If possible:

Dial 911 or

Campus Police Department(928) 428-8240/(928) 428-8241

Campus Police Department (After Hours) (928) 965-8240

Graham County Sheriff's Dispatch (928) 428-0808

Give Campus Police or a dispatcher as many details as possible.

Workplace Violence Prevention

- Be aware of what is going on around you at all times. Awareness is a proven method for increased personal safety.
- Tell your supervisor when you notice unusual or suspicious behavior.
- Attend a violence prevention seminar that includes training in conflict resolution and positive ways of dealing with hostile individuals. Campus Police and the Academic Advising Department offer these.
- Refer employees exhibiting inappropriate behavior to the supervisor or Human Resources Office.
- Do not hesitate to call Campus Police for help.
- Remember: A safe workplace is everyone's responsibility.

Examples of Workplace Violence

- Threats, direct or implied.
- Physical conduct such as pushing, shoving, or striking that harms or has the potential to harm people or property.
- Conduct that harasses, disrupts, or interferes with another individual's performance.
- Conduct that creates an intimidating, offensive, or hostile environment.

Risk Factors That Contribute to Workplace Violence

- Termination of employment.
- Disciplinary actions.
- Ongoing conflicts between employees.
- Domestic or family violence.
- Financial problems.

Potential Warning Signs

- Verbal, nonverbal, or written threats.
- Fascination with weapons or violence.
- New or increased stress at home or work.
- Expressions of hopelessness or anxiety.

- Insubordinate behavior.
- Dramatic change in work performance.
- Destruction of property.
- Drug or alcohol abuse.
- Externalization of blame.

Evacuation Procedures

Evacuation of a Building

To be prepared for an emergency, you should:

1. Recognize the sound of the evacuation alarm.
2. Know at least two ways out of the building from your regular workspace.
3. Know the predetermined meeting location for your unit.

When you hear the evacuation alarm or are verbally instructed to begin evacuating the building:

1. Try to make sure that all members of your department hear the alarm and evacuate the area by quickly checking nearby restrooms, copier rooms, storage rooms, etc., as you exit.
2. Use the nearest stairway. Do not use the elevator.
3. If requested, accompany, and assist persons with disabilities.
4. Shut all doors behind you as you go. Closed doors can slow the spread of fire, smoke, and water.
5. Evacuate as quickly as possible but in an orderly manner. Do not push or shove.
6. Once outside, move at least 100 feet from the building or follow the instructions of emergency personnel on the scene. Stay away from building entrances to avoid interfering with emergency personnel or equipment.
7. Meet at a predetermined location.

Evacuation of Persons with Physical Disabilities

The following information provides basic guidelines for assisting persons with physical disabilities during an emergency evacuation.

Ground Floor

Persons with physical disabilities should exit the building along with other building occupants.

Above or Below Ground Floors

A. Visually Impaired

Tell the person with the visual impairment the nature of the emergency and offer to guide the person to the nearest exit. Have the person take your elbow and escort him/her out of the building. As you walk, advise the person of any obstacles. When you reach safety, orient the person to where he/she is and ask if any further assistance is necessary.

B. Hearing Impaired

Alert the person if there is an emergency situation by using hand gestures or by turning the light switch on and off. Verbalize or mouth instructions or provide the individual with a short note

containing instructions. Offer assistance as you leave the building.

C. Mobility Impaired

Since elevators should not be used for evacuation during an emergency, persons with mobility impairments will need assistance evacuating. Individuals who can walk may be able to evacuate themselves. Walk with the person to provide assistance, if necessary.

Evacuating individuals who are not able to walk is much more complicated. If there is no immediate danger, take the individual to a safe place to wait for emergency personnel. Whenever possible, someone should remain with the person while another individual exits the building and notifies emergency personnel of the mobility impaired person's exact location.

Only in situations of extreme and immediate danger should you try to evacuate a wheelchair user yourself. The person with the disability is the best authority on how he/she should be moved. Ask before you move someone. While it is best to let professional emergency personnel conduct the evacuation, a person with a mobility impairment can be carried by two people who have interlocked their arms to form a "chair" or by carrying the person in a sturdy office chair.

ALCOHOL AND DRUG POLICY

Eastern Arizona College complies with the Drug-Free Schools and Communities Act of 1989 (PL 101-226) which requires federal contractors and grantees to certify that they will provide a drug-free school. As such, a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees must be developed and implemented. The program must contain standards of conduct; a description of sanctions for violating federal, state, and local law, and campus policy; a description of health risks associated with alcohol or other drug use, a description of treatment options, and a biennial review of the program's effectiveness and the consistency of the enforcement of sanctions. *Eastern Arizona College's Program to Prevent Illicit Use of Drugs and Abuse of Alcohol by Employees and Students* is located in the Academic Catalog and is included with all part-time and full-time employment contracts.

Eastern Arizona College prohibits the manufacture, distribution, dispensing, possession, or use of a controlled substance by any person on District property or as part of any of the District's activities. Additionally, employees are prohibited from ingesting any controlled substance at work and from being at work while under the influence of any controlled substance. A "controlled substance" is defined as an illegal drug, a legal drug used in excess of recommended dosage, an alcoholic beverage, and/or any other mind-altering substance. Marijuana, even when employed for medical use, is considered to be a "controlled substance."

The Arizona Medical Marijuana Act (Proposition 203), which legalized the use and possession of medical marijuana by certain individuals, does not allow any person to use or possess marijuana in public. Additionally, it does not require employers to allow any employee to use or possess marijuana at work, nor to be under the influence of marijuana at work. Accordingly, the College will continue to prohibit the use and possession of all controlled substances (including marijuana) by students and employees on College property and will continue to prohibit employees from working while under the influence of marijuana. The College will not consider an employee who is a "registered qualifying patient" within the meaning of the Arizona Medical Marijuana Act to be under the influence of marijuana solely because of the presence of marijuana metabolites.

Eastern Arizona College and EAC PD enforce all local, state, and federal laws regarding the manufacture, distribution, dispensing, possession, or use of illicit drugs and alcohol on District property or as part of any of the District's activities. Eastern Arizona College expects all students, employees, and visitors to comply with all local, state, and federal alcohol and drug laws. Members of the campus community who violate local, state, or federal drug and alcohol laws, or who violate College policies regarding drugs and alcohol are subject to criminal prosecution and/or disciplinary action.

Policies have been developed to:

- A. Ensure that the working and learning environment for students, employees and the public is safe, orderly, and free of illegal activity.
- B. Comply with the Drug Free School and Communities Act of 1989 (PL 101-26), the Drug Free Workplace Act of 1988 (PL 100-690, Title IV, Subtitle D) and other relevant substance abuse laws.
- C. Provide students with access to appropriate treatment and rehabilitation assistance for problems associated with substance use or abuse.

References:

Graham County Community College District (GCCCCD) Policy #4710.00 and Regulation #4710.01 specify standards of conduct and consequences of violations for employees.

GCCCCD Regulations #5800.01 and #5800.02 specify the standards of conduct and consequences of violation in relation to drug and alcohol use, and the Drug-Free Compliance Program.

Drug or Alcohol Abuse Education Programs

As part of the annual training that students receive through Vector Solutions, a third-party vendor, students receive information on drug and alcohol prevention.

Although the College does not provide direct drug or alcohol counseling, treatment, or rehabilitation services. Students or employees with concerns related to the use/abuse of drugs or alcohol are encouraged to meet with a member of the Academic Advising staff on the Thatcher Campus for confidential consultation and referral. Academic Advising staff are located in the Student Services Building on Stadium Avenue on the Thatcher Campus. Appointments can be made by calling (928) 428-8253. Arizona State Prison inmates are encouraged to contact the Program Supervisor at their institutions. Inmates at the Federal Correctional Institution (Swift Trail) should contact the FCI Psychology Department. Direct contact with organizations or individuals providing drug or alcohol counseling, treatment, prevention, or rehabilitation services can be made by students or employees depending on location:

- Graham County, Southeastern Arizona Behavioral Health Services (SEABHS), Safford: (928) 428-4550
- Greenlee County, Southeastern Arizona Behavioral Health Services (SEABHS), Clifton: (928) 865-4531

PERSONAL SAFETY/PROTECTION AGAINST SEXUAL ASSAULT OR VIOLENT CRIME

Eastern Arizona College considers the personal safety of students, employees, and visitors an essential element in the maintenance of a learning environment and has a responsibility to ensure they can enjoy the benefits and opportunities the College has to offer in this environment. EAC prohibits stalking, sexual assault, domestic violence and dating violence as they are defined for the purposes of the Clery Act and Arizona state law.

Please see [Clery Act Crime Definitions](#) for the definitions of sexual assault, stalking, domestic violence, and dating violence, and consent as defined by the Clery Act and the State of Arizona.

EAC Policy and Regulation - Dating Violence, Domestic Violence, Sexual Assault, and Stalking,

GCCCD Regulation 2075.01 Procedures for Alleged Violations of the Title IX Sexual Harassment Regulations

RATIONALE

Eastern Arizona College (EAC or the College) is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities that are free from sexual harassment/discrimination, and retaliation for engaging in a protected activity. To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, the College has developed policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of sexual harassment, and for allegations of retaliation. The College values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process, during what is often a difficult time for all those involved.

II. DEFINITIONS

1. Actual Notice means that an employee, student, or third party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of alleged harassing, discriminatory, and/or retaliatory conduct.
2. Advisor means a person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct cross-examination for the party at the hearing, if a hearing is held. This individual may be a District or College employee, attorney, or member of the community.
3. Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment or retaliation for engaging in a protected activity.
4. Formal Complaint means a document filed with the Title IX Coordinator/signed by a Complainant or signed by the Title IX Coordinator alleging against a Respondent sexual harassment or retaliation for engaging in a protected activity and requesting that the College investigate the allegation.
5. Day(s) means a business day when the College is in normal operation.
6. Educational program or activity means locations, events, or circumstances where the College exercises substantial control over both the Respondent and the context in which the sexual harassment or discrimination occurs and also includes any building owned or controlled by a student organization that is officially recognized by the College.
7. Final Determination/Finding means a conclusion by preponderance of the evidence that the alleged conduct occurred, or did not occur, and whether it did, or did not, violate policy and/or regulation.
8. Formal Grievance Process means a method of formal resolution designated by the College to address conduct that falls within the policies included below, and which complies with the requirements of 34 CFR Part 106.45.

9. Grievance Process Team means any investigators, appeal officers, and advisors who may perform any or all of these roles (though not at the same time or with respect to the same case).
10. Hearing Decision-maker means a person who has decision-making and sanctioning authority within the College's Formal Grievance process.
11. Investigator means the person or persons charged by the College with gathering facts about an alleged violation of this Regulation, assessing relevance and credibility, synthesizing the evidence, and compiling this information into an investigation report and file of directly related evidence.
12. Mandated (Mandatory) Reporter means an employee of the College who is obligated by regulation to share knowledge or reports of harassment, discrimination, and/or retaliation with the Title IX Coordinator. Mandatory Reporter under this regulation does not diminish the requirement under Arizona state law to report alleged or suspected child abuse, elder abuse, and/or abuse of individuals with disabilities to appropriate officials, though these responsibilities may overlap with those who have mandated reporter responsibility in this Regulation.
13. Official with Authority (OWA) means an employee of the College explicitly vested with the responsibility to implement corrective measures for harassment and/or retaliation on behalf of the College.
14. Parties include the Complainant(s) and Respondent(s), collectively.
15. Promptness means the time period in which allegations are acted upon once the College has received notice or a formal complaint. Complaints can take 60-90 business days to resolve, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but the College will avoid all undue delays within its control.
16. Remedies means post-finding actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to the College's educational program.
17. Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination based on a protected class; or retaliation for engaging in a protected activity.
18. Resolution means the result of an Informal or Formal Grievance Process.
19. Sanction means a consequence imposed by the College on a Respondent who is found to have violated this regulation.
20. Sexual Harassment means the umbrella category including the offenses of sexual harassment, sexual assault, stalking, and dating violence and domestic violence.
21. Title IX Coordinator is at least one official designated by the College to ensure compliance with Title IX and the College's Title IX program. References to the Coordinator throughout this regulation may also encompass a designee of the Coordinator for specific tasks.
22. Title IX Team refers to the Title IX Coordinator, any deputy coordinator(s), and any member of the Grievance Process Team.

III. TITLE IX COORDINATOR

The College has designated a Title IX Coordinator who will oversee implementation of this regulation. The Title IX Coordinator has the primary responsibility for coordinating the College's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this regulation.

Complaints or notice of alleged policy/regulation violations, or inquiries about or concerns regarding this regulation, may be made internally to:

Laurie Pennington
Title IX Coordinator
Director, Enterprise Risk Management
615 N. Stadium Ave., Office #251
Thatcher, AZ 85552
Phone: 928-428-8488
Email: laurie.pennington@eac.edu
Web: <https://www.eac.edu/>

The College Title IX Coordinator acts with independence and authority free from bias and conflicts of interest. To raise any concern involving bias or conflict of interest by the Title IX Coordinator, contact the Vice President of Academic and Student Affairs at susan.wood@eac.edu or at 928-428-8261. Concerns of bias or a potential conflict of interest by any other Title IX Team member should be raised with the Title IX Coordinator.

IV. OFFICIALS WITH AUTHORITY AND MANDATED (MANDATORY) REPORTERS

OFFICIALS WITH AUTHORITY

The College has determined that the following administrators are Officials with Authority to address and correct sexual harassment and/or retaliation. In addition to the Title IX Team members listed in Section 2. Definitions, 22. Title IX Team, these Officials with Authority listed below may also accept notice or complaints on behalf of the College.

Title IX Coordinator
Title IX Deputy Coordinator
College President
College Vice Presidents
Deans
Directors
Campus Police/Security Officers
Athletic Director

MANDATED (MANDATORY) REPORTERS

The College has also classified all employees as Mandatory Reporters of any knowledge they have that a member of the College community is experiencing harassment, discrimination, and/or retaliation. Mandatory Reporters are expected to report actual or suspected discrimination or harassment to the Title IX Coordinator or to any other Official with Authority.

