This information is supplied in compliance with the federal Jeanne Clery Disclosure of Campus Policy and Campus Crime Statistics Act of 1998. The current Clery Act was formerly known as the Crime Awareness and Campus Security Act of 1990. This report covers the Owens Campus of Delaware Technical Community College. Reports for all campuses may be found at https://www.dtcc.edu/about/public-safety/your-right-know.

Public Safety Departments
The Owens Public Safety Department is staffed by public safety officers and public safety constables. The public safety constables are trained law enforcement officers who have been granted arrest powers by the State of Delaware. The Public Safety Department is empowered with the authority and responsibility to provide immediate assistance with issues involving your safety and security. Public Safety Officers respond to all reports of criminal or disruptive activity as well as to emergencies, accidents, and other incidents occurring on College property. The College’s Public Safety Department maintains a close working relationship with local law enforcement agencies which are called upon for assistance in the appropriate circumstances.

Clery Act Requirements

How to Report Criminal Activities
Delaware Technical Community College encourages each member of the campus community to report any crimes and criminal activity to the Public Safety Department for immediate action. Other areas of concern you might have about safety or security should be reported to the Public Safety Department so they can be addressed. Individual concerns about criminal activity, safety, or security issues can be reported to any college official or directly to the Public Safety Department. You can contact the Public Safety Department in person, in writing, or by telephone.

You can report criminal activities by contacting the Public Safety Department at:

<table>
<thead>
<tr>
<th>Owens Campus, Georgetown</th>
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<tbody>
<tr>
<td>(302) 855-1603</td>
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Delaware Technical Community College encourages everyone to become an active participant in his/her personal safety. This can be achieved in part by reporting crimes that occur on College property. On the rare occasion that some criminal activity occurs on campus, it should be reported in a timely manner. Every member of the campus community has an obligation to make a report of the crime or criminal activity to Public Safety for investigation. Remember, safety is everyone’s responsibility. It is college policy that criminal offenses occurring on college property will be reported to the police for investigation.
In some circumstances, persons who have witnessed or suspect criminal activity or who are victims of criminal activity may be reluctant to file a report out of fear of the ‘process’ and/or loss of anonymity. While the College does not employ pastoral counselors and professional counselors devoted to mental health issues as defined in Clery Act regulations, persons having knowledge of criminal activity (including victims of such activity) are encouraged to make a voluntary report to any of the Campus Security Authorities listed below in this Report.

Confidential reports provide valuable information that may be used to enhance the safety of the College community. All reports will be investigated and will be kept confidential to the maximum extent permitted by law. 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. The final results of an investigation into a reported and/or investigated incident will be provided to and discussed with all parties involved in such incidents as feasible under the circumstances. Please note that the Crime Statistic Reports created and maintained by the College under the Clery Act do not contain the names of either the victim or the person accused of engaging in criminal activity.

The Clery Act defines a Campus Security Authority as:

- A member of the campus police department or a campus security department of an institution.
- An individual or individuals who have responsibility for campus security but who do not constitute a campus police/security department (E.g. an individual who is responsible for monitoring the entrance into the institutional property).
- An organization or individual specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities.

Individuals at each campus holding the following positions are hereby designated Campus Security Authorities at Delaware Tech:

1. All members of the Public Safety Department
2. The Dean of Student Services
3. The Director of Human Resources
4. Any Athletic Director or Coach
5. Any Faculty Advisor to a Student Group

**Individual Responsibility**

Personal safety while on campus is the result of a partnership between the Public Safety Department and each individual on campus. Delaware Technical Community College strives to ensure the safety of all individuals within its community. Students and employees, collectively and individually, must take responsibility for their own safety and that of their personal belongings. Simple precautions are the most effective means of maintaining personal security. The Owens campus has well-lit parking areas and walkways for your use. They should be used during night hours. Public Safety escorts are also available upon request. All valuable property
should be engraved with the owner's driver's license number or other form of identification. Unattended cars should always be locked. When you leave items of value in your car, they should be locked in the trunk. The College community is encouraged to notify Campus Security Authorities, including any member of a Public Safety Department, of any unusual events or individuals present on campus.

