



**SOUTHWESTERN COLLEGE**  
**& NEW EARTH INSTITUTE**



CONSCIOUSNESS-CENTERED GRADUATE SCHOOL FOR COUNSELING AND ART THERAPY

# **ANNUAL SAFETY AND SECURITY REPORT** **for Southwestern College**

**Council of Safety Security (COSS) Annual**  
**Report—2022**

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### I. Introduction

Southwestern College is committed to promoting the safety of all members of its community, including staff, students, faculty and visitors. We ask that members of the college community use this report as a guide for safe practices on and off campus and a reference for policies and procedures set forth to maintain a safe and secure campus.

Staff, faculty and students will receive an annual email to provide an updated Safety & Security Report through a link to the Southwestern College website.

The Safety and Security Report is developed and provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act), the Higher Education Opportunity Act (HEOA), and the Violence Against Women Reauthorization Act of 2012 (VAWA). VAWA has amended the Clery Act to require institutions to compile statistics,

policies and procedures for incidents of domestic violence, dating violence, sexual assault and stalking.

### **Statement of Accountability**

The President in close partnership with its Executive Council (EC) and the Council on Safety and Security (COSS) have oversight of all procedures and policies pertaining to campus safety and ensuring all staff, faculty, students and administrators are aware of the proper policies and procedures and are prepared to follow them in the event they are needed.

The President, through the Campus Safety and Security Officer/Chief Technology Officer (CSSO/CTO), shall be responsible for enforcing security policies and procedures. The Campus Safety and Security Officer works with different departments and offices to comply with the policies and develops procedures that will enforce this policy regarding awareness, prevention, and remediation.

### **The Council on Safety and Security**

The Council on Safety and Security (COSS) is a standing subcommittee of Southwestern College's Executive Council, and its members are appointed by the Executive Council (EC). The COSS includes a minimum of two of the five members of the Executive Council for clear integration of EC and COSS priorities.

**Membership to include**, Chief Technology Officer & Safety and Security Officer, Dean of the College, Student & Career Services Director, TNCC Operations Manager, IT Coordinator, Director of Enrollment Services and a student member. The student is the student member of the Board, or a student selected by the Student Success Team (SST).

### **Decision-making Process & Authority**

All members of the COSS have an equal voice and create policies and procedures through consensus - which is the SWC campus preferred decision-making process. If consensus is not possible, the committee/team votes and the majority vote move a decision forward. Any new policy or procedure is brought to the Executive Council for approval prior to implementation. New policies (but not procedures) also require board approval before finalized. Once approved, COSS members ensure new policies and procedures are added to the appropriate handbooks (TNCC, staff, student and faculty handbooks).

### **Statement of Purpose of the Council of Safety and Security**

The purpose of the Council of Safety and Security is to oversee campus preparedness so that staff, faculty, clients and students would be able to respond effectively in an emergency. In addition, they oversee all policies and procedures pertaining to campus security and safety.

1. The COSS has lead responsibility for thoroughly understanding and updating all written campus emergency policies and procedures to ensure they are following state and federal mandates and Higher Learning Commission requirements.
2. The COSS provides leadership for educating the campus community about all policies and procedures pertaining to safety and security as well as campus emergency procedures, which may include organizing campus and/or counseling center drills (fire drills, active shooter drills, etc.) as appropriate and necessary.

### **Areas of Responsibility of the Council of Safety and Security**

1. Prepare the Annual Safety & Security Report to include crime statistics, policies and procedures and guidelines.
2. Review and update written campus policies and procedures that explicitly address responsiveness to weather conditions, fire, active shooter or other threat on campus or in the counseling center.
3. Provide information, education and training to the staff, faculty and students as necessary to ensure preparedness for a campus emergency.
4. Compile and publish an Annual Safety & Security Report on the website.
5. Oversee handbook updates to emergency policies and procedures.

## **II. Crime Statistics**

As per the Clery Act, each fall Southwestern College compiles crime statistics for the Annual Safety and Security Report. These statistics are based on crimes reported and tracked by the College as well as crimes reported to and tracked by local police authorities – either the Santa Fe County Sheriff’s or the Santa Fe Police Departments. The crime statistics include the following categories below:

### **Part 1 – Primary Crimes Definitions**

1. Murder and Nonnegligent Manslaughter

The willful (non-negligent) killing of one human being by another.

