

Know Our Policies

Your safety on campus is our concern. It is important that you understand our guidelines and the steps that will be taken if these policies are not followed.

- Sexual Assault Policy
- College Responses to Reports Involving Sexual Assault (all forcible or non-forcible sex offenses)
- Drug Free School and Workplace Policy
- Violence-Free College Policy
- Policy Prohibiting Deadly Weapons and Dangerous Instruments or Devices
- Role of Public Safety Officers

Sexual Assault Policy

Delaware Tech is committed to providing a safe, secure educational and work environment where individuals are free from the threat of sexual assault or other crimes involving force or intimidation.

College Responses to Reports Involving Sexual Assault (all forcible or non-forcible sex offenses)

In addition to criminal prosecution, any Delaware Tech student or employee who is reported to be the perpetrator of a sexual offense (including rape, acquaintance rape or any other forcible or non-forcible sex offense) in connection with any College sponsored activity is subject to College processes and procedures pertaining to disciplinary action. College disciplinary action can be initiated even if criminal charges are not pursued.

Allegations brought against a student will be processed according to the complaint procedures identified in the Student Responsibilities and Student Rights Policy in the [Student Handbook](#) [1]. Sanctions may include suspension or expulsion. Where desired by the victim and if at all possible, the College will make accommodations to the parties' academic schedules so as to avoid contact between the victim and the accused.

Allegations brought against an employee will be processed according to the procedures identified in the [Personnel Policy Manual](#) [2]. Sanctions may include suspension or termination of employment. Accommodations designed to prevent contact between the victim and the accused may be made whenever possible.

Each of the above Policies affords each party the same opportunity to present evidence and to be heard. Either party may be represented by an attorney. Each party will be informed of the outcome of disciplinary proceedings.

Drug Free School and Workplace Policy

Delaware Technical Community College believes that illegal drugs and abuse of alcohol have no place in the College environment. Congress passed the Drug-Free Workplace Act of 1988, requiring the certification of federal grantees of a drug-free workplace; and the Drug-Free Schools and Communities Act Amendments of 1989, mandating the certification of adoption and implementation of programs to prevent unlawful possession, use or distribution of illicit drugs and alcohol by students and employees. The College supports these Acts.

For these reasons, the College has adopted the following regulations:

(a) The unauthorized and/or unlawful manufacture, distribution, dispensing, possession or use of a controlled substance or alcohol is strictly prohibited in all facilities of the College, in all places where its employees/students work/attend, including all State-owned vehicles, and as any part of the

College's activities. A controlled substance is one which appears in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812). As a condition of employment/enrollment, all employees/students shall abide by this prohibition and notify the College of any criminal drug or alcohol statute conviction for a violation of this Policy as provided by paragraph (b) below. Violation of such prohibition shall result in action against the employee/student, as set out in section (g) below, which shall include action up to and including termination/expulsion, and/or satisfactory participation in an approved drug or alcohol abuse assistance or rehabilitation program. Participation in such a program shall not be paid for by the College, but may be covered by a(n) employee's/student's health insurance policy. [Appendix A](#) [3] contains a description of Federal trafficking (distribution) penalties for substances covered by the Controlled Substances Act. [Appendix B](#) [4] contains examples of State penalties for the unlawful use, possession, or distribution of drugs or alcohol.

All violations of this Policy shall be reported to the College President, or his/her designee, who shall report the violation to the appropriate law enforcement authority. Action shall be taken in all cases of a chargeable offense under the provisions of the applicable State law or comparable Federal law; however, a conviction of the charged offense shall not be necessary to take action against the employee/student for a violation of this Policy. The employee/student against whom such an action is taken shall be entitled to due process through the rules and regulations of Delaware Technical Community College.

(b) All employees/students shall notify the College President in writing of any criminal drug or alcohol statute conviction for a violation occurring in any facility or on the property of the College, or at any College activity, no later than five days after such conviction. Failure of the employee/student to make such a notification shall lead to termination/expulsion from the College. Within ten days of receiving notice of any employee convicted as described above, the College shall notify the federal agencies providing grants to and through the College in accordance with the Drug-Free Workplace Act of 1988.