**Crime Prevention Programs**

Your Public Safety Department's Crime Prevention Programs are intended to provide you with information to reduce the possibility of criminal activity on campus. "YOU" are the key element in crime prevention. Each person is responsible for his or her personal safety. If you develop good safety and security habits, you can assist us in assuring a safe environment here at Delaware Tech. The Public Safety Department participates in faculty and staff in-service programs as well as new student orientation. Topics of information include personal safety and how to protect your personal property. The Public Safety Department also publishes brochures titled "Crime Prevention" and "The Safe Campus Program." They are available at each campus.

**Delaware Technical Community College Campus Crime Statistics**

In compliance with the requirements of the Clery Act, the Public Safety Department collects and compiles crime statistics which are disclosed to the public. Information is collected from sources on and off campus. This includes crimes reported directly to the Public Safety Department, reports of crimes made to those campus officials described above, and crimes reported to law enforcement agencies for publication on an annual basis.

*Note: The term “Campus” means any building or property owned or controlled by Delaware Technical Community College within the same reasonably contiguous geographical area of the institution and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes. (Title 20, USC, Chapter 28, Subchapter IV, Student Assistance)*

*The term “public property” means all public property that is within the same reasonably contiguous geographic area of the campus, such as a sidewalk, street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the college. (Title 20, USC, Chapter 28, Subchapter IV, Student Assistance).*

**Criminal Offenses – On Campus**

<table>
<thead>
<tr>
<th>A. Murder/Non-Negligent Manslaughter</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
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<tbody>
<tr>
<td>B. Negligent Manslaughter</td>
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<tr>
<td>C. Sex Offenses – Forcible</td>
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<td>E. Robbery</td>
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<td>H. Motor Vehicle Theft</td>
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### Criminal Offenses – Public Property

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### Hate Crimes – On Campus

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<tr>
<td>J. Simple Assault</td>
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<td>K. Larceny/Theft</td>
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<td>L. Intimidation</td>
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<td>M. Destruction/Damage/Vandalism of Property</td>
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Disciplinary Actions - On Campus

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Disciplinary Actions – Public Property

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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.

POLICY STATEMENT ON SEXUAL HARASSMENT BY A STUDENT

All students have a right to attend the College in an environment that is free of discrimination and sexual harassment. Therefore, it is the policy of the College that no student may sexually harass another member of the College community while present on any property owned or controlled by the College or while participating in any College-related activity or event.

Unwelcome sexual advances, requests for sexual favors, and other verbal, written, or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s education; or
2. Submission to or rejection of such conduct by an individual is used as the basis for academic decisions affecting that individual; or
3. If non-physical, such conduct is so severe, pervasive, and objectively offensive that the victim is effectively denied equal access to the College’s resources and opportunities.
Sexual harassment may involve individuals of the same or different gender. Sexual harassment is most frequently associated with those situations in which a power differential exists between persons involved; however, it also may occur between individuals of the same College status, i.e., student-student.

The College is also committed to the principles of free expression and academic freedom. Delaware Tech encourages academic exploration and recognizes that our campuses contribute to the marketplace of ideas. Consistent with the College’s academic mission, this Student Sexual Harassment Policy is not intended to restrict student speech protected by the First Amendment to the Constitution in the academic setting. However, non-physical expressive activity that is so severe, pervasive, and objectively offensive that the victim is effectively denied equal access to the College’s resources and opportunities is not legally protected and does not promote free inquiry on our campuses.

Examples of severe and pervasive non-physical conduct, which may constitute sexual harassment when such expression is so objectively offensive that it denies the victim equal access to the College’s resources and opportunities include, but are not limited to:

1. Unwelcome sexual advances, requests for sexual favors, or other non-physical conduct of a sexual nature;
2. Sexually explicit statements, comments, questions, pictures, objects, jokes, or anecdotes;
3. Unwelcome use of the electronic mail or telephone communication system to communicate prohibited conduct or activities; or
4. Graphic comments about a person’s clothing or body.

However, physical conduct, such as unwelcome touching, patting, hugging, and sexual assault, is not protected under free speech principles and need not be repeated in order to constitute sexual harassment. Thus, physical conduct of a sexual nature results in sexual harassment when it is unwelcome, intentional, and so severe and/or pervasive that it denies the victim equal access to the College’s resources and opportunities under the circumstances presented.

Sexual harassment is a violation of the Student Rights and Standards of Student Conduct Policy and will not be tolerated by the College. Sexual harassment complaints involving a student will be resolved according to the Procedure for the Resolution of Student Sexual Harassment Complaints as contained in the Student Handbook.