2. Negligent Manslaughter

The killing of another person through gross negligence.

3. Aggravated Assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied using a weapon

or by means likely to produce death or great bodily harm. Simple assaults are excluded.

4. 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. Note that only fires determined through investigation to have been willfully or maliciously set are classified as arson. Arson is therefore the only Clery Act offense that must be investigated before it can be disclosed. If other Clery Act offenses were committed during the arson incident, the most serious is counted in addition to the arson.

5. Burglary

The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.

6. 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.

7. Motor Vehicle Theft

The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on the surface and not on rails. Motorboats, construction equipment, airplanes, and farming equipment are specifically excluded from this category.

8. 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.

9. 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 and/or because of his/her temporary or permanent mental incapacity.

10. Incest

Non forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

11. Statutory Rape

Non forcible sexual intercourse with a person who is under the statutory age of consent.

**Criminal Offenses On-Campus**

	2018	2019	2020	2021
Murder/Non-Negligent Manslaughter	0	0	0	0
Manslaughter by Negligence	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	1	0	0
Motor Vehicle Theft	0	0	0	0
Arson	0	0	0	0

**Part 2 – Alcohol, drug and weapon violations definitions**

12. Liquor Law Violations

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

13. Weapons Possession

The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

#### 14. Drug Abuse Violations

Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, Methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

### **Part 3—Hate Crimes Definitions**

#### 15. Hate Crimes

*A hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.*

Under the *Clery Act*, Hate Crimes include any of the following offenses motivated by bias: murder and non-negligent manslaughter, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property. Larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property. These offenses are included in your *Clery Act* statistics only if they are hate crimes.

- *Larceny-theft*

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

- *Simple Assault*

An unlawful physical attack by one person on another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

- *Intimidation*

To unlawfully place another person in reasonable fear of bodily harm using threatening words and/or conduct, but without displaying a weapon or subjecting the victim to actual attack. Includes cyber-intimidation if victim is threatened on *Clery* geography.

- *Destruction, damage or 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 the property.

**Crime Statistics below are Southwestern College statistics combined with local law enforcement statistics:**

**Year: 2018 HATE CRIMES**

	TOTAL	Race	Religion	Sex Orientation	Gender	Gender Identity	Disability	ethnicity	National Origin
Murder-Manslaughter Non- Negligent	0	0	0	0	0	0	0	0	0
Murder-Manslaughter Negligent	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Vandalism/Destruction of property	0	0	0	0	0	0	0	0	0

**Year: 2019 HATE CRIMES**

	TOTAL	Race	Religion	Sex Orientation	Gender	Gender Identity	Disability	ethnicity	National Origin
Murder-Manslaughter Non- Negligent	0	0	0	0	0	0	0	0	0
Murder-Manslaughter Negligent	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0



Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Vandalism/Destruction of property	0	0	0	0	0	0	0	0	0

**Year: 2020 HATE CRIMES**

	TOTAL	Race	Religion	Sex Orientation	Gender	Gender Identity	Disability	ethnicity	National Origin
Murder-Manslaughter Non- Negligent	0	0	0	0	0	0	0	0	0
Murder-Manslaughter Negligent	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Vandalism/Destruction of property	0	0	0	0	0	0	0	0	0

**Year: 2021 HATE CRIMES**

	TOTAL	Race	Religion	Sex Orientation	Gender	Gender Identity	Disability	ethnicity	National Origin
Murder-Manslaughter Non-Negligent	0	0	0	0	0	0	0	0	0
Murder-Manslaughter Negligent	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Vandalism/Destruction of property	0	0	0	0	0	0	0	0	0

## Part 4—VAWA offenses definitions

### 17. Domestic Violence

A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by 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; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

### 18. 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 with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

### 19. Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.

Course of conduct means two or more acts, including, but not limited to, acts in which the stalker 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.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Reasonable person means a reasonable person under similar circumstances and with similar identity

### VAWA Offences

VAWA Offences on Campus	2018	2019	2020	2021
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0

