



Annual Security Report | 2019

Rancho Mirage Campus

34-275 Monterey Avenue

Rancho Mirage, CA 92270

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Introduction

Santa Barbara Business College (SBBCollege) prepares and publishes the Annual Security Report every October 1st to comply with the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act)*. Institutions participating in federal student financial aid must present to current and future students as well as future and current employees certain crime statistics and policies in accordance with the *Clery Act*. The purpose of this report is to provide information relating to campus safety and security in an effort to aid future and current students and employees in making informed decisions regarding our college. The College has implemented into this Annual Security Report the requirements of California Senate Bill 967 which amended the Education Code. The Code requires postsecondary institutions to adopt policies concerning student safety and sexual assault.

SBBCollege does not have on campus housing nor does the College have student organizations. Therefore, no crime statistics or policies pertaining to such are included in this report.

Dissemination of the report includes email notifications to students, faculty, and staff providing the website address to the Annual Security Report. Potential students and employees have access to the report on our Consumer Information web page at www.SBBCollege.edu/consumerinformation. A printed copy of the report is also available upon request.

Crime Reporting Procedures

Reporting Crimes

Students, faculty, and staff are strongly encouraged to report all crimes accurately and promptly to local law enforcement. Any suspicious activity or person seen in the parking lots or loitering around vehicles or inside the building should be reported to the local law enforcement agency.

| Local Law Enforcement Agency | Local Phone Number | Emergency Number |
|---------------------------------------|--------------------|------------------|
| Riverside County Sheriff's Department | (760) 836-1600 | 9-1-1 |

In addition, students, faculty and staff should report a crime to the following individuals who are designated as Campus Security Authorities (CSA):

Report crimes to:

| | |
|-----------------|----------------|
| Campus Director | (760) 341-2602 |
| Academic Dean | (760) 341-2602 |

Timely reporting of criminal activity enables the College to respond to crime in a timely manner and potentially reduce the recurrence of that crime. The College will protect the confidentiality of any victim. CSAs will collect the information necessary to complete the CAU Crime Report form with the reporting individual(s).

The College does not have a police or security department, but does work cooperatively with local law enforcement agencies when necessary. There are no written memoranda of understanding agreements between SBBCollege and local law enforcement agencies to investigate alleged crimes. The College does, in good faith effort, contact local law enforcement agencies to obtain data on *Clery Act* crimes that occurred on or near the campus and this data is incorporated within the College's Crime Statistics below. Not all agencies respond to our requests for data.

Confidential Crime Reporting

Victims of crime may not wish to report the incident with the College or the criminal justice system and may still want to consider making a confidential report. With permission, the Campus Director or Academic Dean of the College can complete a SBBCollege Crime Report Form on the details of the incident without revealing the victim's identity. The purpose of confidential reporting is to comply with the wish to keep matters confidential while taking measures to keep the campus community safe. With such information, the College can keep accurate records and become aware of any patterns of crime that may warrant action. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the College.

Third parties or witnesses to sexual assault, domestic violence, dating violence or stalking may also file a confidential report with the College.

The College does not employ or contract with any professional or pastoral counselors who provide confidentiality services to students or employees.

Clery Act Crimes

SBBCollege collects information for every alleged crime reported to Campus Security Authorities; however, crimes that are classified as Clery Act Crimes are included in the College's Annual Security Report's statistics. These are crimes that occurred on the College's campus or on public property within and immediately adjacent to the College's property. Clery Act Crimes consist of: Murder/Non-negligent Manslaughter, Manslaughter by Negligence, Rape, Fondling, Incest, Statutory Rape, Robbery, Burglary, Aggravated Assault, Motor Vehicle Theft and/or Arson. Incidents of domestic violence, dating violence and stalking are also Clery Act Crimes.

Clery Act Hate crimes statistics are also reported within the Annual Security Report and include all the crimes listed above but are committed on the bias of Hate. Incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property committed on the bias of hate are also included. Additional details are described in the Hate Crime section below.

SBBCollege also includes in its statistics arrests for Liquor Law Violations, Drug Abuse Violations and Weapons (carrying, possessing, etc.).