Any student that violates this Policy will be subject to disciplinary action including, but not limited to, dismissal from the College. In addition, the College reserves the right to notify law enforcement authorities of incidents of sexual harassment alleged to have occurred on any property owned or controlled by the College or during any College-related activity or event upon reasonable belief that such incidents rise to the level of criminal activity.
POLICY STATEMENT ON SEXUAL HARASSMENT BY AN EMPLOYEE

All employees have a right to work at the College in an environment that is free of
discrimination and sexual harassment. Therefore, it is the policy of the College that no employee
may sexually harass another member of the College community while in the course and scope of
his or her employment, while present on any property owned or controlled by the College, or
while participating in any College-related activity or event.

Delaware Tech is committed to the principles of free expression and academic freedom.
Delaware Tech encourages academic exploration and recognizes that our campuses contribute to
the marketplace of ideas. The College’s Sexual Harassment Policy is not intended to restrict
speech protected by the First Amendment to the Constitution. However, objectively offensive
sexual harassment that is so severe or pervasive that it effectively alters the conditions of the
victim’s employment, or creates an abusive or hostile working environment, is not legally
protected and does not promote free inquiry on our campuses.

Thus, unwelcome sexual advances, requests for sexual favors, and other verbal, written, or
physical conduct of a sexual nature constitute sexual harassment when:
1. submission to such conduct is made either explicitly or implicitly a term or condition of
an individual's employment or education, or
2. submission to or rejection of such conduct by an individual is used as the basis for
academic or employment decisions affecting that individual, or
3. such objectively offensive conduct is so severe or pervasive that it effectively alters the
conditions of the victim’s employment or creates an abusive or hostile working
environment.
4. Sexual harassment may involve individuals of the same or different gender. Sexual harassment is
most frequently associated with those situations in which a power differential exists between
persons involved; however, it also may occur between individuals of the same College status,
including, but not limited to, employee-employee sexual harassment.

Non-exhaustive examples of objectively offensive and pervasive conduct, or a single incident
depending on the severity of the event, which may constitute sexual harassment are:
1. unwelcome touching, patting, hugging or brushing against a person's body
2. staring, ogling, leering, whistling
3. sexually explicit statements, comments, questions, jokes, or anecdotes
4. graphic comments about a person's clothing or body
5. sexually suggestive objects or pictures in the work place
6. unwelcome use of the electronic mail or telephone communication system
7. other physical or verbal conduct of a sexual nature

Such conduct, whether intended to be harassment or not, will not be tolerated by the College and
is a violation of the Personnel Policy Manual. Complaints regarding employees who are alleged
to have violated this Policy will be resolved through the Procedure for the Resolution of Sexual
Harassment Complaints provided in Section XIII, 13.05, of the Personnel Policy Manual.
Any employee that violates this Policy will be subject to disciplinary action including, but not limited to, termination of employment. In addition, the College reserves the right to notify law enforcement authorities of employees who are alleged to have violated this Policy upon reasonable belief that such incidents rise to the level of criminal activity.

Reducing the Risk of Sexual Assault
Adopting a sense of personal responsibility for one’s safety and using common sense can provide a degree of protection from assault. The following is a list of safety tips to reduce the risk of sexual assault:

• Find strength in numbers; attend social gatherings with a friend; stick together and arrange a pre-planned signal to alert one another when it’s time to go or if either needs help.

• Avoid walking or jogging alone at night and stick to lighted areas whenever possible. Contact the Public Safety Department to arrange for an escort.

• Keep doors and windows locked and remain aware of your surroundings; never hitchhike.

• Each campus has informational brochures available describing how one may reduce the risk of sexual assault. Programs designed to provide instruction on defensive skills are conducted periodically. Check campus Public Safety WebPages and the College Public Safety Web page for further details.