Stalking	0	0	0	0
<b>Arrests on Campus</b>				
Carrying or in Possession of Weapons	0	0	0	0
Drug Abuse Violations	0	0	0	0
Liquor Law Violations	0	0	0	0
<b>Disciplinary Action on Campus</b>				
Carrying or in Possession of Weapons	0	0	0	0
Drug Abuse Violations	0	0	0	0
Liquor Law Violations	0	0	0	0
<b>Unfounded Crimes</b>	0	0	0	0

### III. General Information on Reporting Crimes

Whether it happens to you, or you are a witness, you have the responsibility to report crime. If a crime occurs on or around campus, report it immediately to the Campus Safety or Security Officer or a member of Executive Council. You also have the option to report to the Santa Fe Police Department or Santa Fe County Sherriff. A crime committed at Tierra Nueva Counseling Center should also be reported to the TNCC Operations Manager. (See contact information below.)

Crimes in progress and crimes that have just occurred should be reported by dialing 911. Whenever possible, the actual victim or witness of the crime should call directly, firsthand information is always more accurate and complete.

Students or staff will be encouraged to report such crimes to the proper law enforcement agency and will be informed of campus support during the reporting process. Victims of these crimes will be referred to appropriate services within the Santa Fe community. If the situation leads to students requesting changes to their academic schedule, the College will accommodate the request, if possible. The College recognizes the victim's right to report the incident without filing a complaint on campus or in the criminal court. The College also recognizes the need to protect the victim's confidentiality and will honor such requests to the maximum extent feasible, consistent with the College's responsibility to maintain a safe environment.

When calling to report a crime or incident, be ready to give information such as:

- A description of what occurred
- Location where the incident occurred (street address, building on campus)

- If a weapon was used
- Where and when was the suspect(s) was last seen
- A description of what the suspects(s) looked like. Include: gender, race, age, height, weight, hair color/length, clothing, facial hair, tattoos, scars, and other noticeable features
- Other relevant information

### **Contact Information for Reporting**

Donna Harrington, Campus Safety and Security Officer: 505-514-1240 (cell)

Katherine Ninos, Executive Vice President: 505-690-0215 (cell) 505-467-6819 (office)

Virginia Padilla Vigil, Dean of the College: 505-467-6821 (office)

Ann Filemyr, College President: 505-467-6823 (office) 505-795-8537 (cell)

Allison Frank, Chief Financial Officer: 505-467-6839 (office) 505-720-6092 (cell)

Michelle Lynn, Operations Manager of TNCC: 505-467-6595 (office) 505-469-0237 (cell)

Santa Fe Emergency Number: 911

Santa Fe Police Non-emergency number: 505-428-3710

Santa Fe County Sheriff's Office: 505-986-2400

### **Duty to Report**

If a student, faculty member or staff member suspects a student may cause harm to themselves or others, they have a duty to report their concern to the Director of Student and Career Services. Based on recent court cases that have ruled in the family's favor when a student has committed suicide, the college may, despite FERPA requirements, contact the student's parents/family if there is concern for the life of a student. If a staff member suspects another staff member may cause harm to themselves or others, they have a duty to report their concern to the Human Resources Coordinator or a Member of Executive Council.

## **IV. Security and Access**

There are security gates at the main entrance that are locked on "off hours" which are determined quarterly based on class schedules and library hours. These gates serve as a deterrent to crime. Also, a deterrent to crime are lights installed throughout the campus and Tierra Nueva Counseling center.

There are high-definition cameras strategically placed outdoors to provide 24/7/365 real time coverage. Indoor cameras are in primary entry points of the Administration Building and Tierra Nueva Counseling Center, as well as throughout the Quimby Memorial library.

Students and the public have access to Southwestern College buildings during business office hours and instructors are responsible for campus access and security during

evening and weekend class sessions. Lockup procedures are distributed to appropriate staff and faculty.

## **V. Campus Law Enforcement**

Since the campus and size of the student and employee population is small, there is no campus security force.

To report any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around Southwestern College campus, please follow the guidelines in the section, *General Information on Reporting Crimes* above on page 10

## **VI. Accurate and Prompt Reporting**

See Section III, *General Information on Reporting Crimes* above on page 10

## **VII. Programs**

It is the intention of Southwestern College to provide a safe and healthy educational environment. Safe learning conditions are of primary importance. Students are expected to do their part to maintain an environment that reflects a healthy and hazard-free atmosphere. Food and garbage are to be properly disposed of. Aisles, room and door exits are to always remain unblocked. Students are expected to report any unsafe conditions to the Office Manager (OM) or the Executive Vice President (EVP) if the Office Manager is not available.

