



## **MCCMS - Arizona Campus**

### **2018 ANNUAL SECURITY REPORT**

#### **Introduction**

This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as amended. It provides students and employees of MCCMS - Arizona Campus ("College") with information on: the College's security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the College will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

#### **Policy for Preparing the Annual Report**

This report is prepared by the Office of Compliance, Licensure and Continuous Accreditation Administrator in cooperation with local law enforcement authorities and includes information provided by them as well as by the College's campus security authorities and various other elements of the College. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report's availability. Hard copies of the report may also be obtained at no cost by contacting Office of Compliance, Licensure and Continuous Accreditation Administrator, Mayo Clinic, 200 First Street SW, Rochester, MN 55905, Dahlen.David@mayo.edu, or 507-284-3208. .

The College is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field, and are constantly tested and re-evaluated for their effectiveness.

## **General Safety and Security Policies**

### **Campus Security Personnel & Relationship with Local Law Enforcement**

The Mayo Clinic Security Department is responsible for campus safety at the College.

Members of Mayo Clinic Security are not commissioned law enforcement officers and therefore do not have arresting authority. Their role is to ensure safety within the jurisdiction of the campus and to enforce Mayo Clinic policies.

While the College does not have any written agreements with local law enforcement agencies, it does maintain a close working relationship with local police.

### **Campus Security Authorities**

The College has designated certain officials to serve as campus security authorities. Reports of criminal activity can be made to these officials. They in turn will ensure that the crimes are reported for collection as part of the College's annual report of crime statistics. The campus security authorities to whom the College would prefer that crimes be reported are listed below.

- Tamara Kary - Division Chair at (480) 301-4564 or [kary.tamara@mayo.edu](mailto:kary.tamara@mayo.edu)
- Diana Smith - Operations Manager at (480) 301-6806 or [smith.diana@mayo.edu](mailto:smith.diana@mayo.edu)
- Bella Panchmatia - Operations Manager at (480) 301-6696 or [panchmatia.bella@mayo.edu](mailto:panchmatia.bella@mayo.edu)

### **Reporting a Crime or Emergency**

The College encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the College, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged even when the victim of a crime elects not to make a report or is unable to do so.

- All crimes occurring on or near College property should be reported immediately to Mayo Clinic Security. The number to contact is 480-342-0576. A dispatcher is available 24/7.
- If a crime is in progress or there is some other situation posing imminent danger, local law enforcement can be reached by dialing 911.
- Students, staff, and visitors should also report situations to one of the campus security authorities identified above. Once reported, the individual may also be encouraged to report the situation to the appropriate police agency. If requested, a College staff member will assist in making the report to police.
- Anonymous incident reports can also be made by using the Compliance Hotline. Reports can be made via a toll-free phone number (800-721-5391) or an online Incident Submission Form (<https://secure.compliance360.com/Default.aspx>). Submissions/Reports regarding the College are routed to the Administrator for the Office of Continuous Accreditation, Licensure, and Compliance.

## **Confidential Reporting**

The College will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity.

Pursuant to the College's Title IX Sexual Misconduct Policy, when an individual who is designated as a "responsible employee" becomes aware of alleged misconduct under that policy (including, but not limited to, dating violence, domestic violence, sexual assault, and stalking), the individual must report that information, including status of the parties if known, to the Title IX Coordinator. "Responsible employees" include the Board of Governors, all faculty members, advisors to student organizations, MCCMS administrators, and other Mayo Clinic employees engaged in educational programs and activities. However, professional counselors are not "responsible employees" and thus will not provide your information to the Title IX Coordinator without your permission.

A victim of other types of crimes (e.g., aggravated assault, burglary, etc.) who does not want to pursue action within the College disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. Upon the victim's request, a report of the details of the incident can be filed with the College without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but still helps the College take appropriate steps to ensure the future safety of the victim and others. With such information, the College can keep an accurate record of the number of incidents involving members of the campus community, determine where a pattern of crime may be developing and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the College.

The College encourages its professional counselors, if and when they deem it appropriate, to inform the person they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics. The College does not have pastoral counselors.

## **Security of and Access to Campus Facilities**

All academic buildings are secured during the evenings and weekends. Access to the buildings is only allowed for faculty/staff members and students who are accompanied by faculty/staff members. Mayo Clinic Security officers provide security for these buildings and also perform vehicle patrols of parking lots and surrounding areas.