(c) Within thirty days of receiving notice of any employee/student convicted as described in section (b), the College will:

1. Take appropriate action against such a(n) employee/student, up to and including termination/expulsion; or
2. Request such employee/student to participate satisfactorily in a drug or alcohol abuse assistance or rehabilitation program approved for such purposes by a federal, State, or local health, law enforcement, or other appropriate agency.

Such action may be taken by the College prior to conviction.

(d) The College shall give each employee/student a copy of the statement set out in the sections (a), (b) and (c) above, and post it prominently throughout the College. To meet requirements of the Drug-Free Workplace Act of 1988, each employee shall sign a copy of the statement; said copy shall be placed in the employee's payroll file in the Office of the President.

(e) Each campus of the College will develop and implement a program to inform employees/students of:

1. The dangers of drug abuse or alcohol consumption;
2. The College's policy of maintaining a drug- and alcohol-free environment;
3. Any available drug or alcohol abuse counseling, rehabilitation, and employee assistance programs; and
4. The penalties that may be imposed upon employees/students for drug or alcohol violations occurring in any facility or on the property of the College, or at any College activity.

(f) The College shall make a good faith effort to continue to maintain a drug- and alcohol-free environment through the implementation of this Policy, and ensuring that all new

employees/students are informed of the Policy through the measures set out in sections (d) and (e).

(g) Delaware Technical Community College employees/students who violate this Policy shall be subject, at a minimum, to the following penalties:

Violation

Minimum Penalties

1. Unlawful possession, use or consumption of a controlled substance or a counterfeit controlled substance, in an amount that is typical of immediate personal use.

Employee: Three days suspension without pay and/or participation in drug abuse program.
Student: Three days suspension from classes and/or rehabilitative referral to a drug abuse program

2. Unlawful possession or use of a hypodermic syringe or of drug paraphernalia.

Employee: Three days suspension without pay and/or participation in drug abuse program.
Student: Three days suspension from classes and/or rehabilitative referral to a drug abuse program

3. Second offense of violation 1 or 2 above.

Employee: One month suspension without pay and mandatory participation in drug abuse program.
Student: One month suspension from classes and mandatory participation in drug abuse program.

4. Third offense of violations 1 and/or 2.

Employee: Termination.
Student: Expulsion

5. Unlawful possession of a controlled substance or a counterfeit controlled substance, in an amount which is beyond that typical for immediate personal use.

Employee: One month suspension without pay and mandatory participation in drug abuse program.
Student: One month suspension from classes and mandatory participation in drug abuse program.

6. Unlawful delivery or distribution of a hypodermic syringe.

Employee: One month suspension without pay and mandatory participation in drug abuse program.
Student: One month suspension from classes and mandatory participation in drug abuse program.

7. Unlawful delivery, distribution, or manufacture of drug paraphernalia.

Employee: One month suspension without pay and mandatory participation to drug abuse program.
Student: One month suspension from classes and mandatory participation in drug abuse program.

8. Unlawful delivery or distribution of a

Employee: One month suspension without pay

controlled substance, of a counterfeit controlled substance or of a noncontrolled substance under the representation that the substance is a narcotic or non-narcotic controlled substance in an amount that is typical for immediate personal use.

and mandatory participation in drug abuse program.

Student: One month suspension from classes and mandatory participation in drug abuse program.

9. Unlawful delivery or distribution of a controlled substance, of a counterfeit controlled substance or of a noncontrolled substance under the representation that the substance is a narcotic or nonnarcotic controlled substance in an amount which is beyond that which is typical for immediate personal use.

Employee: Three month suspension without pay and mandatory participation in drug abuse program.

Student: Three month suspension from classes and mandatory participation in drug abuse program.

10. Second offense of violations 5 through 9.

Employee: Termination.

Student: Expulsion.

11. Unlawful delivery or distribution to a minor of a hypodermic syringe, of drug paraphernalia, or of any amount of a controlled substance, a counterfeit controlled substance, or a noncontrolled substance under the representation that the substance is a narcotic or nonnarcotic controlled substance.

Employee: Termination

Student: Expulsion

12. Aggravated Possession or Trafficking as defined under state or federal law.

Employee: Termination

Student: Expulsion

13. Failure to report conviction pursuant to section (b) of this Policy.

Employee: Termination

Student: Expulsion

14. Intoxication from use of alcohol.

Employee: Up to five days suspension without pay and/or participation in alcohol self-help program. Subsequent violations may result in termination.