Each year, the College offers an informational workshop that addresses the prevention and reporting of rape, acquaintance rape, and other sex and gender offenses. The workshop includes policies on the reporting of such crimes as well as a statement about the importance of preserving evidence after the crime has occurred.

The New Student Orientation, conducted three times each year, provides education on the safety and security policies and procedures at SWC campus. The Annual Safety & Security Report is provided on the Southwestern College website and in the database, Populi, for easy access by students and staff.

## **VIII. Monitoring and Recording**

### **The Clery Act**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is a federal law that requires schools to disclose crime statistics that happen on and

around their campuses. This information is published annually on the website at <https://www.swc.edu/> and is also posted in the college database, Populi in the section entitled "Files."

### **Title IX**

Title IX Prohibits discrimination based on sex in education programs or activities that receive Federal financial assistance (e.g., athletics, courses) like Southwestern College. It also prohibits sexual harassment, whether it occurred on or off-campus, which includes acts of sexual violence, and retaliating against a person for filing a complaint or speaking up about rights protected under Title IX. More information on Title IX appears later in this report.

Southwestern College reports any incidences of sexual harassment or discrimination as part of their annual Safety & Security Report.

If the College knows (or should know) about an instance of prohibited conduct that creates a hostile environment, whether it occurred on or off-campus, Title IX requires the College to take immediate action to eliminate the conduct, prevent it from happening again, and address the effects of the conduct. Title IX also requires schools to adopt procedures for addressing reports, designate a Title IX compliance coordinator, and recommends preventive education and making resources available for those impacted. SWC's Title IX Coordinator is charged with investigating, supporting, maximizing campus safety, and promoting everyone's ability to live and learn at SWC in an environment free from sexual harassment and/or gender-based discrimination.

- **Title IX Coordinator:** Dean of College Virginia Padilla Vigil, Ph.D. [vpvigil@swc.edu](mailto:vpvigil@swc.edu) (505) 467-6821
- **Title IX Investigator for Student complaints:** Dean of College Virginia Padilla Vigil, Ph.D. [vpvigil@swc.edu](mailto:vpvigil@swc.edu) (505) 467-6821
- **Title IX Investigator for Staff complaints:** Accountant/Human Resources Coordinator Esperanza Griego, [esperanzagriego@swc.edu](mailto:esperanzagriego@swc.edu) (505) 467-6593.

The Title IX Coordinator can help students:

- obtain and connect with resources,
- understand their right to seek protective measures like No Contact Orders, Harassment Prevention Orders, and Abuse Prevention Orders, and
- organize interim support and protective measures, like housing or academic modifications.

Student's Rights under Title IX

- to learn at SWC free from gender discrimination,
- to file a complaint according to SWC's Sexual Harassment Policy,

- to request a criminal investigation with law enforcement when needed,
- to request interim support and reasonable protective measures to help them continue to learn at SWC,
- to understand that SWC is required to undertake a prompt and thorough investigation of all reports of sexual misconduct,
- to request and obtain a No Contact Order and to receive information about Harassment Prevention and Abuse Prevention Orders,
- to use resources, processes, or support and to report to the Title IX Coordinator if your rights have been violated,
- to be free from retaliation for reporting that your rights have been violated,
- to access on- and off-campus support and health services, and
- to be kept informed about the progress of the investigation in your case.

### **Student Reporting Options**

Students have the option to initiate a complaint alleging sexual harassment or discrimination through the SWC Complaint and Grievance Policy (for complaints about faculty or staff) or the Student Complaint or Concern Policy (student to student complaints or concerns). The Title IX Coordinator can help students navigate the process. See the SWC Catalog for details of both processes. Students may also request a criminal investigation for any criminal behavior they have suffered. For more information about the criminal process, contact Santa Fe Police Department (505) 428-3710 or the Santa Fe County Sheriff at (505) 986-2400. The College will take immediate and responsive action to any report of retaliation and will pursue disciplinary action as appropriate.