Reporting Sexual Assault
Persons who believe they have been sexually assaulted or been subjected to any sexual offense on campus should immediately report the incident to a Public Safety Department or to a local law enforcement office by calling 911, or to any College employee who has been identified as a Campus Security Authority. Individuals may also report incidents of alleged sexual assault to the College’s Civil Rights Coordinator who is Barbara Mignon Weatherly, civilrights@dtcc.edu, phone number 857-1695. A complaint of sexual assault committed by a student can be reported to any faculty member, academic counselor, administrator, or Public Safety Officer on the campus where the conduct is alleged to have occurred. A complaint that a College employee has engaged in sexual assault can be made to a supervisor, administrator, Public Safety Officer or the College’s Civil Rights Coordinator. College personnel to whom a report of sexual assault is made will assist in contacting local law enforcement and Public Safety if such assistance is requested and will report the complaint to the Civil Rights Coordinator. The following is a list of strongly recommended steps in response to a sexual assault:

• Get to a safe place as quickly as possible.
• Call Public Safety.
• Use best efforts to preserve physical evidence by refraining from showering, bathing, douching or changing, washing or destroying clothing, eating or drinking so that physical evidence can be collected in the event that a criminal complaint is brought forward.
• Keep clothing that was worn at the time of the offense; if clothes are changed, place clothing in a paper bag. (Note: evidence deteriorates in plastic.)
• Get prompt medical attention.
• Write down all details remembered as soon as possible.

You may wish to call the State Rape Crisis 24-hour hotline at 1-800-262-9800.

The following outside agencies are also available to render assistance:

<table>
<thead>
<tr>
<th>Agency</th>
<th>Owens Campus</th>
<th>Terry Campus</th>
<th>Stanton/George</th>
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<tbody>
<tr>
<td>Emergency Reporting Agency</td>
<td>Suscom 855-2980</td>
<td>Kentcom 739-4863</td>
<td>Recom 573-2893</td>
</tr>
<tr>
<td>Georgetown Police</td>
<td>856-6613</td>
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<tr>
<td>Dover Police</td>
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<td>736-7111</td>
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<td>Wilmington Police</td>
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<td>654-5151</td>
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<tr>
<td>Rape Crisis</td>
<td>1-800-262-9800</td>
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Victims always have the option to forgo prosecution after an assault is reported.

Upon receiving a complaint of any sexual offense, the College will initiate procedures to resolve the allegation even if criminal and/or civil actions have not been filed. Sanctions for sexual assault will be imposed by the College through the Procedure for the Resolution of Student Sexual Harassment Complaints contained in the Student Handbook or, in the case of an employee, through the Procedure for the Resolution of Sexual Harassment Complaints as included in Section 13.05 of the Personnel Policy Manual. Sanctions could include dismissal from employment, exclusion from academic participation or other college sponsored programs, and/or denial of access to college facilities as determined through these procedures.

**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 Procedure for the Resolution of Student Sexual Harassment Complaints at [http://www.dtcc.edu/handbook/](http://www.dtcc.edu/handbook/). 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 Section 13.05 of the Personnel Policy Manual at [http://www.dtcc.edu/hr/pages/ppm.html](http://www.dtcc.edu/hr/pages/ppm.html). 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 the victim and the accused the same opportunity to present evidence, to be heard, and to have others present during a disciplinary proceeding. Each party will be informed of the outcome of disciplinary proceedings pertaining to complaints of sexual offenses, defined as the College’s final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.

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 to the maximum extent permitted by law.
- 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 above-referenced College procedures and/or have the appropriate police agency respond and conduct a full investigation. While victims have the right to refuse to participate in any such proceeding or investigation, the College is required by federal law to investigate all incidents of alleged sexual assault on campus.
- 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.

Sex Offender Registry and Access to Related Information
The federal Campus Sex Crimes Act, enacted on October 28, 2000, became effective on October 28, 2002. This law mandates that institutions of higher education issue a statement advising the campus community where sex offender information provided by a state may be obtained. It also requires sex offenders already required to register in a state to provide notice of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student. The Delaware sex offender registry is maintained by the Delaware State Police. You can view the Delaware State Police, State Bureau of Identification Sex Offender Central Registry at http://www.state.de.us/dsp/sexoff/.