Anonymous Notice to Mandated Reporters

At the request of a Complainant, notice may be given by a Mandated Reporter to the Title IX Coordinator anonymously, without identification of the Complainant. The Mandated Reporter cannot remain anonymous themselves. Anonymous notice will be investigated by the College to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures or remedies can be provided. However, anonymous notice typically limits the College's ability to investigate, respond, and provide remedies, depending on what information is shared. When a Complainant has made a request for anonymity, the Complainant's personally identifiable information may be withheld by a Mandated Reporter, but all other details must be shared with the Title IX Coordinator. Supportive measures may be offered as the result of such disclosures without formal action by the College.

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

V. CONFIDENTIAL RESOURCES AND FEDERAL RESOURCES

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

Off-campus (non-employees):

- Licensed professional counselors and other medical providers
- Local rape crisis counselors
- Domestic violence resources
- Local or state assistance agencies
- Clergy/Chaplains
- Attorneys

External Inquiries may be made to:

Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-1100
Customer Service Hotline#: (800) 421-3481
Facsimile: (202) 453-6012
TDD#: (877) 521-2172
Email: OCR@ed.gov
Web: <http://www.ed.gov/ocr>.

VI. NOTICE/COMPLAINTS OF DISCRIMINATION, HARASSMENT, AND/OR RETALIATION

Notice or complaints of discrimination, harassment, and/or retaliation may be made using any of the following options:

1. File a complaint with, or give verbal notice to, the Title IX Coordinator or Officials with Authority. Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator or any other official listed. This information can be found on the College's website at <https://www.eac.edu/TitleIX/>.

2. Report online, using the reporting form posted at <https://www.eac.edu/TitleIX/GrievanceForm.pdf>. Anonymous reports are accepted but can give rise to a need to investigate. The College will try to provide supportive measures to all Complainants, which is impossible with an anonymous report. Since anonymous reporting carries no obligation to initiate a formal response and since the College respects a Complainant's requests to dismiss complaints, unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of privacy.

A Formal Complaint means a document filed/signed by the Complainant or signed by the Title IX Coordinator alleging a policy/regulation violation by a Respondent and requesting that the College investigate the allegation(s). A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information in the section immediately above, or as described in this section. As used in this paragraph, the phrase "document filed by a Complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the College) that contains the Complainant's physical or digital signature, which can include the Complainant's name on the email, or otherwise indicates that the Complainant is the person filing the complaint.

If notice is submitted on a form that does not meet this standard, the Title IX Coordinator will contact the Complainant to ensure that it is filed correctly.

VII. SUPPORTIVE MEASURES

The College will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged harassment, discrimination, and/or retaliation.

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

The Title IX Coordinator shall make supportive measures available to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, the College will inform the Complainant, in writing, that they may file a formal complaint with the College either at that time or in the future, if they have not done so already. The Title IX Coordinator works with the Complainant to ensure that their requests are considered with respect to the planned and implemented supportive measures.

The College will maintain the privacy of the supportive measures, provided that maintaining privacy does not impair the College's ability to provide the supportive measures. The College will act to ensure as minimal an academic impact on the parties as possible. The College will implement measures in a way that does not unreasonably burden the other party.

These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to student assistance resources
- Referral to the Employee Assistance Program
- Referral to community-based service providers
- Student financial aid counseling
- Altering work arrangements for employees or student-employees
- Altering campus housing assignments
- Safety planning
- Providing campus safety escorts
- Implementing contact limitations (No Contact Orders) between the parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Trespass orders, when applicable
- Timely warnings under the Clery Act
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator

Violations of No Contact Orders will be referred to appropriate student or employee conduct processes for enforcement.

VIII. EMERGENCY REMOVAL

The College can act to remove a Respondent entirely or partially from its educational program/activities or District employment on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. This risk analysis is performed by the Title IX Coordinator in conjunction with the college Behavioral Intervention Team and/or Threat Assessment Team using its standard objective violence risk assessment procedures.

The Title IX Coordinator has sole discretion under this regulation to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this regulation will be grounds for discipline, which may include expulsion or termination from employment.

In all cases where an emergency removal is imposed:

1. The Respondent will be given written notice of the action. In the written notice there will be the option to request to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified. This meeting is not a hearing on the merits of the underlying Title IX allegations, but rather an administrative process intended to determine solely whether the emergency removal is appropriate.
2. The Respondent has three (3) days after the receipt of the emergency removal to request the meeting with the Title IX Coordinator. If the Respondent does not make such a request within

- the three (3) day time period, objection to the emergency removal is deemed waived.
3. The Respondent may be accompanied by an Advisor of their choosing in the administrative meeting with the Title IX Coordinator.
 4. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.
 5. The Respondent understands there is no appeal process for emergency removal decisions.
 6. A Complainant and their Advisor may be permitted to participate in this meeting, if the Title IX Coordinator determines it is equitable to do so. There is no appeal process for emergency removal decisions.
 7. The College will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns.

IX. PRIVACY

Every effort is made by the College to preserve the privacy of a report under this regulation.

X. JURISDICTION

This regulation applies to all of the College's educational programs and activities, to conduct that takes place on the campus or on property owned or controlled by the College, at College sponsored events, or in buildings owned or controlled by recognized student organizations. The Respondent must be a member of the College community in order for its policies to apply. Nevertheless, even when the Respondent is not a member of the College's community, supportive measures, remedies, and resources may be accessible to the Complainant by contacting the Title IX Coordinator.

This regulation can also be applicable to the effects of off-campus misconduct that effectively deprive someone of access to the College's educational program. The College may also extend jurisdiction to off-campus and/or to online conduct when the Title IX Coordinator determines that the conduct affects a substantial College interest. For example, where the effects of the off-campus conduct impede access to the College's educational programs or activities.

Regardless of where the conduct occurred, the College will address notice/complaints to determine whether the conduct occurred in the context of its educational program or activity, or employment, and/or has continuing effects on campus or in an off-campus sponsored program or activity.

Similarly, the Title IX Coordinator may be able to provide guidance for a student or employee Complainant who experiences sexual harassment/discrimination in an environment external to the College by referring the Complainant to the College's Academic Advising Department or Human Resources.

XI. TIME LIMITS ON REPORTING

There is no time limitation on providing notice/complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to the College's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

Acting on notice/complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of regulation) is at the discretion of the Title IX Coordinator, who may document

allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

When the notice/complaint is affected by significant time delay, the College will typically apply the regulation in place at the time of the alleged misconduct and the regulation/procedures in place at the time of notice/complaint.

XII. ONLINE HARASSMENT AND MISCONDUCT

This regulation is written and interpreted broadly to include online and cyber manifestations of any of the behaviors prohibited below, when those behaviors occur in or have an effect on the College's educational program and activities or use the College networks, technology, or equipment.

While the College may not control websites, social media, and other venues in which harassing communications are made, when such communications are reported to the College, the College will engage in a variety of means to address and mitigate the effects. Any online postings or other electronic communication by students and employees, including cyber-bullying, cyber-stalking, cyber-harassment, etc., occurring completely outside of the College's control (e.g., not on the College networks, websites, or between the College email accounts) will be subject to this regulation when such online conduct can be shown to cause a substantial in-program disruption to the student's educational pursuit of the College's educational programs and/or activities.

Off-campus harassing speech by employees, whether online or in person, may be regulated by the College only when such speech is made in an employee's official or work-related capacity, including where the speaker presents themselves as an employee of the College. Otherwise, such communications are considered speech protected by the First Amendment. Supportive measures for Complainants will be provided, but protected speech will not be subjected to discipline.

XIII. TITLE IX SEXUAL HARASSMENT

The Department of Education's Office for Civil Rights (OCR), and the State of Arizona regard Sexual Harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice.

For Title IX complaints, the College has adopted the following definition of Sexual Harassment in order to address the unique environment of an academic community, which consists not only of employer and employees, but of students as well.

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

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

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

1. Quid Pro Quo:

- a. an employee of the College,
 - b. conditions the provision of an aid, benefit, or service of the College,
 - c. on an individual's participation in unwelcome sexual conduct.
2. Sexual Harassment:
- a. unwelcome conduct,
 - b. determined by a reasonable person,
 - c. to be so severe, and
 - d. pervasive, and,
 - e. objectively offensive,
 - f. that it effectively denies a person equal access to the College's educational program or activity. Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances ("in the shoes of the Complainant"), including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.
3. Sexual assault, defined as:
- a. Sex Offenses, Forcible:
 - i. Any sexual act directed against another person,
 - ii. without the consent of the Complainant,
 - iii. including instances in which the Complainant is incapable of giving consent.
 - b. Forcible Rape:
 - i. Penetration,
 - ii. no matter how slight,
 - iii. of the vagina or anus with any body part or object, or
 - iv. oral penetration by a sex organ of another person,
 - v. without the consent of the Complainant.
 - c. Forcible Sodomy:
 - i. Oral or anal sexual intercourse with another person,
 - ii. forcibly,
 - iii. and/or against that person's will (non-consensually), or
 - iv. not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
 - d. Sexual Assault with an Object:
 - i. The use of an object or instrument to penetrate,
 - ii. however slightly,
 - iii. the genital or anal opening of the body of another person,
 - iv. forcibly,
 - v. and/or against that person's will (non-consensually),
 - vi. or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
 - e. Forcible Fondling:
 - i. The touching of the private body parts of another person (buttocks, groin, breasts),
 - ii. for the purpose of sexual gratification,
 - iii. forcibly,
 - iv. and/or against that person's will (non-consensually),

- v. or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- f. Sex Offenses, Non-forcible:
 - i. Incest:
 - 1) Non-forcible sexual intercourse,
 - 2) Between persons who are related to each other,
 - 3) Within the degrees wherein marriage is prohibited by Arizona law.
 - ii. Statutory Rape:
 - 1) Non-forcible sexual intercourse,
 - 2) With a person who is under the Arizona statutory age of consent, which is the age of 18 years old.
- 4. Dating Violence, defined as:
 - a. violence,
 - b. on the basis of sex,
 - c. committed by a person,
 - d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
 - i. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
 - ii. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - iii. Dating violence does not include acts covered under the definition of domestic violence.
- 5. Domestic Violence, defined as:
 - a. violence,
 - b. on the basis of sex,
 - c. committed by a current or former spouse or intimate partner of the Complainant,
 - d. by a person with whom the Complainant shares a child in common, or
 - e. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
 - f. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of the state of Arizona or
 - g. by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of the state of Arizona.

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

- 6. Stalking, defined as:
 - a. engaging in a course of conduct,
 - b. on the basis of sex,
 - c. directed at a specific person, that
 - i. would cause a reasonable person to fear for the person's safety, or
 - ii. the safety of others; or

- iii. suffer substantial emotional distress.

For the purposes of this definition—

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

EASTERN ARIZONA COLLEGE reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any offense under this regulation.

Force, Coercion, Consent, and Incapacitation

As used in the offenses above, the following definitions and understandings apply:

Force: Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent.

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

Coercion: Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Consent is:

- knowing, and
- voluntary, and
- clear permission
- by word or action
- to engage in sexual activity.

Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain *their* consent to being kissed back.

Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on the College to determine whether its policy and/or regulation has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

Incapacitation: A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. As stated above, a Respondent violates this regulation if they engage in sexual activity with someone who is incapable of giving consent.

It is a defense to a sexual assault regulation violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. “Should have known” is an objective, reasonable person standard, which assumes that a reasonable person is both sober and exercising sound judgment.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why, or how” of their sexual interaction).

Incapacitation is determined through consideration of all relevant indicators of an individual’s state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

This regulation also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs.

XIV. RETALIATION

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

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

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

Charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.

The following do not constitute retaliation under this regulation:

1. The exercise of rights protected under the First Amendment.
2. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this regulation and procedure. A determination regarding responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith.

XV. WHEN A COMPLAINANT DOES NOT WISH TO PROCEED

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal complaint to be pursued, they may make such a request to the Title IX Coordinator, who will evaluate that request within the College's duty to ensure the safety of the campus and to comply with state or federal law.

The Title IX Coordinator has discretion over whether the College proceeds when the Complainant does not wish to do so. The Title IX Coordinator may sign a formal complaint to initiate a grievance process upon the decision that there is a compelling risk to health and/or safety that requires the College to pursue formal action to protect the community.

When the Title IX Coordinator executes the written complaint, they do not become the Complainant. The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this regulation.

When the College proceeds, the Complainant (or their Advisor) may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this Regulation irrespective of their level of participation. Typically, when the Complainant chooses not to participate, an Advisor may be appointed as proxy for the Complainant throughout the process, acting to ensure and protect the rights of the Complainant. The goal is to provide the Complainant with as much control over the process as possible, while balancing the College's obligation to protect its community.

If the Complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, a Complainant has the right, and can expect, to have allegations taken seriously by the College, and to have the incidents investigated and properly resolved through these procedures.

XVI. FEDERAL TIMELY WARNING OBLIGATIONS

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Clery Act, the College must issue timely warnings for incidents reported to them that pose a serious or continuing threat of bodily harm or danger to members of the campus community.

The College will ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

XVII. FALSE ALLEGATIONS AND EVIDENCE

Deliberately false and/or malicious accusations under this regulation, as opposed to allegations which, even if erroneous, are made in good faith, are a serious offense and will be referred to either the student code of conduct or employee conduct policies for appropriate disciplinary action.

Additionally, witnesses and parties who knowingly provide false evidence, tamper with, or destroy evidence after being directed to preserve such evidence, or deliberately mislead an investigator or hearing decision-maker will be subject to discipline under the appropriate student or employee policy/regulation.

XVIII. AMNESTY FOR COMPLAINANTS AND WITNESSES

The College community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report to College officials or participate in grievance processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of the College community that Complainants choose to report misconduct to College officials, that witnesses come forward to share what they know, and that all parties be forthcoming during the process. To encourage reporting and participation in the process, the College maintains a policy of offering parties and witnesses amnesty from minor regulation violations – such as underage consumption of alcohol or the use of illicit drugs – related to the incident being reported.

Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution. The decision not to offer amnesty to a Respondent is based on neither sex nor gender, but on the fact that collateral misconduct is typically addressed for all students within a progressive discipline system, and the rationale for amnesty – the incentive to report serious misconduct – is rarely applicable to a Respondent with respect to a Complainant.

The College maintains a policy of amnesty for students who offer help to others in need. While regulation violations cannot be overlooked, the College may provide purely educational options with no official disciplinary finding, rather than punitive sanctions, to those who offer their assistance to others in need.