Emergency Response and Evacuation

Response and Evacuation Procedures

Emergencies are unexpected events which must be dealt with urgently to protect the health and safety of others. Emergencies may be related to natural disasters such as earthquakes, criminal activity such as armed robberies, environmental disasters, or highly contagious health concerns.

SBBCollege institutes an Emergency Action Plan (EAP) that includes emergency response and evacuation procedures and outlines actions staff, faculty and students must take to protect their mutual health and safety.

SBBCollege will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. The Campus Director and Academic Dean have the authority and are responsible for overall management and administration of the plan. The entire campus community will be notified when there is at least the potential that a very large segment of the community will be affected by a situation or when a situation threatens the operation of the campus as a whole.

The Campus Director or Academic Dean will create an on-campus verbal notification and the College's Registrar, Academic Dean and/or IT Department will be the responsible to notify students/employees through e-mail and/or text message. If deemed necessary, the local community will be notified of the emergency through local law enforcement and/or public health agency. In addition, if deemed necessary, the College's administrative staff will contact parents, guardians, spouses and those listed as emergency contacts by the student via phone. Other staff and faculty members may be designated to assist with assigned tasks.

Emergencies are identified by campus staff, faculty, students, other campus community members, the campus NOAA (National Oceanic and Atmospheric Administration) emergency alert radio, and forms of public media and notification. Anyone wishing to report an emergency should contact the Campus Director or other available administrative staff as soon as safely possible using the most efficient means available.

Upon confirmation of a significant on-campus emergency or dangerous situation involving an immediate threat to the health or safety of students and employees, the Campus Director or Academic Dean will issue an emergency notification and also notify the appropriate local emergency response teams, law enforcement and individuals on campus who are in harm's way. Local authorities will determine when and if it is necessary to notify the surrounding community. The Campus Director or Academic Dean will determine what information should be contained in the emergency notification. The emergency notification may be issued via e-mail, text message, classroom announcement, alarm or any combination of methods determined to be necessary. Students and employees should regularly check their e-mail accounts. The alerts will identify the appropriate action to take in an effort to have students and employees avoid the confirmed danger and minimize injuries. Depending on the situation, additional emergency notifications will be disseminated as information becomes available.

Evacuations to safe locations will be implemented when necessary and proceed in an organized manner per the College's EAP policy and procedure. All students are required to comply with the plan and the directions given to them by campus safety staff, faculty, public emergency response teams or law enforcement agencies during actual emergencies and drills for their personal safety. At no time during an actual campus emergency or drill shall students be permitted to leave the campus unless directed to do so.

The plan, including any updates, is reviewed with new students and employees during orientation, in classes, and at a number of faculty meetings during the year. Evacuation routes are identified in each classroom and other areas the Campus Director deems necessary.

Emergency response and evacuation drills are conducted, at minimum, annually and all student, faculty and staff participate and conduct themselves appropriately. Tests may be announced or unannounced at the discretion of the Campus Director. Tests are evaluated for needed improvement. At a later drill, any needed improvements will be tested, and if successful, included in the campus procedures. If unsuccessful, different approaches will be tried until acceptable results are achieved.

Students and employees are encouraged to be responsible for their own security and the security of others. Employees and students are expected to follow safe practices while on campus property. Following safe practices will reduce the possibility of accidental emergencies, and increase the effectiveness of the campus response to unforeseen emergencies.

The campus community is obligated to report all unsafe activities, potential and real emergencies, and/or criminal activities to the Campus Director or Academic Dean as soon as possible.

Persons responsible for carrying out the emergency response and evacuation procedures include the Campus Director or Academic Dean.

Timely Warnings for an Emergency

In the event of an ongoing or serious threat to the campus community, a Timely Warning will be issued. The College will also issue a Timely Warning for a Clery crime committed on-campus or near campus but only if it poses a serious or on-going threat to the College community. The intent of a Timely Warning is to provide the information necessary to enable the campus community to protect itself when a significant emergency or dangerous situation occurs. Timely Warnings shall be issued in a timely fashion and are used to aid in the prevention of a similar occurrence. The content of the warning will not disclose information that may compromise law enforcement efforts.

Depending on the emergency, warnings may be issued in a variety of formats and a combination of ways. Warnings can be verbal, with announcement in classes and/or notices posted in common on-campus areas. Timely Warnings can be sent via email and/or text messages.