Crime Alert Bulletins (Timely Warnings)
In support of crime prevention efforts, each Delaware Tech campus provides reports (Timely Warnings) to its College community concerning the occurrence of any Reportable Offense reported to either a local law enforcement agency or to a Campus Security Authority where the occurrence of such an offense is deemed by the Vice President and Campus Director, after consultation with the Chief of Public Safety, to constitute a threat to students or employees. Warnings are designed based on the severity of the crime, the continuing threat to the College community and the population most likely to be at risk. Warnings will provide a description of the incident, where and when it occurred, a physical description of the perpetrator, any connection to previous reported incidents, category of individuals who may be at risk and the date and time the warning was issued. Dissemination of warnings will depend on similar factors
and will consist of posting on a given Campus Web page, targeted announcements on the College portal (MyDTCC), posting on campus information television monitors, bulletin board postings or electronic mail. Similar mechanisms may be used in the event of other emergency circumstances that, while not criminal in nature, nevertheless threaten the safety of members of the College community. The Vice President and Campus Director, in consultation with the Chief of Public Safety is responsible for determining when Crime Alert Bulletins will be made and the duration of the Crime Alert Warning.

Higher Education Opportunity Act Amendments

The Higher Education Opportunity Act (HEOA) requires the College to disclose certain emergency response and evacuation information as part of the Clery Act reporting process. As a result, this section discloses the College’s emergency response and evacuation procedures in accordance with this mandate.

Emergency Mass Notification System

The College has developed a mass notification system to give the College community immediate notification of an emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus. The mass notification system is employed whenever the Vice President and Campus Director, after consultation with the relevant College officials under the circumstances, deems the situation an emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on the relevant campus. Likewise, after consultation with the appropriate College officials, the relevant Vice President and Campus Director determines the content of the emergency notification as suitable under the circumstances as well as the appropriate segment of the College community that shall receive the notification. All emergency notifications will be communicated to the College community in accordance with the above without delay. No such emergency notification, however, will be conveyed to the College community where issuing the notification would compromise any effort to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The College’s mass notification system provides voice messages, e-mails, and text messages, or any combination thereof, to the College community. The surrounding community is informed about the emergency as determined by the Vice President and Campus Director in a manner as appropriate in light of the emergency situation. In order to ensure that emergency notifications are received, the College maintains the emergency contact information for members of the College community. This emergency contact information is used strictly in connection with the emergency mass notification system and is not published or disseminated. Emergency contact information can be submitted on BannerWeb through the http://my.dtcc.edu web portal.

Annual Testing of Emergency Response and Evacuation Procedures

The College’s emergency response and evacuation procedures will be tested on at least an annual basis. This test shall be a planned exercise to evaluate the College’s emergency plans and procedures. A simulated exercise, the test will also assess the College’s mass notification system to ensure that the College community receives an emergency notification in an appropriate and timely manner. The College community shall be informed about the results of test as soon as
possible after the results have been documented. The documentation regarding the results of each annual test will be maintained by the College for at least seven (7) years.

**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. The unauthorized 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 employees/students work/attend, including all state-owned vehicles, and as any part of the college's activities. As a condition of employment/enrollment, all employees/students shall abide by this prohibition and notify the College of any criminal drug or alcohol use. Violation of such prohibition shall result in action against the employee/student, 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.

All violations of the above policy shall be reported to the College president, or his/her designee, who shall report the violation to the appropriate police authority. Action shall be taken in all cases of 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 the policy. The employee/student against whom such action is taken shall be entitled to due process through the rules and regulations of Delaware Technical Community College.

Please see [https://www.dtcc.edu/academics/student-handbook/collegewide-policies](https://www.dtcc.edu/academics/student-handbook/collegewide-policies) for the complete Drug Free School and Workplace Policy which sets forth, among other provisions, the state penalties for underage drinking and treatment options for students and employees who have problems.

**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.

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, if possible, 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 Department 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 the Public Safety Department. All reported incidents will be investigated. 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 Department. The Public Safety Department must notify a Dean of Student Services (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 Department 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 Department 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 may obtain domestic violence information through the Deans of Student Services at each campus.

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 subject to the procedures identified in the College’s Personnel Policy Manual or in the Student Handbook. Persons who are neither students nor employees subject to these procedures and 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.

Policy Prohibiting Deadly Weapons and Dangerous Instruments or Devices

POLICY STATEMENT
This Policy applies to the possession or use of any prohibited weapon, dangerous instrument or device and to any prohibited conduct (see Violence-Free College Policy) on any property owned,
leased, or otherwise controlled by the College or in any place where College students or employees are engaged in College-related activity or College-sponsored activity ("College property"). This Policy also applies to any College employee or student (including persons participating in any activity sponsored by the College) and to visitors to the College (collectively the "College community"). Subject to the exceptions listed below, this Policy applies regardless of whether a person covered by the terms of the Policy has a permit to carry a prohibited weapon or is otherwise authorized by law to possess, discharge or use a prohibited weapon, instrument or device.