XIV. FEDERAL STATISTICAL REPORTING OBLIGATIONS

Certain campus officials – those deemed Campus Security Authorities – have a duty to report the following for federal statistical reporting purposes (Clery Act):

1. All “primary crimes,” which include homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson.
2. Hate crimes, which include any bias motivated primary crime as well as any bias motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property.
3. VAWA based crimes, which include sexual assault, domestic violence, dating violence, and stalking (VAWA is the Violence Against Women Act, enacted in 1994 codified in part at 42 U.S.C. sections 13701 through 14040); and
4. Arrests and referrals for disciplinary action for weapons-related law violations, liquor-related law violations, and drug abuse-related law violations.

All personally identifiable information is kept private, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on or off-campus or in the surrounding area, but no addresses are given) for publication in the Annual Security Report and daily campus crime log.

Campus Security Authorities include the president, vice-presidents, student affairs/student conduct staff, campus law enforcement/public safety, local police, coaches, athletic directors, student activities staff, human resources staff, advisors to student organizations, and any other official with significant responsibility for student and campus activities.

REGULATION

1. Regulation Overview

The College will act on any formal or informal notice/complaint of violation of this Title IX Sexual Harassment Regulation 2075.01 (“the Regulation”) that is received by the Title IX Coordinator or any other Official with Authority by applying these procedures.

The procedures below apply **only** to qualifying allegations of sexual harassment as defined by Title IX (including sexual assault, dating violence, domestic violence, and stalking, as defined above) involving students, staff, administrators, or faculty members. Allegations of sexual harassment and discrimination that does not meet the requirements of Title IX, 34 CFR Part 106.30, may be referred to the Student Life Office (for alleged violations of the Student Code of Conduct), to the Section 504/ADA Coordinator if the complaint relates to discrimination on the basis of disability or to the Director of Human Resources/Civil Rights Equity Officer (CREO) if the complaint relates to discrimination on any other basis, or for alleged violations of Human Resources Policies.

2. Notice/Complaint

Upon receipt of a complaint or notice to the Title IX Coordinator of an alleged violation of this Regulation, the College will initiate a prompt initial assessment to determine the next steps. The College will initiate at least one of three responses:

- a. Offering supportive measures because the Complainant does not want to proceed formally.
- b. Offering supportive measures and initiating an informal resolution; or
- c. Offering supportive measures and initiating a Formal Grievance Process including an investigation and a hearing to determine whether or not the Regulation has been violated.

3. Initial Assessment

Following receipt of notice or a complaint of an alleged violation of this Regulation, the Title IX Coordinator (or designee) engages in an initial assessment, which is typically one (1) to five (5) business days in duration.

4. Emergency Removal

In the event an emergency removal is considered, the Title IX Coordinator will follow the procedures outlined in Section VIII of this regulation.

5. Dismissal (Mandatory and Discretionary)

Mandatory Dismissal: The Title IX Coordinator must dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

- a. The conduct alleged in the formal complaint would not constitute sexual harassment as defined in the regulation hereinabove, even if proved; and/or
- b. The conduct did not occur in an educational program or activity controlled by the College (including buildings or property controlled by recognized student organizations), and/or the College does not have control of the Respondent; and/or
- c. The conduct did not occur against a person in the United States; and/or
- d. At the time of filing a formal complaint, a Complainant is not participating in or attempting to participate in the educational program or activity of the College.

Discretionary Dismissal: The Title IX Coordinator may choose to dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:

1. A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein. A Complainant who decides to withdraw a complaint may later request to reinstate it or refile it; or

2. The Respondent is no longer enrolled in or employed by the College; or
3. Specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon any dismissal, the College will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.

Discretionary dismissal decisions may be appealed by any party under the procedures for appeal below.

6. Counterclaims

The College is obligated to ensure that the grievance process is not abused for retaliatory purposes. The College permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith. Counterclaims made with retaliatory intent will not be permitted and may constitute a violation of this regulation.

Counterclaims determined to have been reported in good faith will be processed using the grievance procedures below. Investigation of such claims may take place after resolution of the underlying initial allegation; in which case a delay may occur.

Counterclaims may also be resolved through the same investigation as the underlying allegation, at the discretion of the Title IX Coordinator.

7. Right to an Advisor

The parties may each have an Advisor of their choice. The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The parties may choose Advisors from inside or outside of the College community. The Advisor may be present with the Complainant or Respondent for all of their meetings and interviews within the resolution process if they choose.

The parties may select whomever they wish to serve as their Advisor as long as the Advisor is eligible and available. "Available" means the party cannot insist on an Advisor who simply does not have inclination, time, or availability. Also, the Advisor cannot have institutionally conflicting roles, such as being a Title IX administrator who has an active role in the matter, or a supervisor who must monitor and implement sanctions.

Choosing an Advisor who is also a witness in the process creates potential for bias and conflict-of-interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision-maker.

If the parties choose an Advisor from the pool available from the College, the Advisor will be trained by the College and be familiar with the College's resolution process. If the parties choose an Advisor from outside the pool of those identified by the College, the Advisor may not have been trained by the College and may not be familiar with the College's policies, regulations, and procedures.

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

prior to a hearing.

a. Advisors in Hearings/Eastern Arizona College-Appointed Advisor

Under U.S. Department of Education regulations applicable to Title IX, cross-examination is required during the hearing but must be conducted by the parties' Advisors. The parties are not permitted to directly cross-examine each other or any witnesses. If a party does not have an Advisor for a hearing, the College will appoint a trained Advisor for the limited purpose of conducting any direct and cross-examination.

A party may reject this appointment and choose their own Advisor, but they may not proceed without an Advisor. If the party's Advisor will not conduct cross-examination, the College will appoint an Advisor who will do so thoroughly, regardless of the participation or non-participation of the advised party in the hearing itself. Extensive questioning of the parties and witnesses may also be conducted by the Decision-maker during the hearing.

b. Pre-Interview Meetings

Advisors may request to meet with the administrative officials conducting interviews/meetings in advance of these interviews or meetings. This pre-meeting allows Advisors to clarify and understand their role and the College's policies and procedures.

c. Advisor Violations of Eastern Arizona College Regulation

All Advisors are subject to the same College policies and procedures, whether they are attorneys or not. Advisors are expected to advise without disrupting proceedings. Advisors may not address College officials in a meeting or interview unless invited to (e.g., asking procedural questions). The Advisor may not make a presentation or represent their advisee during any meeting or proceeding and may not speak on behalf of the advisee to the Investigator(s) or other Decision-maker except during a hearing proceeding, during cross-examination.

The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the resolution process. Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any resolution process meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

Any Advisor who oversteps their role as defined by this regulation will be warned only once. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting will be ended, or other appropriate measures implemented. Subsequently, the Title IX Coordinator will determine how to address the Advisor's non-compliance and future role.

d. Sharing Information with the Advisor

Parties may share documentation and evidentiary information directly with their Advisor or other individuals if they wish. Doing so may help the parties participate more meaningfully in the resolution process.

The College also provides a consent form that authorizes the College to share such information directly with their Advisor. The parties must either complete and submit this form to the Title IX Coordinator or provide similar documentation demonstrating consent to a release of information to the Advisor before the College is able to share records with an Advisor.

If a party requests that all communication be made solely through their attorney Advisor, the College will be unable to do this as it voids the College's ability to comply with direction from regulatory agencies.

e. Privacy of Records Shared with Advisor

Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by the College. The College may seek to restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by the College's privacy expectations.

f. Expectations of an Advisor

The College generally expects an Advisor to adjust their schedule to allow them to attend scheduled College meetings when planned. At the sole discretion of the Title IX Coordinator, scheduled meetings may be changed to accommodate an Advisor's inability to attend. Such discretion is limited to determining if doing so does not cause an unreasonable delay. The decision to change meetings dates and times is final.

The College may also make reasonable provisions to allow an Advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

g. Expectations of the Parties with Respect to Advisors

A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout. The parties are expected to inform the Investigator(s) of the identity of their Advisor at least two (2) business days before the date of their first meeting with Investigators (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the Title IX Coordinator if they change Advisors at any time. It is assumed that if a party changes Advisors, consent to share information with the previous Advisor is terminated, and a release for the new Advisor must be secured. Parties are expected to inform the Title IX Coordinator of the identity of their hearing Advisor at least two (2) business days before the hearing.

8. Resolution Processes

Resolution proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accordance with this regulation. While there is an expectation of privacy around what Investigators share with parties during interviews, the parties have discretion to share their own knowledge and evidence with others if they so choose. The College encourages parties to discuss this with their Advisors before doing so.

a. Informal Resolution

Informal Resolution can include four different approaches:

- When the parties agree to resolve the matter through an alternate resolution mechanism, such as mediation.
- When the parties agree to resolve the matter by entering into an Informal Resolution Agreement.
- When the Respondent accepts responsibility for violating policy and/or regulation, and desires to accept a sanction and end the resolution process; or
- When the Title IX Coordinator can resolve the matter informally by providing supportive measures to remedy the situation.

To initiate Informal Resolution, a Complainant needs to submit a formal complaint, as defined above. If a Respondent wishes to initiate Informal Resolution, they should contact the Title IX Coordinator to so indicate.

It is not necessary to pursue Informal Resolution first in order to pursue a Formal Grievance Process, and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process.

Prior to implementing an Informal Resolution, the College will provide the parties with written notice of the reported misconduct and any sanctions or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by the College.

The College will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the parties to participate in Informal Resolution.

9. Formal Grievance Process

The Formal Grievance Process relies on a team of administrators (“the Team”) to carry out the process. Members of the Team are announced in an annual distribution of this Regulation to all students, parents/guardians of students, employees, prospective students, and prospective employees. They are also listed in the Annual Title IX Report published by the Title IX Office.

10. Formal Grievance Process: Notice of Investigation and Allegations

The Title IX Coordinator will provide written notice of the investigation and allegations (the “NOIA”) to

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

The NOIA will include:

- A meaningful summary of all of the allegations.
- The identity of the involved parties (if known).
- The precise misconduct being alleged.
- The date and location of the alleged incident(s) (if known).
- The specific policies and/or regulations implicated.
- A description of the applicable procedures.
- A statement of the potential sanctions/responsive actions that could result.
- A statement that the College presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination.
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period.
- A statement about the College's Regulation on retaliation.
- Information about the privacy of the process.
- Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor.
- A statement informing the parties that the College's Regulation prohibits knowingly making false statements, including knowingly submitting false information during the resolution process.
- Detail on how the party may request disability accommodations during the interview process.
- A suggested date and time for an initial meeting (proper time will be given to allow for the selection of an advisor)
- The name(s) and contact information of the individual(s) from the Grievance Process Team that will conduct the investigation.
- Information on raising concerns with regard to a conflict of interest or bias by the Investigator(s) or the Title IX Coordinator.
- An instruction to preserve any evidence that is directly related to the allegations.

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

Notice will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address(es) of the parties as indicated in official College records, or emailed to the parties' College-issued email or designated accounts. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

11. Resolution Timeline

The College will make a good faith effort to complete the resolution process within a sixty-to-ninety (60-90) business day time period, including appeal, if any, which can be extended as necessary for appropriate

cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

Any time the general timeframes for resolution outlined in College procedures will be delayed, the College will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

12. Appointment of Investigators

Once the decision to commence a formal investigation is made, the Title IX Coordinator shall appoint a team of two (2) investigators to investigate the allegations. Appointment of investigators typically occurs within two (2) business days of determining that an investigation should proceed.

13. Ensuring Impartiality

Any individual materially involved in the administration of the resolution process may neither have or demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent. The parties may, at any time during the resolution process, contact the Title IX Coordinator to raise a concern regarding bias or conflict of interest. The Title IX Coordinator will ensure impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. To raise any concern involving bias or conflict of interest by the Title IX Coordinator, the parties may contact the Vice President of Academic and Student Affairs.

The Formal Grievance Process involves an objective evaluation of all relevant inculpatory and exculpatory evidence obtained. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness.

The College operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a regulation violation by the applicable preponderance of the evidence standard.

14. Delays in the Investigation Process and Interactions with Law Enforcement

The College may undertake a short delay in its investigation if circumstances require. Such circumstances include but are not limited to a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions.

The College will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. The College will promptly resume its investigation and resolution process as soon as feasible. During such a delay, the College will implement supportive measures as deemed appropriate.

College action(s) are not typically altered or precluded on the grounds that civil or criminal charges

involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

15. The Investigation Process

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

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

16. Role and Participation of Witnesses in the Investigation

Witnesses (as distinguished from the parties) who are employees of the College are expected to cooperate with and participate in the College's investigation and resolution process. Failure of such witnesses to cooperate with and/or participate in the investigation or resolution process constitutes a violation of regulation and may warrant discipline.

While in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., study abroad, summer break) may require individuals to be interviewed remotely. Skype, Zoom, FaceTime, WebEx, or similar technologies may be used for interviews if the Investigator(s) determine that timeliness or efficiency dictate a need for remote interviewing. The College will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

Witnesses may also provide written statements in addition to being interviewed.

17. Recording of Interviews

No audio or video recording of any kind is permitted during investigation meetings, except for recordings initiated by the College.

18. Evidentiary Considerations in the Investigation

The investigation does not consider:

- A. Incidents not directly related to the possible violation unless they evidence a pattern.
- B. the character of the parties; or
- C. questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

19. Referral for Hearing

Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a hearing.

The hearing cannot be less than ten (10) business days from the conclusion of the investigation, when the final investigation report is made available to the Parties and the Decision-maker for review and comment, unless all parties and the Decision-maker agree to an expedited timeline. This agreement must be in writing.

The Title IX Coordinator will select a Decision-maker that is to be hired from a list of approved attorneys for any hearing held under the Title IX Regulation.

20. Hearing Decision-maker Composition

The College will designate a single ~~panel of~~ Decision-maker. The Decision-maker will also Chair the hearing. The Decision-maker will not have had any previous involvement with the investigation. The Decision-maker is an out-sourced position that will have had no previous involvement in the matter at hand.

21. Evidentiary Considerations in the Hearing

Any evidence that the Decision-maker determines is relevant and credible may be considered. The hearing does not consider:

- A. Incidents not directly related to the possible violation unless they evidence a pattern.
- B. the character of the parties; or
- C. questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Previous disciplinary action of any kind involving the Respondent may be considered in determining an appropriate sanction upon a determination of responsibility. This information is only considered at the sanction stage of the process.

The parties, if they so choose, may submit a written impact statement prior to the hearing for the consideration of the Decision-maker at the sanction stage of the process when a determination of responsibility is reached.