#### Reporting Confidentially

Students may speak confidentially to the following resources about their experience or concerns regarding sexual misconduct. These individuals are under no obligation to share personal information with the Title IX Coordinator. A Title IX response will NOT be prompted if a student speaks with any of the resources below at the location specified.

- Santa Fe Solace Crisis Treatment Center (505) 988-1951
- Christus St. Vincent Regional Medical Center ER (505) 913-3934
- Presbyterian Hospital ER (505) 772-1234

#### Mandatory Reporting

If a student is ready to speak privately about their experience or to report any gender-equity concern, they may speak with the Title IX Coordinator or any SWC faculty or SWC staff. All SWC staff and faculty members are Mandatory Reporters, and as such are required to share information related to sexual misconduct with the Title IX

Coordinator. The Title IX Coordinator makes every effort to protect the privacy of all individuals.

## **IX. Non-campus Locations of Student Organizations**

SWC has no off-site locations of Student Organizations.

## **X. Drugs and alcohol**

### **Drug and Alcohol Abuse Prevention Program and Policy**

The Drug Free Schools and Communities Act Amendments of 1989 requires institutions who participate in federal student aid programs to provide information to its students, faculty, and employees to prevent drug and alcohol abuse. The substance abuse prevention policy applies to all students, faculty and staff. Unlawful possession, use, or distribution of illicit drugs or alcohol by students, faculty and staff are strictly prohibited at this institution.

The use of consciousness-altering drugs may lead to an impairment of the qualities needed to become a conscious helping practitioner. Students, faculty and staff are prohibited from consuming alcohol or mind-altering substances prior to coming to campus or while on campus.

Those not complying with these standards will be subject to legal actions, as specified in local, State and Federal law and/or institutional sanctions including probation, suspension or expulsion. If a student is placed on probation or is suspended, the College may require substance abuse treatment or other measures prior to resuming a normal course of study. Because the use of consciousness-altering drugs is considered counter-productive to the goals of the curriculum, students are asked to refrain from involvement in their use altogether.

If you believe that you may have a problem with alcohol or drug use, it is important that you seek appropriate treatment, whether in an outpatient or residential setting. **The Drug and Alcohol Treatment Centers hotline number is (800) 315-2056.**

For a listing of local treatment centers, you may also go to <http://www.treatmentcentersdirectory.com/New-Mexico/Santa-Fe/>. In addition to negative potential health effects, the use of alcohol or illegal drugs can have legal consequences for the user.

Using alcohol before operating a motor vehicle can lead to DWI; being prosecuted for a DWI can lead to loss of driver's license, substantial fines, an impounded car, and jail time. Use or distribution of illegal drugs can also lead to legal consequences, such as



finances and jail time; specific legal consequences may vary according to jurisdiction. Students arrested for these offenses on or off campus may face institutional sanctions.

## **XI. HAZING**

Southwestern College prohibits hazing, which is illegal in the state of New Mexico. A person commits hazing when they knowingly require a student or other person at the College to perform any act not sanctioned or authorized by the College, on or off college property, for the purpose of induction, admission, or membership into any group associated with or connected to the College if the act results in harm to any person or could reasonably be foreseen to result in such harm. A person's willingness to participate in an act of hazing does not justify or excuse the act or fall outside of this policy. Examples of hazing are included below. These examples are intended to be illustrative and not all inclusive:

- the creation of physical or mental exhaustion or fatigue
- forced consumption of alcohol or other intoxicants
- physically or psychologically dangerous or risky activities
- coercive, degrading, or humiliating games and activities
- physical harm
- pressuring or coercing any person to participate in activities that are inconsistent with the College's community standards or policies or with applicable law.

Any student or group that commits hazing will be subject to the Student Conduct process, as appropriate. A staff member, academic employee, or anyone with a visiting appointment who commits hazing will be subject to discipline using the applicable disciplinary processes.

In addition, because hazing is a crime under New Mexico law, the State's Attorney General may bring criminal charges against any person responsible for hazing. Any person with knowledge of hazing is expected to communicate promptly with the Student and Career Services Director, Dean of the College, or the Executive Vice President.