Students and employees are asked to be alert and to not circumvent practices and procedures that are meant to preserve their safety and that of others:

- Do not prop doors open or allow strangers into campus buildings that have been secured; be aware of persons attempting to tailgate
- Do not lend keys or access cards to non-students and do not leave them unattended
- Do not give access codes to anyone who does not belong to the campus community

Keys to the offices, laboratories, and classrooms on campus will be issued to employees only as needed and after receiving the proper authorization. Each department supervisor is responsible for assuring his/her area is secured and locked.

Employee and student identification cards may be used to verify the identity of persons suspected to be in campus facilities without permission.

## **Security Considerations in the Maintenance of Facilities**

Mayo Clinic Security works with the Facilities Department to identify maintenance issues on campus that may be safety hazards. Safety checks are completed to identify street or safety lights that are not functioning properly, or to determine if shrubs or other landscaping might need trimming. Maintenance personnel regularly check to ensure there is adequate lighting on pathways and that egress lighting is working in hallways and stairwells.

## **Educational Programs Related to Security Awareness and Prevention of Criminal Activity**

The College seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. These programs are discussed below.

The College provides information during orientation for students and employees regarding the College's security procedures and practices. This information is in the form of a podium presentation with time allotted for questions. Annually thereafter students and employees receive updated information via a course in the online Learning Management System. Among other things, it advises students and employees of the importance of reporting criminal activity, to whom crimes should be reported, being responsible for their own safety and the safety of others and practices regarding timely warnings and emergency notifications.

Crime prevention programs are also presented regularly through the Learning Management System.

## **Monitoring Off Campus Locations of Recognized Student Organizations**

The College does not have any officially recognized student organizations with off campus locations and therefore does not monitor or record criminal conduct occurring at such locations.

## **Disclosure of the Outcome of a Crime of Violence or Non-Forcible Sex Offense**

Upon written request, the College will disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the College against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of the paragraph.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.

## **Drug and Alcohol Policy**

The College is committed to creating and maintaining an environment that is free of alcohol abuse. The College prohibits the possession, use, and sale of alcohol beverage on campus or as any part of the College's activities, unless it is done so in accordance with applicable College policies, and it also enforces the state's underage drinking laws.

The College also enforces federal and state drug laws. The possession, sale, manufacture or distribution of illegal drugs is prohibited on campus or as any part of the College's activities. Violators of the College's policies or federal and state laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

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

In compliance with the Drug Free Schools and Communities Act (DFSCA), the College has a drug and alcohol abuse and prevention program, which includes an annual notification to students and employees regarding certain drug/alcohol-related information (such as legal sanctions for violations of applicable laws, health risks, etc.) and a biennial review of this program to evaluate its effectiveness and assess whether sanctions are being consistently enforced. For more information, see below.

- Drug-Free Schools and Community Act (DFSCA) Policy:  
<https://www.mayo.edu/documents/drug-free-schools-and-community-act-dfsc-policy/doc-20381769>
- Alcohol, Drug and Chemical Abuse Policy:  
<http://mayocontent.mayo.edu/collegeofmedicine/DOCMAN-0000197721?qt=drug>
- Mayo Clinic has a Student Wellness webpage available on the intranet for students who may be struggling with alcohol or drug abuse, as well as other issues:  
<http://intranet.mayo.edu/charlie/student-services/wellness/>
- More information about the biennial review of the College's drug and alcohol abuse prevention program can be obtained by contacting the Mayo Clinic College of Medicine Policy Workgroup.

## **Policies, Procedures, and Programs Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

Consistent with applicable laws, the College prohibits dating violence, domestic violence, sexual assault, and stalking. The College’s policy used to address complaints of this nature, as well as the procedures for filing, investigating and resolving complaints, may be found at:

- Title IX Sexual Misconduct Policy: <http://mayocontent.mayo.edu/compliance/DOCMAN-0000208687?qt=TitleIX>
- Title IX Sexual Misconduct Complaint Resolution Procedure: <http://mayocontent.mayo.edu/compliance/DOCMAN-0000190740?qt=TitleIX>

The following sections of this report discuss the College’s educational programs to promote the awareness of dating violence, domestic violence, sexual assault and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses; and advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

### **Primary Prevention and Awareness Program:**

The College conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. The PPAP advises campus community members that the College prohibits the offenses of dating violence, domestic violence, sexual assault and stalking. They are also informed of the topics discussed below, including relevant definitions, risk reduction, and bystander intervention.