After post-hearing deliberation, the Decision-maker renders a determination based on the preponderance of the evidence--whether it is more likely than not that the Respondent violated the Policy/Regulation as alleged.

22. Notice of Hearing

No less than ten (10) business days prior to the hearing, the Title IX Coordinator will send notice of the hearing to the parties. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The notice will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities.
- Any technology that will be used to facilitate the hearing.
- A list of all those who will attend the hearing, along with an invitation to object to any Decision-maker on the basis of demonstrated bias. This must be raised with the Title IX Coordinator at least two (2) business days prior to the hearing.
- Information on how the hearing will be recorded and on access to the recording for the parties after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence.
- Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Title IX Coordinator if they do not have an Advisor, and the College will appoint one. Each party must have an Advisor present. There are no exceptions.
- A copy of all the materials provided to the Decision-maker about the matter unless they have been provided already.
- An invitation to each party to submit to the Decision-maker an impact statement pre-hearing that the Decision-maker will review during any sanction determination.
- An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.
- Direction that the parties may not bring mobile phones/devices into the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Regulation) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by the College and remain within the 60-90 business day goal for resolution.

In these cases, if the Respondent is a graduating student, a hold may be placed on graduation and/or official transcripts until the matter is fully resolved (including any appeal). A student facing charges under this Regulation is not in good standing to graduate.

23. Virtual Hearings

All hearings will occur virtually. The Title IX Coordinator will arrange to use technology to allow remote testimony without compromising the fairness of the hearing. Typically, each party will be located in a separate room from the Decision-maker but will be able to see and hear each other.

24. Pre-Hearing Preparation

The Decision-maker, or designee, after any necessary consultation with the parties, Investigator(s), and/or Title IX Coordinator, will provide the names of persons who will be participating in the hearing, all pertinent documentary evidence, and the final investigation report to the parties at least ten (10) business days prior to the hearing. During the ten (10) business day period prior to the hearing, the parties have the opportunity to review and comment on the final investigation report and available evidence.

The Decision-maker, or designee, will also provide the parties with a copy of the pre-hearing preparation checklist/document. A copy of the pre-hearing preparation checklist/document may be found on the College's Title IX webpage:

<https://www.eac.edu/TitleIX/>

25. Hearing Procedures

At the hearing, the Decision-maker has the authority to hear and make determinations on all allegations of sexual harassment and/or retaliation and may also hear and make determinations on any additional alleged regulation violations that have occurred in concert with the discrimination, harassment, and/or retaliation, even though those collateral allegations may not specifically fall within the Title IX Regulation.

Participants at the hearing will include the Decision-maker, the hearing facilitator, the Investigator(s) who conducted the investigation, the parties, Advisors to the parties, any called witnesses, the Title IX Coordinator and anyone providing authorized accommodations or assistive services.

The Decision-maker will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The Decision-maker will allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the Decision-maker and the parties and will then be excused.

26. Joint Hearings

In hearings involving more than one Respondent or in which two (2) or more Complainants have accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly. However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent with respect to each alleged regulation violation.

27. Refusal to Submit to Cross-Examination and Inferences

The Decision-maker may not draw any inference solely from a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

If charges of policy/regulation violations other than sexual harassment are considered at the same hearing, the Decision-maker may consider all evidence it deems relevant.

If a party's Advisor of choice refuses to comply with the College's established rules of decorum for the hearing, the College may require the party to use a different Advisor. If a College-provided Advisor refuses to comply with the rules of decorum, the College may provide that party with a different Advisor to conduct cross-examination on behalf of that party.

28. Recording Hearings

Hearings (but not deliberations) will be recorded by the College for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted.

The Decision-maker, the parties, their Advisors, and appropriate administrators of the College will be permitted to listen to the recording in a controlled environment determined by the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording.

29. Deliberation, Decision-making, and Standard of Proof

The Decision-maker will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy/regulation violation(s) in question. The preponderance of the evidence standard of proof is used.

When there is a finding of responsibility on one or more of the allegations, the Decision-maker may then consider the previously submitted party impact statements in determining appropriate sanction(s).

The Decision-maker will ensure that each of the parties has an opportunity to review any impact statement submitted by the other party(ies). The Decision-maker may – at their discretion – consider the statements, but they are not binding.

The Decision-maker will review the statements and any pertinent conduct history provided by the investigator(s) and will determine the appropriate sanction(s) in consultation with other appropriate administrators, as required.

The Decision-maker will then prepare a written deliberation statement and deliver it to the Title IX Coordinator, detailing the determination, rationale, the evidence used in support of its determination, the evidence disregarded, credibility assessments, and any sanctions. This report typically should not exceed three (3) to five (5) pages in length and must be submitted electronically to the Title IX Coordinator within two (2) business days of the end of deliberations, unless the Title IX Coordinator grants an extension. If an extension is granted, the Title IX Coordinator will notify the parties in writing of the extension.

30. Notice of Outcome

Using the deliberation statement, the Title IX Coordinator will work with the Decision-maker to prepare a Notice of Outcome (NOO). The Title IX Coordinator will then share the NOO, including the final determination, rationale, and any applicable sanction(s) with the parties and their Advisors within five (5) business days of receiving the Decision-maker's deliberation statement.

The Notice of Outcome letter will specify the finding on each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; and a statement of, and rationale for, the resulting decision. The Notice of Outcome will also include information on the relevant procedures and bases for any available appeal options. The Notice of Outcome will be shared with the parties simultaneously.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official College records, or emailed to the parties' College-issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

31. Sanctions

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s).
- The Respondent's disciplinary history.
- Previous allegations or allegations involving similar conduct.
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation.
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation.
- The need to remedy the effects of discrimination, harassment, and/or retaliation on the Complainant and the community.
- And/or any other information deemed relevant by the Decision-maker.

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this Regulation are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

a. Student Sanctions

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

- *Warning:* A formal statement that the conduct was unacceptable and a warning that further violation of any College policy, regulation, procedure, or directive will result in more severe sanctions/responsive actions. Terms of the warning may include no-contact orders, and/or other

measures deemed appropriate.

- *Required Counseling:* A mandate to meet with and engage in external counseling to better comprehend the misconduct and its effects.
- *Probation:* A written reprimand for violation of institutional policy or regulation, providing for more severe disciplinary sanctions in the event that the student or student organization is found in violation of any institutional policy, regulation, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- *Eviction from Campus Housing:* A mandate that the student is required to move out of the residence halls within a specified period of time (the “Effective Date”). Terms of the eviction will be articulated and will include a no trespass notification stating that upon the Effective Date, the student is prohibited from returning to the residence halls and its surrounding areas.
- *Deferred Eviction from Campus Housing:* In certain circumstances, a deferral of an eviction may be imposed, and will include a written reprimand for policy and/or regulation violation(s), providing for more severe disciplinary sanctions in the event that the student is found in violation of any institutional policy, regulation, procedure, or directive within a specified period of time. A deferred eviction may also include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- *Suspension:* Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at College.
- *Expulsion:* Permanent termination of student status and revocation of rights to be on campus for any reason or to attend College-sponsored events. This sanction will be noted permanently as a Conduct Expulsion on the student’s official transcript.
- *Withholding Diploma:* The College may withhold a student’s diploma for a specified period of time and/or deny a student participation in commencement activities if the student has an allegation pending or as a sanction if the student is found responsible for an alleged violation.
- *Organizational Sanctions:* Deactivation, loss of recognition, loss of some or all privileges (including registration at EAC) for a specified period of time.
- *Other Actions:* In addition to or in place of the above sanctions, the College may assign any other sanctions as deemed appropriate.

b. Employee Sanctions

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include:

- *Warning – Verbal or Written*
- *Performance Improvement/Management Process*
- *Required Counseling*
- *Required Training or Education*
- *Probation*
- *Loss of Annual Pay Increase*
- *Loss of Oversight or Supervisory Responsibility*
- *Demotion*
- *Suspension with pay*

- *Suspension without pay*
- *Termination*
- *Other Actions:* In addition to or in place of the above sanctions, the College may assign any other sanctions as deemed appropriate.

32. Withdrawal or Resignation While Charges Pending

Students: If a student has an allegation pending for violation of the Title IX Regulation, the College may place a hold on a student's ability to graduate and/or to receive an official transcript/diploma.

Should a student decide not to participate in the resolution process, the process proceeds absent their participation to a reasonable resolution. Should a student Respondent permanently withdraw from the College, the resolution process ends, as the College no longer has disciplinary jurisdiction over the withdrawn student. A student who withdraws or leaves while the process is pending may not return to the College. Such exclusion applies to all campuses of the College. A hold will be placed on their ability to be readmitted. They may also be barred from College property and/or events.

However, the College will continue to address and remedy any systemic issues, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation.

During the resolution process, the College may put a hold on a responding student's transcript or place a notation on a responding student's transcript that a disciplinary matter is pending.

Employees: Should an employee Respondent resign with unresolved allegations pending, the resolution process ends, as the College no longer has disciplinary jurisdiction over the resigned employee. The employee who resigns with unresolved allegations pending is not eligible for rehire with the College, and the records retained by the Title IX Coordinator will reflect that status.

However, the College will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment or discrimination.

All College responses to future inquiries regarding employment references for that individual will include that the former employee resigned during a pending disciplinary matter.

33. Appeals

Any party may file a request for appeal ("Request for Appeal"), but it must be submitted in writing to the Title IX Coordinator within five (5) days of the delivery of the Notice of Outcome Letter. Once the five (5) days has passed, the matter will be deemed closed.

The request for appeal will be forwarded to the Appeal Chair, specifically the Vice President of Academic and Student Affairs or Vice President of Administration, as appropriate, for consideration to determine if the request meets the grounds for appeal (a Review for Standing).

a. Grounds for Appeal

Appeals are limited to the following grounds:

1. Procedural irregularity that affected the outcome of the matter.
2. New evidence that was not reasonably available at the time determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. An allegation that the Title IX Coordinator, Investigators, or Decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

The Appeal Chair will deny any request for appeal that does not meet the grounds in this Regulation and will notify the party and their Advisors in writing of the denial and the rationale. Denials based on lack of grounds shall be communicated to the requesting party within five (5) days of the request for appeal being received by the Appeal Chair.

If any of the grounds in the Request for Appeal meet the grounds in this Regulation, then the Appeal Chair will:

1. Notify the other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker.
2. Provide the other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker an emailed appeal request with the approved grounds.
3. Provide the other party(ies) and their Advisors, the Title IX Coordinator, and when appropriate, the Investigators and/or the original Decision-maker five (5) business days to submit a response to the portion of the appeal that was approved and involves them.
4. Collect any additional information needed and all documentation regarding the approved grounds and the subsequent responses and will render a decision in no more than fifteen (15) business days, barring exigent circumstances. All decisions apply the preponderance of the evidence.
5. Prepare a Notice of Appeal Outcome letter and send it to all parties simultaneously, which includes the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which the College is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the College is permitted to share under state or federal law.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official institutional records, or emailed to the parties' College-issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

All decisions by the Appeal Chair are final and may not be appealed by either party.

b. Sanctions Status During the Appeal

Any sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

If any of the sanctions are to be implemented immediately post-hearing, then emergency removal procedures (detailed above) for a hearing on the justification for doing so must be permitted within 48 hours of implementation.

The College may still place holds on official transcripts, diplomas, graduations, and course registration pending the outcome of an appeal when the original sanctions included separation.

34. Long-term Remedies/Other Actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended to stop the harassment, and/or retaliation, remedy the effects, and prevent recurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Referral to student assistance resources
- Education to the individual and/or the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Regulation modification and/or training
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term support or measures may also be provided to the parties even if no policy violation is found.

When no policy/regulation violation is found, the Title IX Coordinator will address any remedies owed by the College to the Respondent to ensure no effective denial of educational access.

The College will maintain the privacy of any long-term remedies/actions/measures, provided privacy does not impair the College's ability to provide these services.

35. Failure to Comply with Sanctions and/or Interim and Long-term Remedies and/or Responsive Actions

All parties are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final Decision-maker (including the Appeal Chair).

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from **the** College and may be noted on a student's official transcript.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

36. Recordkeeping

The College will maintain for a period of [at least] seven years records of:

1. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation.
2. Any disciplinary sanctions imposed on the Respondent.
3. Any remedies provided to the Complainant designed to restore or preserve equal access to the College's educational program or activity.
4. Any appeal and the result therefrom.
5. Any Informal Resolution and the result therefrom.
6. All materials used to train Title IX Coordinators, Investigators, Decision-makers, and any person who facilitates an Informal Resolution process. The College will make these training materials publicly available on its website; and
7. Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, including:
 - a. The basis for all conclusions that the response was not deliberately indifferent.
 - b. Any measures designed to restore or preserve equal access to the College's educational program or activity; and
 - c. If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

The College will also maintain any and all records in accordance with state and federal laws.

37. Disabilities Accommodations in the Resolution Process

The College is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the College's resolution process. Anyone needing such accommodation should contact the Title IX Coordinator for assistance.

38. Mandatory Training

This Regulation requires that annual training for the Title IX Coordinator(s), investigators, decision-makers, and any person who facilitates an informal resolution process will include:

- A. the definition of sexual harassment under this Regulation,
- B. the scope of the College educational program or activity,
- C. how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and
- D. how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

Decision-makers will receive annual training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

Investigators will receive annual training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes, and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

39. Revision of this Regulation and Procedures

This regulation and procedures supersede any previous regulation(s) addressing harassment, sexual misconduct, discrimination, and/or retaliation and will be reviewed and updated annually by the Title IX Coordinator. The College reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

During the resolution process, the Title IX Coordinator may make minor modifications to procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules. The Title IX Coordinator may also vary procedures materially with notice (on the institutional website, with the appropriate effective date identified) upon determining that changes to law or regulation require policy, regulation or procedural alterations not reflected in this regulation.

If government laws or regulations change – or court decisions alter – the requirements in a way that impacts this document, this document will be construed to comply with the most recent government regulations or holdings.

This document does not create legally enforceable protections beyond the protection afforded by state and federal laws, which frame such policies and codes, generally.

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Privacy, Privilege, and Confidentiality

Every effort is made by Eastern Arizona College to preserve the privacy of reports of allegations of sexual harassment/discrimination. For the purpose of the Title IX regulations, privacy and confidentiality have distinct meanings.