PROHIBITIONS

Subject to the exceptions outlined below, no member of the College community shall, while on College property, possess, use, attempt to use, or threaten to use a weapon, dangerous instrument, or device as defined below. Further, any violation of a federal, state, or local law or ordinance pertaining to the possession, use, attempt or threat to use a deadly weapon, dangerous instrument, or device, committed on College property, shall constitute a violation of this Policy. Copies of Delaware and local law may be obtained from the Public Safety Department.

Effective September 1, 2012, Delaware law defines “dangerous instrument” as: "any instrument, article or substance which, under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or serious physical injury, or any disabling chemical spray . . . or any electronic control devices including but not limited to a neuromuscular incapacitation device designed to incapacitate a person.” 11 Del. C. § 222(4)

"Disabling chemical spray* includes: “mace, tear gas, pepper spray or any other mixture containing quantities thereof, or any other aerosol spray or any liquid, gaseous or solid substance capable of producing temporary physical discomfort, disability or injury through being vaporized or otherwise dispersed in the air, or any canister, container or device designed or intended to carry, store, or disperse such aerosol spray or such as gas or solid.” 11 Del. C. § 222(6).

Delaware law defines a “deadly weapon” as: a firearm (any weapon from which a shot, projectile, or other object may be discharged by force of combustion, explosive, gas and/or mechanical means, whether operable or inoperable, loaded or unloaded but does not include a BB gun (which is considered a "device" under this Policy), a bomb, a knife of any sort (other than an ordinary pocket knife, i.e., a folding knife have a blade not more than 3 inches in length, carried in a closed position), switchblade knife, billy, blackjack, bludgeon, metal knuckles, slingshot, razor, bicycle chain or ice pick or any “dangerous instrument” as defined above, which is used, or attempted to be used, to cause death or serious physical injury. 11 Del. C. § 222(5)

In addition to dangerous instruments and deadly weapons, members of the College community while on College Property are prohibited from possessing, using, attempting or threatening to use any of the following or similar devices: BB guns, pellet guns, paint ball guns, decorative or functional swords, machetes, air rifles, martial arts devices such as throwing stars, garrotes, fireworks, explosives or substances possessed and/or prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, chemical or biological agents possessed and/or used with the purpose of causing death, serious bodily injury or property damage or otherwise in violation of federal, state, or local law or ordinance.
This Policy is not intended to prohibit the possession or use of instruments or devices authorized for the pursuit of the mission of the College. Questions regarding the authorization of such instruments or devices should be directed to the Campus Director for use at a given campus.

*Chemical sprays kept about the person for personal protection are not prohibited unless used offensively in a malicious or reckless manner.

I. Reporting 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, and cooperate as much as feasible. Notify law enforcement authorities first and then the Public Safety Department as soon as possible.

II. Enforcement Procedures
Possession or use of any prohibited weapon, dangerous instrument, or device 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 depending on the severity of the violation and may be reported to law enforcement authorities. 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 action is taken shall be subject to the procedures identified in the College’s Personnel Policy Manual or in the Student Handbook. Persons who are neither students nor employees subject to these procedures and who are suspected of violating or determined to have violated this Policy will be directed to leave the premises and may be reported to law enforcement authorities for criminal prosecution, as appropriate. Other legal remedies may also be invoked.

III. Exception Procedures
A member of any bona fide law enforcement agency present on College property who is in compliance with any applicable departmental Policy pertaining to the possession of a weapon is excluded from the prohibitions contained in this Policy.

Any member of the College community who believes he or she has good cause to be excluded from the terms of this Policy may direct a request for an exemption to the Campus Director for the Campus at which an exemption is desired, or to the College President for an exemption pertaining to either the President’s Office or a College-wide purpose. Exceptions may be granted in the sole discretion of the Campus Director to whom the request is directed or in the sole discretion of the College President when a request is made to the President. Exceptions may be granted in cases, including but not limited to, where an individual's personal safety is at substantial and identifiable risk, where an otherwise prohibited item is to be used for educational, scientific, professional, ceremonial or religious purposes, or in other circumstances where the purpose of this Policy would not be fostered through strict application. If an exception is granted, such exception will be identified in writing and include the terms, conditions, and duration of the
exception. A copy of the document authorizing an exception to this Policy will be sent to the Public Safety Department of an affected campus and to any other College official deemed appropriate under the circumstances at least 24 hours in advance of the effective date of the exception.