#### Crime Definitions

<b>Crime Type (Arizona Revised Statutes)</b>	<b>Definitions</b>
Dating Violence	The institution has determined, based on good-faith research, that Arizona law does not define the term dating violence.
Domestic Violence (Ariz. Rev. Stat. § 13.3601)	<p>"Domestic violence" means any act that is a dangerous crime against children or one of the following offenses as prescribed in state law: negligent homicide, manslaughter, second degree murder, first degree murder, endangerment, threatening or intimidation, assault, aggravated assault, custodial interference, unlawful imprisonment, kidnapping, sexual assault, unlawful distribution of pictures depicting nudity or specific sexual acts, criminal trespass in the third degree, criminal trespass in the second degree, criminal trespass in the first degree, criminal damage, interference with judicial proceeding, disorderly conduct, intentional cruelty to animals, intentional interference or prevention of person making an emergency phone call, or use of electronic communication to terrify, intimidate, threaten or harass, harassment, aggravated harassment, stalking, surreptitious photographing, aggravated domestic violence, or child or vulnerable adult abuse, if any of the following applies:</p> <ul style="list-style-type: none"> <li>• The relationship between the victim and the defendant is one of marriage or former or of persons residing or having resided in the same household.</li> </ul>

<b>Crime Type (Arizona Revised Statutes)</b>	<b>Definitions</b>
	<ul style="list-style-type: none"> <li>• The victim and the defendant have a child in common.</li> <li>• The victim or the defendant is pregnant by the other party.</li> <li>• The victim is related to the defendant or the defendant's spouse by blood or court order as a parent, grandparent, child, grandchild, brother or sister or by marriage as a parent-in-law, grandparent-in-law, stepparent, step-grandparent, stepchild, step-grandchild, brother-in-law or sister-in-law.</li> <li>• The victim is a child who resides or has resided in the same household as the defendant and is related by blood to a former spouse of the defendant or to a person who resides or who has resided in the same household as the defendant.</li> <li>• The relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship. The following factors may be considered in determining whether the relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship: (a) The type of relationship; (b) The length of the relationship; (c) The frequency of the interaction between the victim and the defendant; (d) If the relationship has terminated, the length of time since the termination.</li> </ul>
Stalking (Ariz. Rev. Stat. § 13-2923)	<p>A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct causes the victim to:</p> <ul style="list-style-type: none"> <li>• Suffer emotional distress or reasonably fear that either: (a) The victim's property will be damaged or destroyed; or Any of the following will be physically injured: (i) The victim; (ii) The victim's family member, domestic animal or livestock; (3) A person with whom the victim has or has previously had a romantic or sexual relationship; (4) A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.</li> <li>• Reasonably fear death or the death of any of the following: (a) The victim's family member, domestic animal or livestock; (b) A person with whom the victim has or has previously had a romantic or sexual relationship; (c) A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.</li> </ul>
Sexual Assault	<ul style="list-style-type: none"> <li>• Sexual assault (Ariz. Rev. Stat. § 13-1406): A person commits sexual assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person without consent of such person.</li> <li>• Violent sexual assault (Ariz. Rev. Stat. § 1423): A person is guilty of violent sexual assault if the offense involved the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument or involved the intentional or knowing infliction of serious physical injury and the person has a historical prior felony</li> </ul>

<b>Crime Type (Arizona Revised Statutes)</b>	<b>Definitions</b>
	conviction for a sexual offense under this chapter or any offense committed outside this state that if committed in this state would constitute a sexual offense under this chapter.
Rape, Fondling, Incest, Statutory Rape	<p>For purposes of the Clery Act, the term “sexual assault” includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Arizona law are as follows:</p> <ul style="list-style-type: none"> <li>• Rape: The institution has determined, based on good-faith research, that Arizona law does not define the term rape.</li> <li>• Fondling: The institution has determined, based on good-faith research, that Arizona law does not define the term fondling.</li> <li>• Incest (Ariz. Rev. Stat. § 13-3608): Persons who are eighteen or more years of age and are within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who knowingly intermarry with each other, or who knowingly commit fornication or adultery with each other are guilty of a class 4 felony.</li> <li>• Statutory Rape: The institution has determined, based on good-faith research, that Arizona law does not define the term statutory rape.</li> </ul>
Other “sexual assault” crimes	<p>Other crimes under Arizona law that may be classified as a “sexual assault” include the following:</p> <ul style="list-style-type: none"> <li>• Sexual abuse (Ariz. Rev. Stat. § 13-1404): A person commits sexual abuse by intentionally or knowingly engaging in sexual contact with any person who is fifteen or more years of age without consent of that person or with any person who is under fifteen years of age if the sexual contact involves only the female breast. It is not a defense to a prosecution for a violation of this section that the other person consented if the other person was fifteen, sixteen or seventeen years of age and the defendant was in a position of trust.</li> <li>• Sexual conduct with a minor (Ariz. Rev. Stat. § 13-1405): A person commits sexual conduct with a minor by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person who is under eighteen years of age.</li> <li>• Molestation of a child (Ariz. Rev. Stat. § 13-1410): A person commits molestation of a child by intentionally or knowingly engaging in or causing a person to engage in sexual contact, except sexual contact with the female breast, with a child who is under 15 years of age.</li> </ul>
Consent (as it relates to sexual activity) (Ariz. Rev. Stat. § 13-1401(7))	"Without consent" includes any of the following: (a) The victim is coerced by the immediate use or threatened use of force against a person or property; (b) The victim is incapable of consent by reason of mental disorder, mental defect, drugs, alcohol, sleep or any other similar impairment of cognition and such condition is known or should have