Privacy. Means that information related to a complaint will be shared with a limited number of College employees who “need to know” in order to assist in providing supportive measures or evaluating, investigating, or resolving the Complaint. All employees who are involved in the College’s response to Notice under this Regulation receive specific training and guidance about sharing and safeguarding private information in accordance with federal and state law.

Confidentiality. Exists in the context of laws or professional ethics (including Title IX) that protect certain relationships, including clinical care, mental health providers, and counselors. Non-identifiable information may be shared by the Title IX Coordinator for statistical tracking purposes as required by the Clery Act/Violence Against Women Act (VAWA). Other information may be shared as required by law.

Privilege. Exists in the context of laws that protect certain relationships, including attorneys, spouses, and clergy. Privilege is maintained by a provider unless a court orders release or the holder of the privilege (e.g., a client, spouse, parishioner) waives the protections of the privilege.

The College reserves the right to determine which College officials have a legitimate educational interest in being informed about student-related incidents that fall under this Regulation, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Only a small group of officials who need to know will typically be told about the Complaint. Information will be shared as necessary with Investigators, Decision-makers, Appeal Decision-makers, witnesses, the Parties, and the Parties' Advisors. The circle of people with this knowledge will be kept as tight as possible to preserve the Parties' rights and privacy, and release is governed by the institution's unauthorized disclosure regulation.

The College may contact students' parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk but will usually consult with the student prior to doing so.

Other Confidential Resources

Sexual misconduct can be a complex and painful experience that can require many different types of support including medical, legal, psychological, and academic resources. There are no employees within EAC who can guarantee complete confidentiality; however, there are resources outside of the College that you may wish to have a confidential conversation with about your options and what next steps you would like to take.

National Sexual Assault Hotline and Website

Access free, 24/7 local crisis support online or by calling 1-800-856-HOPE (4673). For more information, visit ohl.rainn.org/online.

Off-Campus Counselors, Advocates and Resources

Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with EAC unless the victim requests the disclosure and signs a consent or waiver form.

National resources

- [National Coalition Against Domestic Violence](#)
 - 24 Hour Hotline: 1-800-799-7233 (SAFE); 1-800-787-3224 (TTY)
- [Rape, Abuse, and Incest National Network \(RAINN\)](#)
 - Phone: 1-800-656-HOPE
- [Womenspace National Network to End Violence Against Immigrant Women](#)
 - 24 Hour Hotline: (609) 394-9000

Local Resources

- Rape Crisis 24-Hour Hotline
 - (800) 400-1001
- Mt. Graham Safe House
 - (928) 348-9104

- [A New Leaf](#)
 - Advocacy: (602) 372-7605
 - Hotline: 1-844-SAFEDVS
- [Arizona Coalition to End Sexual and Domestic Violence](#)
 - Legal advocacy: (602) 279-2900; (800) 782-6400
 - Hours of Operation: 8:30 am 5:00 pm, Monday-Friday
- [Autumn House](#)
 - 24 Hour Crisis Line: (480) 835-5555
- [Chrysalis](#)
 - 24 Hour Hotline: (602) 944-4999
 - Programs and Services: (602) 955-9059
- [CONTACS](#)
 - 24 Hour Hotline: (602) 263-8900; 1-800-799-7739
- [Faith House](#)
 - 24 Hour Crisis Line: (623) 939-6798
- [Glendale Family Advocacy Center](#)
 - Hours of Operation: Monday-Friday 7 am to 5 pm
 - Phone: (623) 930-3720
- [Shelter Without Walls](#)
 - Phone (English): (602) 452-4640
 - Phone (Spanish): (602) 534-3087
- [Sojourner Center](#)
 - Crisis Line: (602) 244-0089; (602) 889-1610 (TDD)
- [Southwest Family Advocacy Center](#)
 - Phone: (623) 333-7900

Bystander Intervention

Don't just hope that someone else will step in. You have the ability to stop a terrible, life-altering situation. Be part of the solution by being a proactive bystander who helps prevent cases of sexual misconduct or by being a reactive bystander who positively intervenes in instances of sexual misconduct.

Risk Reduction Tips

To protect yourself and your friends from incidents of sexual misconduct, there are preventive measures you can take.

- Trust your instincts
- Make your limits known as early as possible
- Say "NO" clearly and firmly
- Be "situationally aware" by taking note of your surroundings and who is present
- Find someone nearby and ask for help
- Take responsibility for your alcohol and other drug intake, and acknowledge these substances can lower your inhibitions and increase your vulnerability
- Walk with others

- Lock doors and windows in your car and living space
- Take care of your friends and ask that they take care of you
- NEVER blame yourself if an act of sexual or relationship violence occurs. The only person responsible in that situation is the perpetrator.

What to Do If You are a Victim of Sexual Assault

Immediate Steps

- **Get to a safe place.**
- **Call someone you trust.** A friend, family member, or victim advocate are good resources. You do not have to go through this alone.
- **Preserve physical evidence.** If at all possible, do not shower until you have considered a sexual assault examination, save the clothes you were wearing in a paper or cloth bag take photos of any damage or injury, and keep communication records.

Within 24 Hours

- **Get medical attention.** A medical provider can check and treat physical injury, sexually transmitted infections, and pregnancy. You do not need to make a formal report or press charges to receive medical care.
- **Seek counseling.** You may want to turn to a confidential advocate or counselor for support and advice. They will talk with you about your options for additional support services and reporting.

At Any Time

- **Report the incident.** You are encouraged to report what happened to both the police and the Title IX Official Coordinator. All EAC employees are Mandated Reporters (see the Title IX Coordinator's contact information below). You can decide how much you want to participate in any investigation process.

Title IX Coordinator/Mandated Reporters

Title IX Coordinator

Laurie Pennington

Title IX Coordinator

Director, Enterprise Risk Management

615 N. Stadium Ave., Office #251

Thatcher, AZ 85552

Phone: (928) 428-8488

Email: laurie.pennington@eac.edu

Web: [Title IX \(eac.edu\)](https://www.eac.edu/title-ix)

Title IX Deputy Coordinator

College President

College Vice Presidents

Deans

Directors

Campus Police

Athletic Director

EAC Faculty

EAC Staff members

- **EAC can help.** Campus resources, like the offices of the Dean of Students and the Director of Residence Life, can help you with changes to your housing, classes, work, and more. You do not need to make a formal report or press charges to receive help from EAC.

Prevention and Awareness Programs

Students

Students also receive annual training on Title IX through a third-party vendor. An email with the link to the training is distributed every semester. The training includes information and awareness on dating

violence, domestic violence, sexual assault, stalking, as well as safe and positive options for bystander intervention all in accordance with Title IX, VAWA, and the Clery Act.

Ongoing prevention and awareness campaigns for students take place during Monster Bridge (New Student Orientation), in Residence Hall mandatory meetings at the beginning of each semester, and in other special focus programs such as the Sexual and Domestic Violence Prevention Program. In addition, the Associated Students of Eastern Arizona College (ASEAC) plans, organizes, and administers awareness activities and assemblies each semester.

Employees

Employees receive annual Title IX and Sexual Harassment (Full Course) training. Employees access the training through Vector Solutions, Vector LMS, Higher Education Edition. The training provides an introduction and overview about Title IX and provides employees with information about the importance and implications of Title IX and Sexual Harassment, including sexual assault. Topics covered include the definition of sexual harassment, Title IX's regulations and obligations, and the elements of effective policies. Employees are also provided with a copy of the College's Title IX policy which includes information about Title IX and its related processes, and the contact information for the College's Title IX Coordinator.

Other Resources

The guiding principles in the report of a sexual assault or violent crime is to avoid revictimizing the survivor by forcing the person into any plan of action. Assistance with the well-being of the survivor is the primary goal. The following external resources are also available:

AzCH Nurse Assist (866) 495-6735
Suicide Hotline 988

Domestic Violence

Mt. Graham Safe House (928) 348-9104
National Domestic Violence Hotline (800) 799-7233

Sexual Assault

National Sexual Assault Hotline (800) 656-4673
SO AZ Center Against Sexual Assault (24/7 Sexual Assault Crisis Line) (800) 400-1001

Orders of Protection

What is an Order of Protection?

An individual who believes he/she has been a victim of domestic violence or harassment can ask the court for an Order of Protection or an Injunction Against Harassment. The relationship between the victim and the abusive party (defendant) will determine which type of order will be issued.

An Order of Protection (A.R.S. 13-3602) is a court order restraining a person from committing an act of harassment or domestic violence or from contacting persons protected by the order.

The Injunction Against Harassment (A.R.S. 12-1809) orders a person to stop harassing another person. The Injunction Against Harassment differs from the Order of Protection in that exclusive use of the home cannot be ordered and law enforcement are not required to serve an Injunction.

To be granted an Order of Protection, you must be one of the following:

- Spouse or former spouse of the defendant. Live with or have lived with the defendant in the same household.
- A parent of the defendant's child.
- Pregnant by the defendant.
- Related to the defendant or the defendant's spouse by blood or court order as a parent, grandparent, child, grandchild, brother, or sister or by marriage as a parent-in-law, grandparent-in-law, step-parent, step-grandparent, step-child, step-grandchild, brother-in-law, or sister-in-law.
- A child who resides or has resided in the same household as the defendant and is related by blood to a former spouse of the defendant or to a person who resides or who has resided in the same household as the defendant.
- The relationship is currently or was previously a romantic or sexual relationship. The following factors may be considered in determining whether the relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship:
 - A. The type of relationship.
 - B. The length of the relationship.
 - C. The frequency of the interaction between the victim and the defendant.
 - D. If the relationship has terminated, the length of time since the termination.

If the relationship is not defined by the criteria listed above, an Injunction Against Harassment may be issued.

Filing Your Petition

To initiate an Order of Protection or Injunction Against Harassment, you must file a petition with an Arizona court (i.e., justice of the peace court, city court, or a superior court). For those that have an active family court case (i.e., action of divorce, separation, paternity, or annulment) involving the abusive party (defendant), the petition should be filed with the superior court.

Courts in which to file your petition:

	<u>Municipal Court</u>	<u>Justice Courts</u>	<u>Superior Courts</u>
Thatcher	Thatcher Municipal Court 3960 W. Main St. Thatcher, AZ 85552 (928) 428-2290	Safford Justice Court 800 W. Main St. Safford, AZ 85546 (928) 428-1210	Graham County Superior Court 602 S. 8 th Avenue Safford, AZ 85546 (928) 428-3310
	Safford City Court 702 S. 8 th Ave. Safford, AZ 85546 (928) 432-4090	Pima Justice Court 136 W. Center St. Pima, AZ 85543 (928) 485-2771	Greenlee Superior Court 223 5 th St. Clifton, AZ 85533 (928) 865-3872

Court staff can help you complete the necessary paperwork and guide you through the process of filing the petition. [AZPOINT](#), the Arizona Protective Order Initiation and Notification Tool, can also assist you with completing the paperwork. AZPOINT is a free service. Through an interview in their portal, you can fill out the forms that are needed to request an Order of Protection at an Arizona court. It can also help in determining whether you have a qualifying relationship with whom you seek protection. You will still need to file the petition with the court.

Once you have filed your petition, a judge will speak with you and determine whether there is a legal basis to issue a protective order.

Serving an Order of Protection

If you are granted an Order of Protection, the court will process it to be served (formally delivered). It must be served to make it enforceable. There is no charge to serve unless a private process server is used.

You will want to keep a copy of the Order of Protection with you at all times. If the person whom you had served contacts you, after he/she has been served, call the police immediately.

HAZING AND HAZING PREVENTION

The GCCCD prohibits hazing by any student, employee, or other person affiliated with the College.

The College enforces hazing prevention and complies with all related state and federal laws relating to hazing and hazing prevention. All students, faculty and staff must take reasonable measures within the scope of their individual authority to prevent violations of the College's Hazing Prevention regulation.

Any solicitation to engage in hazing is prohibited, and aiding and abetting another person who is engaged in hazing is also prohibited. All students, faculty and staff must take reasonable measures within the scope of their individual authority to prevent violations of this Hazing Prevention Regulation.

A person commits "hazing" by:

1. Intentionally, knowing, or recklessly, for the purpose of preinitiation activities, pledging, initiating, holding office, admitting, or affiliating a minor or student into or with an organization or for the purpose of continuing, reinstating, or enhancing a minor's or student's membership or status in an organization, causes, coerces, or forces a minor or student to engage in or endure any of the following:
 - a. Sexual humiliation or brutality, including forced nudity or an act of sexual penetration, or both.
 - b. Conduct or conditions, including physical or psychological tactics, which are reasonably calculated to cause severe mental distress to the minor or student, including activities that are reasonably calculated to cause the minor or student to harm themselves or others.
 - c. The consumption of any food, nonalcoholic liquid, alcoholic liquid, drug, or other substance that poses a substantial risk of death, physical injury, or emotional harm.
 - d. An act of restraint, confinement in a small space or significant sleep deprivation.
 - e. Conduct or conditions that violate a federal or state criminal law and that pose a substantial risk of death or physical injury.

- f. Physical brutality or any other conduct or conditions that pose a substantial risk of death or physical injury, including whipping, beating, paddling, branding, electric shocking, placing harmful substances on the body, excessive exercise or calisthenics or unhealthy exposure to the elements.
2. With the intent to promote or aid the commission of hazing, agreeing with one or more persons that at least one of them or another person will engage in hazing and one of the parties commits an overt act in furtherance of hazing.
3. Intentionally or knowingly engages in conduct that would constitute hazing if the attendant circumstances were as the person believes them to be.
4. Intentionally or knowingly does anything that, under the circumstances as the person believes them to be, is any step in a course of conduct planned to culminate in committing hazing.
5. Intentionally or knowingly engages in conduct that is intended to aid another to commit hazing, although the hazing is not committed or attempted by the other person.

This regulation shall not be construed to apply to reasonable and customary athletic events, contests or competitions that are sponsored by the College or the GCCCD, or to any activity or conduct that furthers the goals of legitimate educational curriculum, legitimate extracurricular or co-curricular programs or experiences, and law enforcement or military training programs.

It is not a defense to hazing if either of the following applies:

1. The victim or person against whom the hazing was directed, acquiesced, or consented, whether implied or expressed, to the conduct.
2. The conduct was sanctioned or approved by the organization or the College or the conduct was traditional and customary, or both.

All students and employees shall take reasonable measures within the scope of their individual authority to prevent violations of this regulation.