## **XII. Sexual Assault Domestic Violence, Dating Violence, & Stalking**

### **Sexual Assault, Domestic Violence, Dating Violence & Stalking**

#### Sexual Misconduct Policy

Southwestern College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and affirms its commitment to maintain a safe and respectful campus environment emphasizing the dignity and worth of all members of the community.

Any Southwestern College student or employee who commits any form of sexual misconduct as defined above will be subject to disciplinary action, which may result in

expulsion or suspension from the college or termination from employment, as well as any actions external authorities may undertake.

#### Description of Educational Program to Promote awareness

The College continues to provide information on its Sexual Assault Policy in the Student Catalog reviewed upon entry to the SWC community. It also provides this information via the annual Safety & Security Report that is accessible on the College website at [www.swc.edu](http://www.swc.edu) and in the College database – Populi, under “Files. “Employees are informed of this policy when they are oriented in their new employee meeting with HR and through the Staff Handbook.

#### Procedures for Reporting a Complaint for a Student

If a student victim wishes to pursue a formal complaint, they should contact the Dean of the College and the Director of Student & Career Services (DSCS), and an investigation will be conducted. If the victim comes forward to discuss sexual misconduct, but does not wish to pursue a formal complaint, based on all available information, there will be a determination on whether the College will be able to honor that request. This determination will be made upon evaluating the potential for on-going threat to the community.

Once an incident of sexual assault becomes known to any College employee that person has an obligation to report the incident to his/her supervisor and/or the Dean of the College or the DSCS. The incident may be reported to the Santa Fe Police Department for a criminal investigation based on the preliminary findings.

If a referral occurs the Dean of the College or the SFPD shall assume full responsibility for a criminal investigation.

A victim is encouraged to pursue services at a local public or private agency for counseling.

**The Solace Center is a primary resource for Victim Assistance. Their phone number is 800-721-7273 and location: 6601 Valentine Way, Santa Fe, NM 87507.**

The College can make changes in a victim’s academic, and/or working situation if reasonably possible.

**Dean of the College: Virginia Padilla Vigil at 505-467-6821 and [vpvigil@swc.edu](mailto:vpvigil@swc.edu)  
Student and Career Services Director:**

#### Procedures SWC Will Follow for Students:

1. Depending on when reported (immediate vs delayed report), SWC will provide the student complainant with resources to obtain medical care and guide the complainant on preserving evidence.
2. The immediate safety needs of the complainant will be assessed.
3. If needed, the Dean of the College or the DSCS will assist the student complainant with contacting local police if complainant requests this AND provides complainant with contact information for local police department.
4. The complainant will be provided with referrals to mental health providers.
5. The College will assess need to implement interim or long-term protective measures, such as a change in class schedule, and/or a No Contact directive between both parties.
6. The Dean of the College or the DSCS will provide a copy of the Sexual Misconduct Policy to the complainant and the respondent, and inform them regarding timeframes for inquiry, investigation, and resolution.
7. The DSCS will inform the complainant and respondent of the outcome of the investigation, whether charges will be assessed, as well as any applicable corrective action.
8. SWC will enforce the *retaliation policy* and inform those involved about the policy and that immediate action shall be taken against parties that retaliate against a person for complaining about sexual misconduct.

Procedures SWC Will Follow for Employees:

1. The main contact person for employees to report sexual misconduct is the Human Resources Coordinator – Esperanza Griego at [esperanzagriego@swc.edu](mailto:esperanzagriego@swc.edu); 505-467-6593.
2. Depending on when reported (immediate vs delayed report), SWC will provide employee complainant with resources to obtain medical care and guide the complainant on preserving evidence.
3. The immediate safety needs of employee will be assessed.
4. If needed, the HR Coordinator will assist the employee complainant with contacting local police if complainant requests this AND provide complainant with contact information for local police department.
5. The complainant will be provided with referrals to mental health providers.
6. The College will assess the need to implement interim or long-term protective measure, such as a change in work schedule, and/or a “No Contact” directive between both parties.
7. The HR Coordinator will provide a copy of the Sexual Misconduct Policy to the complainant and the respondent, and inform them of the timeframes for inquiry, investigation, and resolution.

8. The HR Coordinator will inform the complainant and respondent of the outcome of the investigation, whether charges will be assessed, as well as any applicable corrective action.
9. The college will enforce the *retaliation policy* and inform those involved about the policy and that immediate action shall be taken against parties that retaliate against a person for complaining about sexual misconduct.