Student: Up to five days suspension from classes and/or rehabilitative referral. Subsequent violations may result in expulsion.

15. Unauthorized and/or unlawful possession or use of intoxicating beverages.

Employee: Up to five days suspension without pay and/or participation in alcohol self-help program. Subsequent violations may result in termination.

Student: Up to five days suspension from classes and/or rehabilitative referral. Subsequent violations may result in expulsion.

16. Unauthorized and/or unlawful sale or other transfer of intoxicating beverages.

Employee: Up to five days suspension without pay and/or participation in alcohol self-help

program. Subsequent violations may result in termination.

Student: Up to five days suspension from classes and/or rehabilitative referral.

Subsequent violations may result in expulsion.

(h) A description of the health risks associated with the use of illicit drugs is outlined in [Appendix C](#) [5]. A description of the health risks associated with the abuse of alcohol is as follows:

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical and mental abnormalities. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

(i) Employees and students are encouraged to review [Appendix D](#) [6] for a listing of providers offering drug or alcohol counseling, treatment, or rehabilitation services. In addition, employees enrolled with the State of Delaware's health care provider are eligible to receive drug or alcohol treatment services through the Employee Assistance Program. Employees may contact the Human Resources Division within the Office of the President for more information regarding the Employee Assistance Program.

- [Appendix A](#) [3]
- [Appendix B](#) [4]
- [Appendix C](#) [5]
- [Appendix D](#) [6]

Violence-Free College Policy

Policy Statement

The Board of Trustees of Delaware Technical Community College, through its President, Administration, Faculty and Staff, is committed to providing a safe, violence-free environment for the College Community. In furtherance of its opposition to violence in the College environment, it adopts this Delaware Technical Community College Violence-Free College Policy.

Prohibited Conduct

No type of violence will be tolerated on College property or in any place where College students or employees are engaged in College-related activity or in connection with any College-sponsored activity. College employees, students (including persons participating in any activity sponsored by the College) and visitors to the College (the "College Community") are directed not to engage in threatening or violent conduct or activities.

The conduct described below constitutes actions that are expressly prohibited on College property or in connection with College-sponsored activities. The list of prohibited activities is designed to provide examples and is not exclusive of other conduct that may constitute a violation of this Policy:

- Causing or threatening to cause physical injury to another person
- Making threatening, abusive or harassing remarks
- Disorderly, aggressive or hostile behavior that creates a reasonable fear in another of injury or subjects another person to emotional distress; such conduct may include shouting, throwing or pushing objects, punching walls or slamming doors
- Intentionally causing damage to College property or to the property of an employee, student or visitor to the College while on College property or in connection with a College-sponsored activity
- Possession of a weapon or dangerous instrument or engaging in any other conduct in violation of the College Policy Prohibiting the Possession of Deadly Weapons, Dangerous Instruments or Devices
- Committing violent or hostile acts motivated by, or related to, race, age, color, national origin, sexual orientation, sex, disability, marital status, sexual harassment or domestic relationships.

Procedures

I. Reporting Procedures

A. Immediate Threat Procedures

Members of the College Community who encounter an armed or otherwise dangerous person should not challenge or attempt to disarm the individual. In such an event, a person confronted by such an individual should proceed as follows:

If possible,

- Remove yourself from danger

Otherwise,

- Remain calm
- Maintain eye contact
- Talk to the individual
- Cooperate as much as feasible
- Notify law enforcement authorities first and then the Public Safety Office as soon as possible.

B. Potentially Dangerous Threat Procedures

Any potentially dangerous situation of which a member of the College Community becomes aware should immediately be reported to a Public Safety Office. If warranted, the Public Safety Office shall report the violation to the appropriate police authority and will also notify a Dean of Student Affairs (student violation) or a Human Resource Officer (employee violation), as applicable. The Dean of Student Affairs and/or the Human Resource Officer will inform the Campus Director of all reported incidents. Initial reports may be made anonymously to the Public Safety Office. All reported incidents will be investigated. Reports or incidents requiring confidentiality will be handled with due regard to privacy interests, and information will only be disclosed to others on a "need to know" basis. To the greatest extent feasible, the results of an investigation into a reported and or investigated incident will be provided to and discussed with all parties involved in such incidents. In compliance with the Delaware Technical Community College Crisis Management Policy, College officials will actively intervene at any indication of a possibly hostile or violent situation.