Complaints of hazing or alleged violations of this regulation by students or student organizations can be reported to the Vice President of Academic and Student Affairs for investigation in accordance with the Student Code of Conduct, all other college and GCCCD policies, and local and state laws.

If the Vice President of Academic and Student Affairs' office receives a report or complaint of an alleged hazing activity involving physical injury, threats of physical injury, intimidation, harassment or property damage, or any other conduct that appears to violate Arizona state law, the College will report such conduct to the Campus Police. The Campus Police will investigate, respond to, and report on the alleged hazing activity in accordance with all College, district, local, state, and federal guidelines, policies, and laws.

Should the proceedings outlined above substantiate an occurrence of hazing activity - where students or student organizations knowingly permitted, authorized, or condoned the hazing activity - the College can recommend the following sanctions against student clubs/organizations:

- a) **CENSURE:** Censure can include the required completion of a program designed with the intent of eliminating the hazing activity. The programs will be devised with the cooperation of all involved parties and monitored by the Vice President of Academic and Student Affairs' office.
- b) **PROBATION:** The student club(s)/organization(s) will be placed on probation for a specified period of time. Conditions of probation will be determined by the Vice President of Academic and Student Affairs' office and outlined in writing to the student club(s)/organization(s). The probationary term will be monitored by the Vice President of Academic and Student Affairs.
- c) **SUSPENSION:** The student club(s)/organization(s) will be suspended. The terms of the suspension can be defined in the sanction, including criteria the student club(s)/organization(s) must meet within a specified time to be considered for admission or renewal of college recognition status.
- d) **REVOCATION:** The student club(s)/organization(s) will have its status revoked, with the loss of all college associations, recognitions, and privileges. The national or international office of an organization, if so affiliated, will be requested to revoke the charter of an organization.

Alleged violations of the GCCCD hazing prevention regulation or interference with an investigation under this regulation by students or student organizations are subject to sanctions under the Student Code of Conduct. The Student Code of Conduct shall govern all proceedings involving such a complaint. Decisions arrived at as outcomes of the proceedings shall be final, pending the normal appeal process.

Any GCCCD faculty or staff member who knowingly permitted, authorized, or condoned the alleged hazing activity is subject to disciplinary action in accordance with college and GCCCD policies, and local and state laws.

Policy/Regulation Availability

Eastern Arizona College has made available, to the public, a physical copy of its Policy Manual located in the District Office, 2nd Floor of the Student Services Building, 615 N. Stadium Avenue, Thatcher, AZ. An electronic copy is also available on EAC's website at <https://eac.edu/about/district-governing-board/policies-regulations-procedures-guidelines/>.

CRIME STATISTICS

Categories of Crime Statistics

The Clery Act requires the tracking of four general categories of crime statistics:

1. **Criminal Offenses** – criminal homicide (including murder and non-negligent manslaughter and manslaughter by negligence); sexual assault (including rape, fondling, incest, and statutory rape); robbery, aggravated assault; burglary; motor vehicle theft; and arson.
2. **Hate Crimes** – *any of the above-mentioned offenses*, and any incidents of larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property that were motivated by bias.
3. **VAWA Offenses** – any incident of domestic violence, dating violence and stalking, sexual assault (which is included in the Criminal Offenses category for Clery Act reporting purposes).

4. **Arrests and Referrals for Disciplinary Action** – for weapons-carrying, possession, etc. law violations, drug abuse violations, and liquor law violations.
5. **Hazing Offenses** – the imposition of strenuous, often humiliating tasks as part of initiation or training, and includes activities that risk emotional or physical harm, regardless of a person's willingness to participate.

Clery Act Crime Definitions

Criminal Offenses

1. **Criminal Homicide**
 - a. **Murder and Non-Negligent Manslaughter** – the willful (non-negligent) killing of one human being by another.
 - b. **Manslaughter by Negligence** – the killing of another person through gross negligence.
2. **Sex Assault (sexual offenses)** – any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.
 - a. **Rape** – the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
 - b. **Fondling** – the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
 - c. **Incest** – sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - d. **Statutory rape** – sexual intercourse with a person who is under the statutory age of consent.

State of Arizona Definitions

Sexual Assault (ARS§13-1406) – A person commits sexual assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person without consent of such person.

Consent - The State of Arizona does not define consent. It does, however, define “without consent.”

Without consent - includes any of the following:

- a) The victim is coerced by the immediate use or threatened use of force against a person or property.
- b) The victim is incapable of consent by reason of mental disorder, mental defect, drugs, alcohol, sleep or any other similar impairment of cognition and such condition is known or should have reasonably been known to the defendant. For the purposes of this subdivision, "mental defect" means the victim is unable to comprehend the distinctively sexual nature of the conduct

or is incapable of understanding or exercising the right to refuse to engage in the conduct with another.

- c) The victim is intentionally deceived as to the nature of the act.
- d) The victim is intentionally deceived to erroneously believe that the person is the victim's spouse.

EAC Policy Definitions

Consent - is knowing, voluntary and clear permission by word or action, to engage in sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in the activity. If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain *their* consent to being kissed back. Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent. Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on Eastern Arizona College to determine whether its policy and/or regulation has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

- 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 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.
- 5. **Burglary** – the unlawful entry of a structure to commit a felony or a theft.
- 6. **Motor vehicle theft** – the theft or attempted theft of a motor vehicle.
- 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.

Hate Crimes

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

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

2. **Religion** – a preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
3. **Sexual Orientation** – a preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.
4. **Gender** – a preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
5. **Gender Identity** – a performed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.
6. **Ethnicity** – a performed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and /or ideology that stresses, common ancestry.
7. **National Origin** – a performed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
8. **Disability** – a preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital, or acquired by heredity, accident, injury, advanced age, or illness.

Along with the Criminal Offenses defined above, the following crimes are included in Clery Act statistics as Hate Crimes:

1. **Larceny-Theft** – the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion or control over a thing.
2. **Simple Assault** – an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
3. **Intimidation** – to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
4. **Destruction/Damage/Vandalism of Property** – to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

VAWA Offenses

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

For the purposes of this definition:

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

State of Arizona Definition

Dating Violence – The State of Arizona does not define dating violence. Arizona's domestic violence laws encompass the definition of dating violence.

2. **Domestic Violence** – a felony or misdemeanor crime of violence committed by:

- A current or former spouse or intimate partner of the victim.
- A person with whom the victim shares a child in common.
- A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner.
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- 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.

State of Arizona Definition

Domestic Violence (A.R.S. § 13-3601) - means any act that is a dangerous crime against children as defined in section 13-705 or an offense prescribed in sections 13-1102, 13-1103, 13-1104, 13-1105, 13-1201, 13-1202, 13-1203, 13-1204, 13-1302, 13-1303, 13-1304, 13-1406, 13-1425, 13-1502, 13-1503, 13-1504, 13-1602 or 13-2810, section 13-2904, subsection A, paragraph 1, 2, 3 or 6, section 13-2910, subsection A, paragraph 8 or 9, section 13-2915, subsection A, paragraph 3 or section 13-2916, 13-2921, 13-2921.01, 13-2923, 13-3019, 13-3601.02 or 13-3623, if any of the following applies:

1. The relationship between the victim and the defendant is one of marriage or former marriage or of persons residing or having resided in the same household.
2. The victim and the defendant have a child in common.
3. The victim or the defendant is pregnant by the other party.
4. The victim is related to the defendant or the defendant's spouse by blood or court order as a parent, grandparent, child, grandchild, brother, or sister or by marriage as a parent-in-law, grandparent-in-law, stepparent, step-grandparent, stepchild, step-grandchild, brother-in-law, or sister-in-law.
5. The victim is a child who resides or has resided in the same household as the defendant and is related by blood to a former spouse of the defendant or to a person who resides or who has resided in the same household as the defendant.
6. The relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship. The following factors may be considered in determining whether the relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship:

- a) The type of relationship.
 - b) The length of the relationship.
 - c) The frequency of the interaction between the victim and the defendant.
 - d) If the relationship has terminated, the length of time since the termination.
3. **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.

For the purposes of this definition:

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

State of Arizona Definition

Stalking (A.R.S. § 13-2923) – A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct causes the victim to:

1. Suffer emotional distress or reasonably fear that either:
 - a) The victim's property will be damaged or destroyed.
 - b) Any of the following will be physically injured:
 - i. The victim.
 - ii. The victim's family member, domestic animal, or livestock.
 - iii. A person with whom the victim has or has previously had a romantic or sexual relationship.
 - iv. A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.
2. Reasonably fear death or the death of any of the following:
 - a) The victim's family member, domestic animal, or livestock.
 - b) A person with whom the victim has or has previously had a romantic or sexual relationship.
 - c) A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.

4. **Sexual Assault** – See definition [here](#).

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

Arrest – persons processed by arrest, citation, or summons.

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

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

Hazing

Any intentional, knowing, or reckless act committed by one or more persons against another, regardless of a victim's willingness to participate in that:

1. Occurs during initiation into, affiliation with, or maintenance of membership in a student organization
2. Creates a risk (beyond normal participation) of physical or psychological injury.

Examples of hazing Activities may include:

1. Physical abuse: whipping, beating, striking, shocking, or placing harmful substances on someone
2. Forced endurance: sleep deprivation, exposure to elements, confinement, extreme exercise
3. Coerced consumption of food, alcohol, drugs, or other substances
4. Sexual coercion: inducing someone to perform sexual acts
5. Threats: causing fear of bodily harm through words or conduct
6. Criminal violations: any act that breaks local, state, tribal or federal law.

The Clery Act defines a student organization as any group at a college or university such as clubs, societies, fraternities/sororities, club or sports teams (including intramural activities), bands, or student government, even if any of these groups are officially recognized by the College.

Clery Geography Definitions

1. **On-Campus** - any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's education purposes, including residence halls; and any building or property that is within or reasonably contiguous to the area identified above that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).
2. **On-Campus Student Housing Facility** - any student housing facility owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.
3. **Non-Campus** - any building or property owned or controlled by a student organization that is officially recognized by the institution, or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
4. **Public Property** - all public property, including thoroughfares, streets, sidewalks, and parking facilities, which is within the campus, or immediately adjacent to and accessible from the campus.

2025 Crime Statistics

Below are the crime statistics for reported crimes for Eastern Arizona College. The data covers a 12-month period (Jan. 1 – Dec. 31) for each of the previous three years and is comprised of crimes occurring on-campus (including on-campus student housing), on public property within or adjacent to the campus and in or on non-campus buildings or property owned or controlled by the College.

2025 Crime Statistics – Calendar Years 2022, 2023, 2024

CRIMINAL OFFENSES		Total Occurrences Per Year		
Offense	Location	2022	2023	2024
Murder/Non-Negligent Manslaughter	On Campus	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Manslaughter By Negligence	On Campus	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Rape	On Campus	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Fondling	On Campus	0	0	1
	On-Campus Student Housing Facilities - subset of "On Campus"	0	1	0
	Non-Campus	0	0	0
	Public Property	0	0	0

Incest	On Campus	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Statutory Rape	On Campus	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Robbery	On Campus	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Aggravated Assault	On Campus	3	0	1
	On-Campus Student Housing Facilities - subset of "On Campus"	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Burglary	On Campus	1	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Motor Vehicle Theft	On Campus	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0

Arson	On Campus	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0

HATE CRIMES			Total Occurrences Per Year		
Offense	Location	Bias	2022	2023	2024
Murder/Non-Negligent Manslaughter	On Campus	N/A	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	N/A	0	0	0
	Non-Campus	N/A	0	0	0
	Public Property	N/A	0	0	0
Rape	On Campus	N/A	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	N/A	0	0	0
	Non-Campus	N/A	0	0	0
	Public Property	N/A	0	0	0
Fondling	On Campus	N/A	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	N/A	0	0	0
	Non-Campus	N/A	0	0	0
	Public Property	N/A	0	0	0

Incest	On Campus	N/A	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	N/A	0	0	0
	Non-Campus	N/A	0	0	0
	Public Property	N/A	0	0	0
Statutory Rape	On Campus	N/A	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	N/A	0	0	0
	Non-Campus	N/A	0	0	0
	Public Property	N/A	0	0	0
Robbery	On Campus	N/A	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	N/A	0	0	0
	Non-Campus	N/A	0	0	0
	Public Property	N/A	0	0	0
Aggravated Assault	On Campus	N/A	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	N/A	0	0	0
	Non-Campus	N/A	0	0	0
	Public Property	N/A	0	0	0
Burglary	On Campus	N/A	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	N/A	0	0	0
	Non-Campus	N/A	0	0	0
	Public Property	N/A	0	0	0
Motor Vehicle Theft	On Campus	N/A	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	N/A	0	0	0
	Non-Campus	N/A	0	0	0
	Public Property	N/A	0	0	0
Arson	On Campus	N/A	0	0	0
	On-Campus Student Housing Facilities – subset of “On Campus”	N/A	0	0	0
	Non-Campus	N/A	0	0	0
	Public Property	N/A	0	0	0
Simple Assault	On Campus	N/A	0	0	0
	On-Campus Student Housing Facilities – subset of “On Campus”	N/A	0	0	0
	Non-Campus	N/A	0	0	0
	Public Property	N/A	0	0	0
Larceny-theft	On Campus	N/A	0	0	0
	On-Campus Student Housing Facilities – subset of “On Campus”	N/A	0	0	0
	Non-Campus	N/A	0	0	0
	Public Property	N/A	0	0	0
Intimidation	On Campus	RACE	1	1	0
	On-Campus Student Housing Facilities – subset of “On Campus”	N/A	0	0	0
	Non-Campus	N/A	0	0	0
	Public Property	N/A	0	0	0
Destruction/ Damage/ Vandalism of Property	On Campus	N/A	0	0	0
	On-Campus Student Housing Facilities – subset of “On Campus”	N/A	0	0	0
	Non-Campus	N/A	0	0	0
	Public Property	N/A	0	0	0

VIOLENCE AGAINST WOMEN ACT (VAWA) OFFENSES		Total Occurrences Per Year		
Offense	Location	2022	2023	2024
Domestic Violence	On Campus	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	1	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Dating Violence	On Campus	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Stalking	On Campus	1	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0

ARRESTS		Total Occurrences Per Year		
Arrest	Location	2022	2023	2024
Weapons: Carrying, Possessing, etc.	On Campus	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Drug Abuse Violations	On Campus	0	3	2
	On-Campus Student Housing Facilities - subset of "On Campus"	1	12	7
	Non-Campus	0	0	0
	Public Property	0	0	0
Liquor Law Violations	On Campus	0	5	2
	On-Campus Student Housing Facilities - subset of "On Campus"	16	19	28
	Non-Campus	0	1	0
	Public Property	0	0	0

* Change reflects actual number reported to ADOE

DISCIPLINARY ACTIONS		Total Occurrences Per Year		
Action	Location	2022	2023	2024
Weapons: Carrying, Possessing, etc.	On Campus	0	0	0
	On-Campus Student Housing Facilities - subset of "On Campus"	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
Drug Abuse Violations	On Campus	0	1	0
	On-Campus Student Housing Facilities - subset of "On Campus"	1	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0

Liquor Law Violations	On Campus	0	3	0
	On-Campus Student Housing Facilities - subset of "On Campus"	1	2	1
	Non-Campus	0	0	0
	Public Property	0	0	0

Unfounded Crimes	Year
No unfounded crimes.	2022
No unfounded crimes.	2023
No unfounded crimes.	2024

Hazing	Year
No incidents of hazing.	2022
No incidents of hazing.	2023
No incidents of hazing.	2024

MISSING STUDENT NOTIFICATION – RESIDENT STUDENT

In compliance with the Missing Student Notification Policy and Procedures (Section 488(i) of the Higher Education Opportunity Act of 2008), Eastern Arizona College has developed the following policy to guide the efforts of College staff members when they suspect and/or have determined a **resident student** is missing.