Crime Type (Arizona Revised Statutes)	Definitions
	reasonably been known to the defendant. For the purposes of this subdivision, "mental defect" means the victim is unable to comprehend the distinctively sexual nature of the conduct or is incapable of understanding or exercising the right to refuse to engage in the conduct with another; (c) The victim is intentionally deceived as to the nature of the act; (d) The victim is intentionally deceived to erroneously believe that the person is the victim's spouse.

College Definition of Consent

The College uses the following definition of consent in its Title IX Sexual Misconduct Policy for the purpose of determining whether sexual violence (including sexual assault) has occurred:

**Consent:** Consent is informed, freely given, and mutually understood. Consent is not passive and requires an affirmative act or statement by each participant. Consent can be withdrawn. A person who initially consents to sexual activity is deemed not to have consented to any sexual activity that occurs after he or she withdraws consent. Lack of consent is a critical factor in determining whether sexual violence has occurred.

- If coercion, intimidation, threats, and/or physical force are used, there is no consent (see Coercion).
- If a person is mentally or physically incapacitated or impaired by alcohol or drugs, such that the person cannot understand the fact, nature, or extent of the sexual situation, there is no consent.
- If a person is asleep or unconscious, there is no consent.
- If a person is below the minimum age of consent in the applicable jurisdiction, there cannot be consent.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Being in a romantic relationship with someone does not imply consent to any form of sexual activity.
- Effective consent may not exist when there is a disparity in power between the parties (e.g., faculty/student, supervisor/employee).

**Coercion:** direct or implied force, violence, danger, hardship or retribution sufficient to persuade a reasonable person of ordinary susceptibility to perform an act which otherwise would not have been performed or acquiesce in an act to which one would not have submitted. Coercion can include unreasonable and sustained pressure for sexual activity. Consent cannot be obtained through coercion.

Coercive behavior differs from seductive behavior in the type and amount of pressure someone uses to convince another to engage in sexual activity. A person's words or conduct cannot amount to coercion unless they wrongfully impair the other's freedom of will and ability to choose whether or not to engage in sexual activity. When someone make it clear that he/she does not want to engage in sexual activity, that he/she wants to stop, or that he/she does not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

### Risk Reduction

If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:

- Make your limits known before going too far.
- You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor “NO” clearly and loudly.
- Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.
- Grab someone nearby and ask them for help.
- Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.
- Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.
- Be aware of someone trying to slip you an incapacitating “rape drug” like Rohypnol or GHB.

If you find yourself in the position of being the initiator of sexual behavior, these suggestions may help you to reduce your risk of being accused of sexual assault or another sexual crime:

- Remember that you owe sexual respect to the other person.
- Don’t make assumptions about the other person’s consent or about how far they are willing to go.
- Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
- If your partner expresses a withdrawal of consent, stop immediately.
- Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you their intentions.
- Consider “mixed messages” a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
- Don’t take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don’t be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.
- Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.

It is also important to be aware of the warning signs of an abusive person. Some examples include: past abuse; threats of violence or abuse; breaking objects; using force during an argument; jealousy; controlling behavior; quick involvement; unrealistic expectations; isolation; blames others for problems; hypersensitivity; cruelty to animals or children; “playful” use of force during sex; Jekyll-and-Hyde personality.