**Access to Campus Facilities**

The use of any property or facility owned by Delaware Technical Community College, or upon which College activities are conducted, is limited to registered students, authorized visitors, and employees. All visitors (including contractors and other service providers) shall register with the Public Safety Department and obtain a visitor's pass immediately upon entering any College campus. Visitor's passes shall be conspicuously displayed at all times while a visitor is on campus, and shall be returned to the Public Safety Department at the time of departure.

The Vice President and Campus Director shall have authority to designate certain campus areas or facilities as public areas or facilities, which shall be open to members of the general public without prior registration with the Public Safety Department, or certain events as public events for which prior registration with the Public Safety Department shall not be required. In addition, the Vice President and Campus Director shall have the authority to adopt different procedures for registering visitors for designated events.

The Director of Administrative Services, or his designee, may authorize the issuance of an identification badge to a contractor or other service provider who is expected to frequently appear on campus in the ordinary course of business; provided, however, that such badges shall only authorize the presence of the contractor or other service provider on campus during regular business hours and shall expire within 30 days or less from the date of issuance.

All faculty and staff shall conspicuously display an identification badge issued by the College at all times while on campus. All students shall be required to possess a valid student identification card at all times while on campus, and shall present the same to faculty or staff when requested.

Most campus facilities are unlocked during normal business hours. Labs that contain computers and related equipment are only open for use when an instructor or other authorized staff member is present. Employees, students, or visitors needing access to any facilities that are closed or locked must contact the Public Safety Department and must have a valid reason for entering a closed or restricted area. Proper identification will be required from any person seeking access to a locked area. Students will not be allowed access to locked areas without an instructor or other authorized staff member present. Students will be denied general access to closed facilities during semester
How this Report is Compiled

Delaware Technical Community College prepares this report to comply with the Clery Act. This report is prepared in cooperation with the Delaware State Police, local police agencies, the State Bureau of Identification, Campus Security Authorities identified in this Policy, and Campus Public Safety Departments as well as the College’s Legal Affairs Office. This report derives statistical information about crimes that occur in and around each campus of Delaware Tech, or property controlled by Delaware Tech as defined by the Clery Act. The College is required to disclose general categories of crime statistics as follows:

1. Criminal Homicide, including:
   a. Murder
   b. Non-Negligent Manslaughter
   c. Negligent Manslaughter

2. Sex Offenses, including:
   a. Forcible sex offenses
   b. Non-Forcible sex offenses

3. Other Crimes
   a. Robbery
   b. Aggravated Assault
   c. Burglary
   d. Motor Vehicle Theft
   e. Arson

4. Arrests and referrals for disciplinary action for:
   a. Illegal weapons possession
   b. Violation of drug laws
   c. Violation of liquor laws

In addition, the College is required to report, by category of prejudice, the aforementioned crimes as well as to the crimes of larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property and any other crime involving bodily injury reported to local police agencies or to a Campus Security Authority that manifest evidence that the victim was intentionally selected because of the victim’s actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability.

Campus crime, arrest and referral statistics that appear in the report are those reported to the Public Safety Department, the police department that has jurisdictional authority of that campus, local Campus Security Authorities designated in this Policy, and from information gathered from the Delaware Criminal Justice Information System. The report covers the following areas in and around each campus where crimes were reported to have occurred: on campus; the public property immediately adjacent to the campus; and non-campus buildings or property owned or controlled by the College. Each campus Compliance Office as set forth below will tabulate reports of crimes that have been reported in relation to those crimes identified by the Clery Act.
The campus crime statistics will be forwarded to the College-wide Repository for inclusion in the final report to the Department of Education. The final report will be made available to the College community, including prospective students and employees, electronically and/or in printed format for distribution annually.

COLLEGE-WIDE REPOSITORY
The College’s Chief Legal Counsel is designated as the College-wide Repository and is responsible for the timely collection and collation of all crime statistics mandated by the Clery Act. The crime statistics gathered will be included in the Annual Crime Report. Crime statistics will be obtained from:

- Each campus Compliance Office; and
- The Delaware Criminal Justice Information System

The annual crime statistics for each campus will be transmitted to the U. S. Department of Education and will be further disseminated as set forth herein.