Anyone with information that warrants a timely warning should report it immediately to the Campus Director or Academic Dean. The Campus Director or Academic Dean is responsible for ensuring timely warnings are issued to the campus community.

Facilities Security and Access

The campus facilities are open during day and evening business hours and are accessible to students, employees, contractors, guests and invitees. The campus is secured during non-business hours by locking doors and setting alarms and is only accessible by issued key and alarm pass code. Personnel, including maintenance personnel, may enter the facilities during the evening or early morning non-business hours by issued key and alarm pass code. SBBCollege does not have on or off campus residences or official off campus student organizations. The College does not have a security or police department. Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. The Campus Director regularly reviews the campus and reports malfunctioning lights and other unsafe physical conditions to the College's Facilities Department for correction.

Security Awareness Programs for Students and Employees

Safety and security awareness programs are in place for students and employees. The common theme of awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. The safety rules, including crime prevention, are available in the College's Student Handbook and reviewed with students during orientation. Security, including crime prevention, is reviewed with employees at hire dates and during staff and faculty meetings. Crime prevention handouts are also available to students and employees in the College's Learning Resource Center.

Instructors are required at the start of each term to discuss emergency evacuation procedures and safety policy on the first day of class. Visual emergency exiting layouts are posted at the entrances of all campus rooms and Emergency Classroom Procedures are also posted.

In the event of eminent danger or immediate emergency, information is released through electronic mail, voice mail, or classroom and campus announcements.

Alcohol and Drug Prevention Policy

SBBCollege is proud to be a drug-free work place that complies with the Drug Free Work Place Act, and the Drug Free Schools and Campuses Act.

Prevention and Treatment

The College has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees on campus or at off campus student related activities. The program provides services related to drug use and abuse including dissemination of informational materials, disciplinary actions and a list of educational programs, counseling service, and treatment programs.

The Campus Director or Academic Dean provides an overall coordination of the Drug-Free School Program. Drug and Alcohol education materials are available to students and employees in the College's Learning Resource Center.

Alcoholic Beverages

The possession, sale or the furnishing of alcohol at SBBCollege is governed by the College's Alcohol and Drug Policy and California state law. Laws regarding the possession, sale, consumption or furnishing of alcohol are controlled by the California Department of Alcohol and Beverage Control (ABC). However, the enforcement of alcohol laws on-campus is the primary responsibility of the Campus Director, Academic Dean and local law enforcement agencies. The College will not tolerate any persons being under the influence of alcohol and in no circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Campus Director, Academic Dean and local law enforcement agencies. Violators are subject to the College's disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of the College's Alcohol and Drug Policy for anyone to consume or possess alcohol in any public or private area of the College. Students and employees violating alcohol policies or laws will be subject to disciplinary action by the College. For more information about the College's Alcohol and Drug program, please refer to the most recent SBBCollege Alcohol and Drug Policy.

Illegal Drug Possession

SBBCollege has been designated as a "drug free" college. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. The College will not tolerate any persons being under the influence of drugs. Such laws and policies are strictly enforced by the Campus Director, Academic Dean and/or local law enforcement agencies. Violators are subject to the College's disciplinary action, criminal prosecution, fine and imprisonment. For more information about the College's Alcohol and Drug program, please refer to the most recent SBBCollege Alcohol and Drug Policy.

Legal Sanctions – Laws Governing Alcohol

The Clery Act requires the College to inform students and employees of laws governing Alcohol.

The State of California has set 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated, are available from the California Department of Alcoholic Beverage Control (ABC). The ABC's Act and related statutes includes the following laws related to alcohol sanctions:

Business & Professions Code Violations

25658 (a) B&P – Furnish Alcohol to Minor

Definition:

Every person who sells, furnishes, gives, or causes to be sold, furnished, or given away, any alcoholic beverage to any person under the age of 21 years is guilty of a misdemeanor.

Penalty:

This violation requires a mandatory court appearance and the fine imposed will be at the discretion of the judge.