While it is not expected that members of the College Community be skilled at identifying potentially dangerous persons, it is expected that, through the exercise of good judgment, persons observing behavior that could signal a potentially dangerous situation or evidence a potentially violent person

will report such an observation to the Public Safety Office. The Public Safety Office must notify a Dean of Student Affairs (student) or a Human Resource Officer (employee) of all reports.

In addition to the conduct identified in this Policy as prohibited conduct, potentially dangerous behavior or warning signs of a potentially violent person may include:

- discussion of weapons or bringing weapons onto College property or property used for College-sponsored activities;
- displaying overt signs of extreme stress, resentment, hostility, paranoia or anger;
- intimidating, belligerent, harassing, bullying or threatening conduct;
- sudden or significant deterioration in performance; displaying irrational or disproportionately inappropriate behavior.

All members of the College Community are responsible for notifying the Public Safety Office of any threats, witnessed or received. Even if no actual threat has been made, members of the College Community should report any conduct witnessed which, in the exercise of reasonable judgment, appears threatening or violent, when the behavior is connected to or may be carried out in the College environment.

C. Domestic Violence Procedures

Domestic violence is a serious threat to affected individuals and the place where such individuals work or are engaged in other activities.

Members of the College Community who obtain a protective or restraining order that lists College or College-related property as an area to be protected by such order are asked to provide the relevant Public Safety Office with a copy of the order.

Employees may obtain information concerning services related to domestic violence from the Delaware State Personnel Offices and the College's Human Resource Offices. Students and employees may obtain information from the College's Counseling Offices.

II. Enforcement Procedures

Threats, threatening conduct, or any acts of aggression or violence will not be tolerated in the College environment. Any College employee or student who is determined to have committed an act prohibited by this Policy will be subject to disciplinary action, up to and including termination of employment or expulsion and may be reported to law enforcement authorities. Disciplinary action shall be taken in cases of chargeable offenses under the provisions of applicable state law or comparable federal law; however, a conviction of the charged offense shall not be necessary to take action against the employee/student for violation of this Policy. The employee/student against whom such action is taken shall be entitled to the benefits of the procedures identified in the College Personnel Policy or Student Code of Conduct/College Policy for Student Rights & Student Responsibilities. Persons not subject to the College Personnel Policy or Student Code of Conduct/College Policy for Student Rights and Student Responsibilities who violate this Policy will be directed to leave the premises and may be reported to law enforcement authorities for criminal prosecution. Other legal remedies may also be invoked.

(Added Board of Trustees 9/17/03)

Policy Prohibiting Deadly Weapons and Dangerous Instruments or Devices

Role of Public Safety Officers

The Public Safety Officer and/or college official should ensure the following:

- All college personnel will treat victims of any crime with respect.
- Victims are entitled to privacy during every aspect of the reporting process and any ensuing investigation.
- All information obtained will be confidential.

- Victims have the right to receive medical treatment and counseling services.
- The college official and/or Public Safety Officer will inform victims that they have the option to report their case through the college judicial system and/or have the appropriate police agency respond and conduct a full investigation. Victims have the right to refuse these sanctions or any assistance.
- Victims will be made aware of appropriate student services and counseling available through community-based counseling services.
- Delaware Technical Community College will notify victims of a sexual assault of the options to adjust the academic schedule whenever reasonably possible. Victims also have the right to decline any schedule adjustments.
- Reporting the crime does not obligate victims to follow through with prosecution.

Source URL: <https://www.dtcc.edu/about/public-safety/know-our-policies>

Links:

- [1] <https://www.dtcc.edu/academics/student-handbook>
- [2] <https://www.dtcc.edu/about/employment/personnel-policy-manual>
- [3] <http://go.dtcc.edu/drugFreeSchoolAppendixA>
- [4] <http://go.dtcc.edu/drugFreeSchoolAppendixB>
- [5] <http://go.dtcc.edu/drugFreeSchoolAppendixC>
- [6] <http://go.dtcc.edu/drugFreeSchoolAppendixD>