#### Written Notification

When a student or employee reports sexual misconduct, they will receive written notification of the following:

1. A written explanation of the rights and options for the complainant.
2. A written statement that provides students and employees information on counseling, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and any other service available to the complainant within the college and in the community.
3. A written statement that provides guidance on options the complainant must request accommodation for academic or work schedule, protective measures to ensure safety of the complainant and information on reporting the crime to local law enforcement.

### **XIII. Sex Offender Registration**

Students and/or employees inquiring about sex offender registration will be referred to the National Sex Offender Registry <https://www.nsopw.gov/>

#### **STUDENT DISCIPLINARY PROCESS FOR MISCONDUCT INCLUDING ALLEGED SEX OFFENSES**

Complaints relating to potential student misconduct, other than in situations raising issues of academic integrity, shall be handled by the following procedures:

Reports or complaints about alleged student misconduct or violation of SWC policies should be made first to the Dean of the College and/or the Director of Student and Career Services. Criminal misconduct may be also reported to the local law enforcement authorities.

Once reported, an internal investigation will be conducted, and the College may proceed with its own disciplinary action if violations have occurred.

The investigation entails an initial interview of the accused student where they will be informed of the investigation and questioned about the allegations and asked to discuss their involvement. Based on this interview the Dean of the College and/or Director of Student & Career Services will consult with the Student Success Team to make an initial determination of

whether the college policies and standards have been violated. If it is determined that no misconduct has occurred, the matter shall be closed.

If there is a determination that misconduct has occurred, the student will be informed of this and the sanctions that have been decided regarding the matter. If the student agrees to the sanctions, then there is to be a signed written agreement between the Dean of the College and the student describing the specifics of the misconduct and the sanctions. This signed agreement will constitute the final decision of the misconduct allegation.

If the student disagrees with the initial findings of the investigation the Dean of the College may implement an administrative review process that furthers the investigation and can include additional interviews with the accused student, the complainant, witnesses, and the review of other documentation if appropriate. This administrative review process will then, in turn, be considered by an appointed ad hoc committee that includes three to four members of academic administration.

The accused student shall be afforded the opportunity to meet with the committee to discuss the investigative process and be permitted to provide further documentation justifying their position. Upon conclusion of this investigation, the committee shall prepare a written recommendation describing the alleged misconduct and sanction originally proposed; and then the findings of the remainder of the investigation completed by the committee.

Sanctions can include a written admonition/warning, probation, a required behavioral contract, a leave of absence, administrative withdrawal, or expulsion.

#### **XIV. Emergency Response and Evacuation**

##### **A. Campus Alert Policy**

This policy provides guidelines regarding the use of campus alert systems including text messaging, email and other direct alert broadcast tools.

##### **B. Policy Statement**

Through this policy SWC commits to enhancing the quality of life of the campus community by integrating the best practices of safety and security. It acknowledges the potential need for immediate alert and possible lockdown of all campus buildings.

##### **Definition**

- Lockdown is, when instructed to do so, the securing of all exterior doors and windows and, whenever possible, interior doors.

- Campus Alert is notification to all campus constituents and locations by email, text message and direct alert broadcast devices.
- Direct Alert Broadcast Devices consist of strategically located devices that can be activated by the office manager using voice command to alert the campus to an imminent danger. Disabling or tampering with these devices is prohibited.

#### 1. Policy Process

- If a fire situation occurs in any location on campus, follow the posted evacuation plans to get to safety, then contact 911. If the situation is minimal and can be safely managed with a fire extinguisher, you may do so.
- If a medical emergency occurs, dial 911 immediately. First aid kits are in each building for administration of minimal first aid, if necessary, while awaiting professional assistance.
- If a situation occurs requiring a lockdown, the office manager will use the front office direct alert broadcast device to issue a campus alert to each building and instruct them to secure the building until further notice. All doors and windows will be secured immediately. Similar devices are in each campus building and may be used to alert the front office of emergency situations.

## **XV. Missing Student Notification**

If a member of the college community has reason to believe that a student is missing, they should immediately notify the local law enforcement and the Dean of the College or any member of Executive Council.