Definitions

Resident student: a student who is enrolled in Eastern Arizona College and is living in on-campus housing on the Thatcher, AZ campus.

Missing resident student: a resident student whose location and/or status the Eastern Arizona College Campus Police (EAPD) is unable to ascertain 24 hours after having received notification that the resident student may be missing.

Designated College Staff Person or Organization: College employees to whom, or organizations (College or non-College) to which students, employees or other individuals should report a resident student is believed to be missing for 24 hours; persons and organizations include but are not limited to:

1. Eastern Arizona College Campus Police (EACCP)
2. Director of Residence Life
3. Student Administrator
4. Dean of Student Life
5. Vice Presidents and President

Designated College Staff or Organization Responsibilities

If a non-law enforcement designated College staff person or organization receives notification or has other good reason to believe a resident student may be missing, s/he immediately.

1. Contacts EACCP, which, in turn, initiates their investigation procedures.

2. Attempts to contact the resident student who is believed to be missing.
3. Files a student welfare notification with the Dean of Students Office.

If the non-law enforcement designated College staff person is able to contact the resident student, s/he:

1. Attempts to confirm the whereabouts and safety of the resident student.
2. Informs the resident student EACCP will contact the resident student to verify his/her status.
3. Contacts EACCP immediately to provide a status update on the resident student.

College Responsibilities

Upon notification that a resident student's whereabouts are unknown, EACCP initiates their investigative procedures, as appropriate.

If EACCP is unable to locate the resident student within 24 hours of receipt of the initial notification:

1. A designated College staff person, notifies the resident student's emergency contact(s)
 - a. Resident students provide confidential emergency contact information (e.g., name(s), phone number(s), email address(es), and address(es)) to the Residence Life staff upon checking into campus housing.
 - b. The resident student's confidential contact information shall be accessible only to authorized College and law enforcement officials, as necessary.
2. If the resident student is under 18 years of age and not emancipated, the designated College representative notifies the resident student's custodial parent or guardian, if different from the emergency contact(s).

Other College Responsibilities

The College will:

1. Advise all resident students of the required notification procedures.
2. Retain all non-law enforcement and law enforcement records pertaining to a missing resident student report or investigation.

2025 ANNUAL FIRE SAFETY REPORT

The Higher Education Opportunity Act requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report containing information about campus fire safety practices, standards, and all fire-related, on-campus statistics.

Fire safety and education is a vital part of emergency preparedness for students residing in the residence halls. The Director of Residence Life works in collaboration with the Thatcher Fire Department and Maintenance Department to educate students on fire safety, perform internal inspections, conduct fire drills, and provide appropriate training. The Thatcher Fire Department is the responding agency to Eastern Arizona College for all fire emergencies and their station is located across the highway from the main campus.

As part of the application process, residents and potential residents are informed of the online Residence Life Handbook, which contains information on fire safety, personal safety, student code of conduct, resident hall policies, and other pertinent information residents should know. All hall residents are

expected to be knowledgeable of and follow all the guidelines and regulations included in the Handbook. The Residence Life Handbook can be accessed on the Eastern Arizona College website at <https://eac.edu/student-life/housing/index.php>.

On-Campus Student Housing

Thatcher campus is the only campus with student housing facilities. They are:

- Residence Towers, located at 900 N. College Avenue, was built in 1997, renovated in 2025, and houses 146 students.
- Mark Allen Hall, located at 1055 N. Stadium Avenue was built in 1964, renovated in 2024, and houses 180 students
- Nellie Lee Hall, located at 916 N. College Avenue, was built in 1952, renovated in 2021, and houses 75 students
- Wesley Taylor Hall, located at 853 N. Stadium Avenue, was built in 1941, renovated in 2021, and houses 54 students.

On-Campus Student Housing Facility Fire Safety Systems

All four residence-halls have smoke detectors in resident rooms, hallways, and common areas. Of the four halls, only Residence Towers has fire suppression sprinklers throughout the hall. Each hall has fire alarm pull stations located in hallways, near living areas, and lobby areas. These stations are connected to control panels in each hall and when pulled will sound the general alarm to alert staff and students to begin evacuation of the building. Residence Towers alarm system makes an automatic call to emergency services to respond. In all other halls when the alarm sounds, hall staff contact Campus Police and/or emergency services to respond. Residence Life Staff live within their designated hall of responsibility and are able to respond as necessary and have supplemental staff that can also respond during the day through the late evening, during operational hours.

Description of On-Campus Student Housing Fire Safety Systems (as of the date of this report)				
Residence Hall	Smoke Detectors	Sprinklers	Fire Extinguishers	Monitoring System*
Mark Allen, 1055 N. Stadium Ave.	X	N/A	X	Voice, siren, and flashing light alarm system/Wall panel/in house alarm/staff alert emergency services
Nellie Lee, 916 N. College Ave.	X	N/A	X	Automated fire alarm system/Wall panel/in house alarm/staff alert emergency services

Residence Towers, 900 N. College Ave.	X	X	X	Wall panel/auto alert to emergency services
Wesley Taylor, 853 N. Stadium Ave.	X	N/A	X	Wall panel/in house alarm/staff alert emergency services

*EAC PD responds to staff alerts. The Thatcher Fire Department responds to the auto alert.

Fire Drills

Fire drills are conducted at Mark Allen, Nellie Lee, Residence Towers, and Wesley Taylor two times a year; at the beginning of the Fall and Spring semesters. Drills are unannounced to students so staff can evaluate residents' response to the drill and evacuation of the building, along with reviewing the current status of fire related equipment. Failure of equipment system is reported immediately to the Maintenance Department for repair or replacement. Additional information concerning building evacuation and fire drills are discussed with students during residence hall meetings at the beginning of each semester and during the semester as needed.

Fire Drills (January 1, 2024 – December 31, 2024)		
Residence Hall	# of Drills	Date(s)
Mark Allen, 1055 N. Stadium Ave.	2	February 12, 2024 October 5, 2024
Nellie Lee, 916 N. College Ave.	2	February 17, 2024 October 5, 2024
Residence Towers, 900 N. College Ave.	2	February 17, 2024 September 27, 2024
Wesley Taylor, 853 N. Stadium Ave.	2	February 12, 2024 September 29, 2024

Fire Safety/Precautions

The following information taken from the Residence Life Handbook

Prior to any emergency, acquaint yourself with emergency exits, location of fire alarm pulls, fire extinguisher locations and have a basic plan for evacuating the building in the event of an emergency. Evacuation procedures are clarified during hall orientation meetings.

Precautions

- Do not tamper with fire alarms, fire prevention equipment, or disrupt evacuation procedures, doing so can result in the following:
 - a maximum penalty of a six-month jail sentence and a \$1,000 fine; and/or

- The City of Thatcher Fire Department may charge a student or students a \$2,000 fine for knowingly causing a false alarm to be sounded as a result of a student or students' failure to follow Residence Life policy/guidelines and/or directions concerning fire safety and procedure as disbursed by Hall staff.
 - Endangering yourself and others if you fail to evacuate the Residence Hall (which is a violation of Residence Life policy) after a fire alarm has sounded.
- Do not block doorways, windows, hallways, stairways, escape routes, or emergency exits at any time.
- All electrical cords and devices should be Underwriters Laboratories (UL) approved.
- Avoid the use of extension cords; power bars would be a better choice.
- Inspect all cords for wear or damage which may cause it to short circuit.
- Use power bars with an independent breaker.
- Do not use an adapter to plug in additional cords to an outlet.
- Do not remove faceplate from electrical outlets or switches. Report broken faceplates, sparking, or shorting as soon as possible to hall staff.
- Do not use any devices with open heating elements. (Ex. Hot plate, floor heaters).
- Keep flammable items such as paper and clothing away from heat sources and electrical outlets.
- Do not change overhead light bulbs. Report malfunctions to Residence Life staff.
- Report any electrical problems as soon as possible to hall staff.
- Christmas lights are allowed under the following guidelines:
 - No live trees.
 - Lights must be UL approved.
 - Follow "Appliance" guidelines, which includes turning off lights when room is unoccupied.

Precautions - Residence Towers Residents

Residents in Residence Towers must take extra precautions in their communities and suites to not activate the General Fire Alarm unnecessarily (false alarm) or be subject to possible fines and/or sanctions. Smoke detectors, in all living areas, are sensitive to many atmospheric changes that should be avoided. They include:

- Heavy buildup of steam, dampness, or humidity.
- Aerosol sprays (room deodorizers, hair spray, etc.).
- Chemical vapors (glues, fingernail polish and remover, acetones, oil paint, etc.).
- Heavy accumulations of dust; dust in air, or other unusual activity.
- Placing fluorescent lights near detectors (activated by electrical noise).
- Hang anything on, or tamper with, sprinkler heads located in living areas.
- Smoke from any source (candles, incense, cigarettes, matches, etc.). These items are prohibited.

Portable Electrical Appliances, Smoking and Open Flames

The following information taken from the Residence Life Handbook

Appliances

Appliance policies have been established in consideration of the building's electrical capacity, utility costs, fire safety, pest control, cleanliness, injury, and damage potential.

- Acceptable appliances include lamps, radio/stereo, iron, blow dryer, curling iron, electric razor, computer, printer, TV, VCR/DVD players, electric blanket, heating pad, ac adaptors/chargers, water warmer, small crockpot, and any other UL approved small electrical device.

Residents are allowed one (1) refrigerator and/or microwave per room/two (2) per suite with the maximum refrigerator size being 4.3 cubic ft and 1100-watt microwave. The College/Hall staff reserve the right to inspect the contents of each refrigerator in accordance with normal inspection guidelines for cleanliness, safety, and hall/school policy violations.

- Prohibited appliances include toasters, air conditioners, evaporative coolers, hotplates, popcorn poppers, woks, space heaters, and any type of stove used for cooking or producing heat.
- Appliances not listed are to be brought to the attention of the Head Resident for approval before use. A current medical prescription for an electrical, medical appliance must be submitted stating the required item, medical condition, and length of time the appliance is needed. The Housing/Academic Advising Office will validate the prescription and notify the resident whether the appliance is approved.

Residents are asked to use caution when leaving their room unoccupied by making sure all heat producing items are turned off. Residents should not place hot items such as irons, curling irons, etc., directly on furniture or carpet, near drapes, bedding, clothes, or flammable items.

Violation of Appliance Policy: Prohibited appliances not removed, when directed by Residence Life Staff, will be confiscated, and stored until the resident can remove it from campus. Residents with a prohibited appliance in their room/suite will be subject to disciplinary actions as deemed appropriate.

Smoking

All residence halls prohibit smoking, the use of E-cigarettes, and smokeless tobacco. Smoking is prohibited near residence hall entrances, near the windows of any hall rooms/suites, within a 50 ft. perimeter of the residence hall roof line, under any overhangs or covered walkways, stairwells, and seating areas connected to or adjacent to a resident hall. Ash cans are located outside several buildings on campus and should be used when disposing of cigarette butts and ashes. Discarding them into trash cans or on the ground is prohibited. E-cigarettes may not be stored in any residence hall due to the potential fire risk they pose.

Open Flames

Open flames or combustible items are not allowed in any residence hall. This includes any device that produces a flame or intense heat such as: barbecue grills, candles, lighters, e-cigarettes, cigars, pipes, matches, incense, fireworks, smoke bombs, propane burners, hotplates, fuel or gas tanks, or firearm ammunition.

Other Prohibited Items

Additional prohibited items include damaged or non-UL approved electrical cords, use of non-grounded adapter plugs, any device with an open heating element, live trees, and related products.

Reporting a Fire

Residents are expected to report that a fire is occurring or has occurred. Report fires in progress, regardless of size, to 911, Residence Life staff, or Campus Police. Residence Life staff will follow chain-of-command procedures to ensure the Director of Residence Life has been briefed on any fires in any of the residential housing facilities. The Director of Residence Life will review the incident to determine if all procedures were followed, measures were effective, equipment was working properly, and make any necessary changes or report any safety concerns to the appropriate parties (i.e., Maintenance Department, Dean of Students, Vice President of Academic and Student Affairs, or President). The director will use the information provided to make an entry into the Fire Log. In the case of Arson, Campus Police will also make an entry into the Daily Crime Log.

Fire Emergency - Discovering a Fire:

- Stay calm!
- Pull the nearest fire alarm and/or call 911, alert others.
 - Calling 911 will alert emergency services and Campus Police.
- Extinguish a small fire ONLY if there is no risk to you or other residents.
 - If you attempt to extinguish a fire, maintain an avenue of escape at all times.
 - Aim extinguisher at the base of the fire.
- When an alarm is sounded in the building, staff and students should evacuate the building as quickly and safely as possible following the building evacuation plan/procedures as described in the next section of this report.

Fire Emergencies and Evacuation Procedures (Student Housing Residents)

The following information is taken from the Residence Life Handbook.