CAMPUS COMPLIANCE OFFICE
The Public Safety Department at each campus is hereby designated as the Campus Clery Act Compliance Office. Each Chief of Public Safety will act as the Clery Act compliance manager.

The Chief of Public Safety shall:

A. Review and collect crime statistics identified in the campus crime log on or before March 1 of each year.

B. Solicit each Campus Security Authority and each Vice President and Campus Director in writing during the month of January requesting any information involving crimes reported to them or to any party reporting to them.

Note: The reporting period will be from January 1 to December 31 of the previous calendar year.

C. Provide each Campus Security Authority with appropriate report forms as needed to record and report crimes.

D. Provide each Campus Security Authority with training on the responsibilities of their position as required by the Clery Act.

E. Prepare crime statistics for inclusion in the Annual Security Report and forward all crime statistics to the Chief Legal Counsel at the Office of The President annually.

F. Maintain a Clery Report File that contains all supporting documentation for statistics sent to the Chief Legal Counsel for inclusion in the annual report.

G. Maintain the campus crime log and update data entries as required by the Clery Act.

H. Make the campus crime log available upon request.
I. Conduct security and safety programs for the campus community.
J. Maintain a strong working relationship with local and state police agencies.
K. Issue Timely Warnings to the campus community for crimes identified in the Clery Act.

**CAMPUS SECURITY AUTHORITIES**

As noted above, individuals at each campus holding the following positions are hereby designated Campus Security Authorities at Delaware Tech:

1. All members of the Public Safety Department
2. The Dean of Student Services
3. The Director of Human Resources
4. Any Athletic Director or Coach
5. Any Faculty Advisor to a Student Group

Each Campus Security Authority shall:

A. Notify the Public Safety Department of any crimes that have been reported to them as required of a Campus Security Authority.

    1. Instruct and educate subordinate employees how to report crimes and to whom crimes on campus should be reported.
    2. Instruct each subordinate department to assist anyone attempting

B. Respond in writing by February 15 of each calendar year to the Chief of Public Safety’s request for information involving crimes that were:

    1. Reported to them or a subordinate employee NOT reported to Public Safety. (Example: A student is the victim of a crime identified in the Clery Act and the student declines College assistance or prosecution options but does request counseling)
    2. Crimes identified by the Clery Act and were brought to the attention of the Campus Security Authority or subordinate employee as a late reported incident.

The Clery Act mandates that institutions disclose statistics both for crimes reported to local police agencies and crimes reported to Campus Security Authorities. The intent of including non-law enforcement personnel as Campus Security Authorities is to acknowledge that many individuals and students, in particular, are hesitant about reporting crimes to the police, but may be more inclined to report incidents to the other campus affiliated individuals.
DISSEMINATION
Upon completion of the report, the statistics will be delivered to the U.S. Department of Education by the timeframes set forth by federal law. The complete report will be uploaded to the College web site at https://www.dtcc.edu/about/public-safety/your-right-know. It will be available for review, for downloading, and for printing at that site. The complete report will also be sent to each Public Safety Department and will be made available in writing upon request.

In addition, each prospective employee and prospective student will receive notice of the existence of crime statistics and the web site address for the Annual Report. Each registering student will receive the following statement in writing at registration. Each employee will receive the same statement in an annual distribution:

“Delaware Technical & Community College is committed to assisting all members of the community in providing for their own safety and security. The annual Clery Act Report is available on the Delaware Tech Web site at https://www.dtcc.edu/about/public-safety/your-right-know.

In addition, a printed report is available, free of charge, at the Office of the Public Safety Department on your campus.

The annual Clery Act Report contains information on campus security and personal safety, including crime prevention, college public safety officers’ law enforcement authority, crime reporting policies, certain specific College policies, and other important matters about security on campus. It also contains statistics for the three previous calendar years on crimes that were reported to have occurred on campus, in certain off-campus buildings or property owned or controlled by the College, and on public property within or immediately adjacent to and accessible from the campus.

This information is required by law and is provided by the Office of Legal Affairs at the direction of the College’s Chief Legal Counsel.”