25661 B&P – Possession of False ID

Definition:

Any person under the age of 21 years who presents or offers to any licensee, his or her agent or employee. any written, printed, or photo static evidence of age and identity which is false, fraudulent or not actually his or her own for the purpose of ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure, the serving of any alcoholic beverage, or who has in his or her possession any false or fraudulent written, printed, or photo static evidence of age and identity, is guilty of a misdemeanor.

Penalty:

The violator shall be punished by a fine of at least \$250, no part of which shall be suspended. This violation requires a mandatory court appearance.

25662 B&P – Minor in Possession of Alcohol (MIP)

Definition:

Any person under the age of 21 years who has any alcoholic beverage in his or her possession on any street or highway or in any public place or in any place open to the public is guilty of a misdemeanor.

Penalty:

A person convicted of a "Minor in Possession" includes a mandatory court appearance, as well as a mandatory suspension of your driver's license for a year, up to \$675 in fines, or proof of completion of the Youth Offender Program.

SBBCollege Sanctions

A violation of any law regarding the unlawful possession, use or distribution of illicit drugs and alcohol by students or employees is also a violation of the College's Alcohol and Drug policy and will be treated as a separate disciplinary matter by the College. For more information about the College's Alcohol and Drug program, please refer to the most recent annual SBBCollege Alcohol and Drug Policy.

Weapon Possession Policy

SBBCollege is committed to maintaining a safe and secure environment that supports the mission of the College. According to California Penal Code §626.9 and §626.10, as well as California Code of Regulations §100015, individuals are prohibited from possessing, using, manufacturing, distributing and/or selling various weapons, including firearms, explosives, instruments that expel metal projectiles, such as a bb or pellet, specified knives and/or any item that may be construed as such, on the premises of SBBCollege or in any building under its control. Exceptions include law enforcement personnel, honorably retired peace officers or a member of the military forces of this state or the United States who is engaged in the performance of their duties. Individuals are encouraged to immediately report weapons violations to local law enforcement (call 9-1-1). In addition, report the violation to the Campus Director or Academic Dean. It is important to provide a description and location of the individual carrying the weapon. The College will investigate any threat to the safety of SBBCollege students and employees. Additionally, anyone found in violation of College's policies shall be subject to disciplinary policies and procedures applicable to students and employees and/or criminal prosecution by the appropriate jurisdiction.

Disciplinary Action for Weapons, Drug, and Alcohol Violation

SBBCollege is committed to helping students meet their educational and career goals. Employees are held to a high standard and are required to conduct themselves in a professional manner. When students or employees violate weapon, drug or alcohol laws or College policies they will be dismissed from enrollment or terminated from employment and a referral will be made for prosecution.

The College can provide assistance in obtaining an appropriate referral to a counseling or rehabilitation agency.

The results of any investigation is available upon request to victims or if necessary, the victims next of kin as determined and required by Federal and State laws.

Sexual Assault, Domestic Violence, Dating Violence and Stalking Policies

The Violence Against Women Reauthorization Act of 2013 (VAWA) amended the Clery Act and requires Colleges to provide students and employees the procedures that will be followed once an incident of sexual assault, domestic violence, dating violence and/or stalking has been reported. The College compiles and includes statistics on the additional VAWA crimes within the Annual Security Report. Also included is information about sexual assault, domestic violence, dating violence and/or stalking policies and procedures, prevention and how to access information on registered sex offenders. A student or employee who reports to the College that the student or employee has been a victim of domestic violence, dating violence, sexual assault or stalking, whether the offense occurred on campus or near campus, the following policy and procedure is the College's written explanation of the student and employee's rights and options.

Sexual Assault, Domestic Violence, Dating Violence and Stalking Policy

Sexual Assault, domestic violence, dating violence or stalking by an employee or student is prohibited and will not be tolerated by SBBCollege. The College will promptly investigate all allegations of these alleged crimes and take appropriate action as required. The definitions of sexual assault, domestic violence, dating violence and stalking are stated in the crime statics portion of this security report.