Residents are encouraged to acquaint themselves with emergency exits, locations of fire alarm pulls, fire extinguisher locations, and have a basic plan for evacuating the building in the event of an emergency. Procedures for evacuation are discussed during hall orientation meetings. Failure to evacuate a residence hall during a fire drill or actual emergency can result in citation, disciplinary action, injury, or death.

All available staff members, at the time of an emergency evacuation, will be required to assist in evacuating the building. Other specific assignments for evacuation may be given throughout semester.

Evacuation Procedures

In the event of an alarm:

- Place hand on room door. If it is not hot, open slowly and check to see if it is safe to exit.
 - Grab something to cover your face and put on a pair of shoes for protection. Dress appropriately for the weather, if possible.
 - If time permits, open blinds or curtains and turn on the lights.
- Feel the door.
 - If it is hot:

- Do not open it.
- Put a wet towel/blanket at base of the door to block smoke and open your window.
- Call and signal for help.
- Dial 911 if you have phone access.
- Do not jump from windows above the first floor.
- Stay low in the room and signal with a flashlight or bright cloth so emergency personnel will know you are in the building.

If it is not hot:

- Open slightly and put your hand out into the hall.

- Check the hallway.

If the hallway is hot:

- Do not go out.
- Close the door.
- Put a wet towel/blanket at base of the door to block smoke and open your window.
- Call and signal for help.
- Dial 911 if you have phone access.
- Do not jump from windows above the first floor.
- Stay low in the room and signal with flashlight or bright cloth so emergency personnel will know you are in the building.

If the hallway is not hot and is clear:

- Exit your room.
- Close your door.

- Proceed to the nearest unobstructed emergency exit or an exit prescribed in your escape route and leave the building.
 - Elevators are not considered as an emergency exit option and will not be used during a fire alarm and/or evacuation of the building.
- In case you are in a smoke-filled area, crawl or crouch out of the area. Typically, there will be less smoke closer to the floor.
- Meet at the Emergency Evacuation Site (EES - SANDPIT VOLLEYBALL COURT) so you can be accounted for by staff and emergency service personnel.
- Notify Residence Life staff or Emergency Service personnel if you think someone may be trapped in the building so they can attempt to locate.
- Wait in the EES (Emergency Evacuation Site) until the "All Clear" is given by Emergency Service personnel prior to re-entering the Residence Hall.

Evacuation Procedures: Residents with a Disability (Residence Towers)

Individuals with disabilities are largely responsible for themselves but may ask for the assistance of a staff member or a volunteer/resident of Residence Towers (RT) when needed. The procedures below should be followed in the case of fire drills as well. It is important to establish these procedures for drills, so they can be carried out, without confusion or endangering the person with the disability, in the event an actual emergency evacuation occurs. The procedures are meant as a guideline only in the event of an emergency evacuation and are not guaranteed to cover all possible scenarios. Planning and practicing a possible evacuation by/for a disabled students is recommended. It may help to eliminate possible confusion/injury during an actual emergency.

When the fire alarm sounds, all residents of Residence Towers are required to evacuate the building and meet at a pre-determined Emergency Evacuation Site (EES) so that they can be accounted for by Residence Life staff and emergency personnel.

Emergency stairwells attached to each community should be used if possible, during an evacuation to keep congestion of the main stairwell in the courtyard area to a minimum, also to assist the movement of staff and emergency personnel securing the area. All stairwells should be kept clear of blockage and debris at all times by residents and staff. Chairs, bikes, and other items placed in these areas may endanger those trying to evacuate and put all residents at risk for potential unnecessary injury.

Elevators are not considered an emergency exit option and will not be used during a fire alarm and/or evacuation of the building.

1. Residents who use devices that assist them to walk (crutches, canes, etc.):

These residents should evacuate as expeditiously as possible. They may request assistance from a fellow resident, staff member, or emergency personnel. It is suggested that they evacuate the building by using the main stairwell in the courtyard area so that assistance is more likely to be available from one of the mentioned parties. Once out of the building these residents should meet at a pre-designated location (EES) to be accounted for by Residence Life staff and emergency personnel.

2. Residents who use a wheelchair:

Suites with residents that are wheelchair users will be treated with high priority by staff. These suites will be checked by available staff members during an evacuation to ensure evacuation is complete in these areas. If evacuation of these areas by staff is restricted by fire, smoke, or other dangers, and a resident who is a wheelchair user is unaccounted for, staff member(s) will advise emergency personnel of the situation and location of resident as soon as possible.

All staff members must have prior knowledge of their location and check on these residents each time there is an evacuation, even if there has been a community or community member assigned to assist. NO EXCEPTIONS! Normal evacuation assistance should be maintained throughout the rest of the hall along with the evacuation of disabled residents. RL staff will use their best judgment to ensure all residents are evacuated safely, in a time efficient manner while following instruction from emergency service personnel on the scene.

At the beginning of each semester, the Head Resident will notify all available Campus Police Officers and RT staff members of each of RT's wheelchair users, the nature of their disability, and their living area/location while residing at RT. A floor plan of their location will be posted in the conference room of the office/lobby area of RT for easy reference in the event of an emergency evacuation.

All residents of a community that have a wheelchair user in one of its suites will be notified by staff/writing by RL staff at the beginning of their stay. All residents of that community should attempt to assist, without endangering themselves or a resident who is a wheelchair user. (Specific staff, residents, or suites may be assigned hourly/daily/weekly to assist during evacuations. That community may choose to make those assignments on their community contract.)

Ground level:

Wheelchair bound residents assigned to or are on the ground level of the building (West 1D) and can exit directly to the outdoors, should do so as quickly as possible and meet in a pre-determined Emergency Evacuation Site (EES) to be accounted for. Residents of that community, without endangering themselves, should attempt to assist where necessary, those residents that are wheelchair users while evacuating the building. (Specific staff, residents, or suite members may be assigned hourly/daily/weekly to assist during evacuations, if that community chooses to make those assignments on their community contract.)

Second and Third Floors:

1. If smoke or fire is noticed by a resident in a wheelchair, and the individual is alone and has access to a phone, he/she can relay this information directly to emergency services (911) and include the phone number they are calling from if a land line. Residence Towers address is 900 N. College Ave., Thatcher, AZ.
2. If no phone is available, residents should hang colorful fabric such as a jacket or blanket out of the window and shout to attract attention to their location.
3. Residents should remain in that location until help arrives, although that resident has the right to move to a safer location, if possible, without risking their safety.
4. If danger is imminent, and it becomes necessary to evacuate, it is the responsibility of the individuals with the disability to request assistance. In general, these individuals should not be carried due to the risk of potential injury, except in extreme emergencies. These residents know best how they should be carried out and should direct volunteers accordingly. These residents should also ask a staff member or Campus Police Officer to relay special information or needs (medication, specific handling instructions, etc.) for evacuation to emergency service personnel as soon as possible. Once outside the building, these residents and their volunteers should meet other residents in a pre-designated area (EES) to be accounted for.
5. If no smoke, fire, or immediate danger is apparent and assistance from a community member is not available, a disabled resident should remain in his/her resident hall suite with the door closed and unlocked. A closed door can provide a safe barrier for many minutes, until an on-duty campus officer/staff member, or emergency personnel can assist them in safely exiting the building.

Note:

Residence Towers (RT) was constructed with three specifically designed suites to facilitate those residents with physical disabilities who may require a living area that meets wheelchair/ADA requirements.

The facility was built with some of the most fire-resistant materials available for construction, furniture that meets all requirements of the California Code in regard to heat resistance and flame, and one of the most up-to-date fire/smoke alarm systems available at the time of construction.

Upon request, and as a disabled resident becomes eligible to live in RT, they will be placed in one of these three living areas (six bed spaces total) based on gender and time of request. All spaces are on a first-come, first-served basis depending on date of application submission and payment of housing deposit. Disabled students may request to live in other areas of RT, although access in those areas isn't as assessable as those suites designed for that purpose.

Since Residence Towers has three floors, with special living areas on each level, it becomes necessary to integrate evacuation procedures that facilitate those residents with special needs in the event of an emergency requiring evacuation of the building.

Fire Safety Education and Training (Resident Life Employees)

Fire education training for employees includes an annual, mandatory Emergency Preparedness Training which covers steps to take in the event of a fire and familiarizes employees with hazardous materials/Material Safety Data Sheets (MSDS). The Director of Residence Life provides, or coordinates Residence Life staff training related to fire safety and emergency protocols. Training topics include procedures to follow when a fire is discovered, fire precautions, evacuation procedures, staff's role during a fire or other emergencies, procedures for operating the fire alarm and fire alarm related equipment, etc. The Residence Life Coordinator in each hall conduct residence hall meetings with all hall residents each semester to present fire-related evacuation and fire safety information as contained in the Resident Life Handbook. Resident Assistants attend hall meetings but also receive additional training from the Residence life Coordinator and other full-time Residence Life staff.

Fire Safety Education and Training (Student Housing Residents)

As part of the application process, residents and potential residents are informed of the online Residence Life Handbook, which contains information on fire safety – procedures to follow when a fire is discovered, fire precautions, evacuation procedures, and evacuation procedures for students with disabilities. Building evacuation and fire drills procedures are discussed with students during residence hall meetings at the beginning of each semester and during the semester as needed. Residents of each residence hall practice building evacuation procedures during fire drills.

Roles of Resident Life Staff and Other Personnel Assisting During an Emergency

Personnel that will take active parts in fire safety training and related emergency protocol, emergency notification and evacuation procedures include:

Director of Residence Life

The Director of Residence Life supervises the Eastern Arizona College Residence Life Program along with related hall staff (i.e., part-time residence life coordinators, resident assistants, and work-study students). The Director is responsible for coordinating Residence Life staff training related to fire safety and emergency protocols. The Director has an established working relationship with Campus Police and local emergency services to address safety concerns as they arise and receives updated protocol as necessary

to train staff concerning the most recent guidelines. The Director is familiar with all hall evacuation procedures and emergency responses. The Director is responsible for maintaining the Fire Log, updating the Residence Life Handbook on an annual basis, and other residential student material related to fire safety as needed.

Residence Life Coordinator

The Residence Life Coordinator is the lead person in the hall who will act in coordination with emergency service personnel and Campus Police during a reported fire and/or building evacuation. The Residence Life Coordinator will be responsible for assigning appropriate Residence Life staff, within their area of responsibility, duties that will assist the Residence Life Coordinator in the evacuation of building or any other related safety protocol. At the direction of emergency personnel or Campus Police, the Residence Life Coordinator will give the residents notice to reenter the building when the “all clear” has been given.

Resident Assistants

Resident Assistants are utilized in all halls to assist the Residence Life Coordinator during an emergency evacuation of the building for any reason and are assigned to specific areas within the hall to check to make sure students have evacuated appropriately. They are also available to assist emergency personnel as needed or requested.

Campus Police

Campus Police are familiar with the evacuation process of each resident hall on campus in the event Residence Life staff are unavailable. Campus Police can order an evacuation of a building where a threat is immediate or imminent. Campus Police would follow the building evacuation guideline where necessary and may initiate an evacuation by activating a fire pull alarm. When they arrive on scene, Campus Police are the acting authority in coordination with any emergency services personnel as appropriate.

Office Receptionist/Work Study Students

Office personnel are available for students to report a fire or emergency in the office areas of each hall. These personnel would contact 911 and Hall staff as quickly as possible but will also activate fire pull stations in the event of a fire report or related situation that would require evacuation of building. They will follow the directions of emergency personnel or supervisory staff in the hall.

Fire Log

A fire log containing all reported fires that occurred at any of the four student housing facilities is maintained on-site at the Thatcher Campus. The log contains the date the fire was reported, the nature of the fire, the date and time of the fire, and the general location of the fire. The log is available during normal business hours at the Housing Office, located at 1055 North Stadium Avenue, Thatcher, AZ.

Fire Statistics

The following tables contain the fire statistics for all on-campus student housing at Eastern Arizona College.

**2022 Fire Statistics and
Related Information Regarding Fires in Residential Facilities
(Jan. 1 - Dec. 31)**

Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries Requiring Medical Treatment	Number of Fire Related Deaths	Value of Property Damage Caused by Fire ¹
Mark Allen, 1055 North Stadium Ave.	0	0	N/A	0	0	0.00
Nellie Lee, 916 North College Ave.	0	0	N/A	0	0	0.00
Residence Towers, 900 North College Ave.	0	0	N/A	0	0	0.00
Wesley Taylor, 853 North Stadium Ave.	0	0	N/A	0	0	0

¹ Value are in dollars.

**2023 Fire Statistics and
Related Information Regarding Fires in Residential Facilities
(Jan. 1 - Dec. 31)**

Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries Requiring Medical Treatment	Number of Fire Related Deaths	Value of Property Damage Caused by Fire ¹
Mark Allen, 1055 North Stadium Ave.	0	0	N /A	0	0	0.00
Nellie Lee, 916 North College Ave.	0	0	N /A	0	0	0.00
Residence Towers, 900 North College Ave.	0	0	N /A	0	0	0.00
Wesley Taylor, 853 North Stadium Ave.	0	0	N/A	0	0	0.00

¹ Value are in dollars.

**2024 Fire Statistics and
Related Information Regarding Fires in Residential Facilities
(Jan. 1 - Dec. 31)**

Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries Requiring Medical Treatment	Number of Fire Related Deaths	Value of Property Damage Caused by Fire ¹
Mark Allen, 1055 North Stadium Ave.	0	0	N /A	0	0	0.00
Nellie Lee, 916 North College Ave.	0	0	N /A	0	0	0.00
Residence Towers, 900 North College Ave.	0	0	N /A	0	0	0.00
Wesley Taylor, 853 North Stadium Ave.	0	0	N/A	0	0	0.00

¹ Value are in dollars.

Plans for Future Improvements in Fire Safety

Arizona law requires elevators to include Firefighters' Emergency Operation (FEO) features, which allow emergency personnel to control elevator functions during a fire or other crisis. This requirement is part of the Arizona Elevator Safety Rules, specifically outlined in Article 5 of Title 20, Chapter 5 of the Arizona Administrative Code. Eastern Arizona College has contracted with a company to install a key switch for firefighters to have access to the College's elevators, which will be an improvement in fire safety. The College and the Arizona State Fire Marshall will continue to inspect, maintain, and test all fire safety systems, equipment, and devices, as is the current practice. Any fire safety equipment and/or fire-related device(s) found to be malfunctioning or broken will be repaired or replaced as deemed necessary to maintain a safe living and working environment for student residents and employees.