What to do if you are a victim of sexual assault, domestic violence, dating violence or stalking

If you are a victim of sexual assault, domestic violence, dating violence or stalking, your first priority should be to get to a place of safety. If necessary, you should then obtain necessary medical treatment. The College strongly advocates that a victim of sexual assault, domestic violence, dating violence or stalking report the incident in a timely manner. Especially for crimes committed on or near campus, the offense should be reported to the Campus Director or Academic Dean using a SBBCollege Crime Report Form. In addition, victims should report directly to the local law enforcement agency but reporting is at the victim's discretion. The College will notify victims of how the Campus Director or Academic Dean can assist them in reporting the crime to local law enforcement, if they wish to do so

As stated previously, victims of crime may not want to pursue action with the College or the criminal justice system and may still want to consider making a confidential report to keep the campus community safe. With permission, the Campus Director or Academic Dean of the College can complete a SBBCollege Crime Report Form on the details of the incident without revealing the victim's identity.

Time is a critical factor for evidence collection and preservation. It is important that you preserve evidence as it may be necessary to prove a criminal case, or for obtaining an order of protection. Contacting law enforcement as soon as possible can help you to preserve evidence. Victims of a sexual offense or sexual assault should not bathe, shower, or wash their clothes before going to the hospital. Preserving evidence is important in later pursuing a criminal or other judicial case, such as the College's disciplinary procedures.

The College will respond and assist victims of sexual assault at all times, regardless of stranger and nonstranger sexual assault. In addition, the College will request victims to provide the identification and if available, the location of any and all witnesses.

Numbers to local law enforcement agencies are as follows:

| Local Law Enforcement Agency | Phone # |
|----------------------------------|---------------------|
| Riverside County Sheriff's Dept. | 911, (760) 836-1600 |

Filing a police report with the local law enforcement agency will not obligate the victim to prosecute nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will:

- Ensure that a victim of sexual assault, domestic violence, dating violence or stalking receives the necessary medical treatment;
- Provide the opportunity for collection of evidence helpful in prosecution which may not be able to be obtained later;
- Provide the opportunity for collection of evidence as it may be necessary to the proof of criminal or institutional conduct proceeding arising from the report of sexual assault, domestic violence, dating violence or stalking or in obtaining a protection order; and
- Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

Sexual Assault, Domestic Violence, Dating Violence or Stalking Counseling Services

The College does not provide on-campus or off-campus counseling services. However, the College can refer the victim to a non-related, outside counseling service such as a local rape counseling center and/or domestic violence agency. Such agencies can provide mental health, victim advocacy, legal assistance and other services for victims. Victims will be notified in writing of the non-related, outside services available.

Disciplinary Action for Sexual Assault, Domestic Violence, Dating Violence and Stalking

The victim of sexual assault, domestic violence, dating violence or stalking may choose for the investigation to be pursued through the criminal justice system and for the College. To initiate disciplinary action against a student or employee, a SBBCollege Crime report must be filed with the Campus Director or Academic Dean.

The following disciplinary procedures will be conducted in cases of an alleged sexual assault, domestic violence, dating violence or stalking that occurs when the alleged is an employee or student:

1. The College will simultaneously notify the accused and accuser in writing of the allegation, investigation and will be informed to submit any additional evidence and present witnesses.
2. The College will delegate a representative to provide a prompt, fair and impartial investigation of the specifics in the case.
3. The representative will interview the accuser, accused and any witnesses and, if necessary, conduct follow-up interviews.
4. The representative will review any and all evidence that was collected. The representative will make a determination whether the elements of the allegation against the accused have been demonstrated based on the preponderance of the evidence.
5. The representative will determine if alcohol or drugs were involved during the incident. In evaluating the allegation, the representative will not consider it a valid excuse that the accused believed that the complainant affirmatively consented to the sexual activity if the accused knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances:
 - The complainant was asleep or unconscious.
 - The complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the complainant could not understand the fact, nature, or extent of the sexual activity.
 - The complainant was unable to communicate due to a mental or physical condition.

During the investigation, the representative will not consider it to be a valid excuse to alleged lack of affirmative consent that the accused believed that the complainant consented to the sexual activity under either of the following circumstances:

- The accused's belief in affirmative consent arose from the intoxication or recklessness of the accused.
 - The accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain whether the complainant affirmatively consented.
6. After the investigation and interviews and provided that nothing else is pending, the College will schedule and conduct a meeting during which the accuser and the accused are entitled to participate and have the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice.
 7. Both the accuser and the accused will be simultaneously informed in writing of the College's determination with respect to the alleged sexual assault, domestic violence, dating violence and/or stalking offense and any sanction that is imposed against the accused. The College will take steps necessary to prevent the recurrence of sexual misconduct and to remedy its discriminatory effects, as appropriate.
 8. The accused and/or the victim have a right to appeal the results of the College's disciplinary proceedings. The appeal must be in writing and must address the specific concern or concerns he or she is not in agreement with. The appeal must be received by the College within 60 calendar days of the initial determination. If an appeal is received, it will be reviewed by another trained representative of the College. In addition, the other representative will review documentation, evidence and reports available. With the new representative, the College will repeat the steps outlined in this process and a final determination will be made. The final determination will not be appealable.

The victim or the witness of a sexual assault, domestic violence, dating violence or stalking will not be subject to disciplinary sanctions for violation of the College's student conduct policy at or near the time of the incident unless the College determines that the violation was egregious, including, but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic dishonesty.

The representative appointed by the College will have received annual training on the issues related to sexual assault, domestic violence, dating violence and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Sanctions

A student or employee found guilty of sexual assault, domestic violence, dating violence or stalking will be dismissed from school and/or terminated from employment.

Reasonable Accommodations for Victims

If requested by the victim and if such accommodations are reasonably available, victims of sexual assault, domestic violence, dating violence or stalking may have an option to change their academic, transportation and working situations, regardless of whether the victim chooses to report the crime to local law enforcement. In addition, the College will make reasonable accommodations to assist victims with schedule and/or academic changes if an order of protection, order of no contact, restraining order or similar lawful order is issued by a criminal, civil or tribal court. The College will maintain confidentiality of any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The College will provide victims a written notification of reasonable accommodations available to their circumstance and the method for selecting these options. Reasonable accommodations may include transportation, working situations or protective measures. These accommodations or protective measures can

be provided if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the College or local law enforcement. The notification will also include information of the College's existing services and other services available in the community. These services include health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims.

Bystander Intervention – Safe and Positive Options

Every situation is different and there is no universal response when intervening to prevent sexual violence. Safety is the key in deciding when and how to respond to sexual violence. Every person must decide for themselves the safest and most meaningful way to become an engaged bystander. The following are ideas on how one can maintain safety while being an engaged bystander:

- If you witness sexual violence, get support from people around you. You do not have to act alone.
- Practice with friends and family about what you would say and how you would say it.
- When intervening, be respectful, direct and honest.
- If the offender is known to you, ask them to leave the potential victim alone.
- If you see or hear something and you do not feel safe, call 911 instead of putting yourself in danger.
- Remain at the scene as a witness instead of leaving. The perpetrator will be less likely to commit the assault with a witness there.

Additional information about preventing sexual assault is available in the College's Learning Resource Center.

Risk Reduction

While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted.

- Walk with a friend, especially at night.
- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.

Prevention Programs

SBBCollege maintains literature and other information to educate students and employees about the prevention and awareness of sexual assault, domestic violence, dating violence, date rape, risk reduction and stalking in the College's Learning Resource Center. In addition, the College has a list of resources available locally that can provide counseling and additional information.

Availability of Sex Offender Registry

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, SBBCollege is providing a link to the State of California Department of Justice's register sex offender's website. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by the State concerning registered sex offenders 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 a vocation, or is a student. In California, convicted sex offenders must register with local law enforcement under California's Megan's Law

The registry is available via Internet and is available at the following web address: <http://www.meganslaw.ca.gov/>

Hate Crimes

A *Clery Act* hate crime is committed when the victim was intentionally targeted because of bias. Bias for the purpose of *Clery Act* hate crime reporting is *a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, national origin, sexual orientation, gender identity, ethnicity or disability of the victim.*

Hate crime categories include murder/non-negligent manslaughter, negligence manslaughter, sex offenses: rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, simple assault, larceny-theft, intimidation, destruction/damage/vandalism of property.

SBBCollege takes hate crimes and all criminal offences seriously and encourages the campus community to report any crime to the Campus Director or Academic Dean. Crimes also can be reported by calling 911.

Hate crime statistics are presented in narrative format when there are no hate crimes to report or if there are a limited number of hate crimes reported.

There were no reported incidents of hate crimes reported for 2016, 2017 and 2018. The College is also required to disclose the number of hate crimes unfounded. Since there were no incidents of reported hate crimes, there were no incidents of false or baseless (unfounded) hate crimes.

Campus Crime Statistics

| SBBCollege-Rancho Mirage Campus Crime Statistics 2016 – 2018 Criminal Offenses – On Campus and Public Property | | | | | | |
|--|-----------|----------|----------|-----------------|----------|----------|
| | On Campus | | | Public Property | | |
| | 2016 | 2017 | 2018 | 2016 | 2017 | 2018 |
| Murder & Non – Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 |
| Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling | 0 | 0 | 0 | 0 | 0 | 0 |
| Incest | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 0 | 0 | 0 | 0 | 0 | 0 |
| Aggravated assault | 1 | 0 | 0 | 0 | 0 | 0 |
| Burglary | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 3 | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | 0 | 0 | 0 |
| Totals | 4 | 0 | 0 | 0 | 0 | 0 |

| SBBCollege- Rancho Mirage Campus Crime Statistics 2016 - 2018 Criminal Offenses – On Campus and Public Property | | | | | | |
|---|-----------|------|------|-----------------|------|------|
| | On Campus | | | Public Property | | |
| | 2016 | 2017 | 2018 | 2016 | 2017 | 2018 |
| Domestic Violence | 0 | 0 | 0 | 0 | 0 | 0 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 0 | 0 | 0 | 0 | 0 | 0 |

VAWA Definitions & Terms

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

Sex Offenses: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- 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,
- Fondling – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity,
- Incest – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law,
- Statutory Rape – Sexual intercourse with a person who is under the statutory age of consent,

Note: the definition of “consent” is described below.

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,
- 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.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship,
- For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse,
- Dating violence does not include acts covered under the definition of domestic violence,
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person's safety or the safety of others, or
- Suffer substantial emotional distress.

For the purposes of this definition:

- *Course of conduct* 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,
- *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim,

- *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling,
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

California Education Code Definition of Consent

California Education Code describes consent as “affirmative consent”. Affirmative consent means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent. SBBCollege adopts the affirmative consent definition described and applies it to all incidents and allegations of sexual assault.

Arrests & Disciplinary Actions

| SBBCollege- Rancho Mirage Campus Crime Statistics 2016 - 2018 | | | | | | |
|--|-----------|----------|----------|-----------------|----------|----------|
| Arrests – On Campus and Public Property | | | | | | |
| | On Campus | | | Public Property | | |
| | 2016 | 2017 | 2018 | 2016 | 2017 | 2018 |
| Liquor Law Violations | 6 | 0 | 0 | 0 | 0 | 0 |
| Drug Abuse Violations | 1 | 0 | 0 | 0 | 0 | 0 |
| Weapons Possession | 0 | 0 | 0 | 0 | 0 | 0 |
| Totals | 7 | 0 | 0 | 0 | 0 | 0 |

| SBBCollege- Rancho Mirage Campus Crime Statistics 2016 - 2018 | | | | | | |
|--|-----------|----------|----------|-----------------|----------|----------|
| Disciplinary Actions – On Campus and Public Property | | | | | | |
| | On Campus | | | Public Property | | |
| | 2016 | 2017 | 2018 | 2016 | 2017 | 2018 |
| Liquor Law Violations | 0 | 0 | 0 | 0 | 0 | 0 |
| Drug Abuse Violations | 0 | 0 | 0 | 0 | 0 | 0 |
| Weapons Possession | 0 | 0 | 0 | 0 | 0 | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 |

Unfounded Crimes

The College may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report for purposes of reporting under this section.

| SBBCollege- Rancho Mirage Campus Crime Statistics 2016 - 2018 | | | | | | |
|--|-----------|------|------|-----------------|------|------|
| Unfounded Crimes– On Campus and Public Property | | | | | | |
| | On Campus | | | Public Property | | |
| | 2016 | 2017 | 2018 | 2016 | 2017 | 2018 |
| Unfounded Crimes | 0 | 0 | 0 | 0 | 0 | 0 |