### Bystander Intervention

In addition to reporting incidents to appropriate authorities, below are some ways in which individuals can take safe and positive steps to prevent harm and intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against another person.

- Look out for those around you.
- Realize that it is important to intervene to help others.
- Treat everyone respectfully. Do not be hostile or an antagonist.
- Be confident when intervening.
- Recruit help from others if necessary.
- Be honest and direct.
- Keep yourself safe.
- If things get out of hand, don't hesitate to contact the police.

### Other Information Covered by the PPAP

The PPAP also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of dating violence, domestic violence, sexual assault, or stalking has occurred, an explanation of the disciplinary procedures that will be followed when one of these offenses is alleged, the rights of the parties in such a proceeding, available resources, and other pertinent information. Much of this information is set forth in the upcoming sections of this security report.

### **Ongoing Prevention and Awareness Campaign:**

The College also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP, but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault and stalking.

### **PPAP and OPAC Programming Methods:**

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the College. Methods include, but are not limited to: presentations, online training modules, distribution of written materials, periodic email blasts, and guest speakers. A summary of this programming is provided below.

- New students receive education on the prevention of dating violence, domestic violence, sexual assault, and stalking through a presentation by the Office of Compliance during orientation. All new employees are required to complete an online training module on these topics upon hire and are required to retake the online training each year.
- As part of its ongoing campaign, the College is currently considering a variety of strategies, such as in-person presentations by sexual assault organizations, emails blasts with pertinent information, portal announcements, etc., in order to relay pertinent information to students and employees. While such programming may occur throughout the year, the College is also planning programming to be delivered in conjunction with nationally recognized observances such as Sexual Assault Awareness Month and Domestic Violence Awareness Month.

## **Procedures to Follow if You are a Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking:**

If you are a victim of dating violence, domestic violence, sexual assault, or stalking, go to a safe place and call 911 or the Mayo Clinic Security Department at 480-342-0576. You may also contact the College's Title IX Coordinator at 507-284-9029 or [otte.kimberly@mayo.edu](mailto:otte.kimberly@mayo.edu).

Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported (contact the Title IX Coordinator or refer to the other resources listed in this report).
2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order.
3. The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.
4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

### *Preservation of Evidence & Forensic Examinations*

Victims of physical assault are advised to not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence. Don't bathe or wash, or otherwise clean the environment in which the assault occurred. You can obtain a forensic examination at Mayo Clinic Hospital Emergency Department, 5777 East Mayo Boulevard, Phoenix, AZ 85054, 480-342-1750 and/or the Scottsdale Family Advocacy Center, 10225 East Via Linda, Scottsdale, AZ 85258, 480-312-6300.

Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.

Victims are also advised to retain evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.). Such evidence is valuable in all situations, and it may be the only type of evidence available in instances of stalking.

### *Security/Law Enforcement & How to Make a Police Report*

- Mayo Clinic Security Department, 480-342-0576
- Scottsdale Police Department, 480-312-5000, 9065 E Via Linda, Scottsdale, AZ 85258
- To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim's ability.

### *Information about Legal Protection Orders*

In Arizona, victims of dating violence, domestic violence, sexual assault, and stalking may be able to obtain an Order of Protection or Injunction Against Harassment through the court system. In the Scottsdale area, filing for such an order can be done at the City of Scottsdale - City Court. The address is: 3700 N 75th Street, Scottsdale, AZ 85251. More information is available at:

<https://www.scottsdaleaz.gov/court/protective-orders>. Also, necessary forms are available at: <https://www.scottsdaleaz.gov/court/forms>. Victims may contact local domestic violence and sexual assault advocates for assistance in obtaining a protection order. When a protection order is granted, it is enforceable statewide. If you have obtained a protection order and need it to be enforced in your area, you should contact the local police department.

Mayo Clinic will enforce any temporary restraining order or other no-contact order against an alleged perpetrator from a criminal, civil, or tribal court. Any student or employee who has a protection order or no-contact order should notify the Title IX Coordinator and provide a copy of the restraining order so that it may be kept on file with the institution and can be enforced on campus, if necessary. Upon learning of any orders, Mayo Clinic will take all reasonable and legal action to implement the order on premises controlled by Mayo Clinic.

Mayo Clinic does not issue legal orders of protection. However, as a matter of institutional policy, it may impose a no-contact order between individuals in appropriate circumstances. It may also issue a No Trespass Warning if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a No Trespass Warning may be arrested and criminally charged.

### **Available Victim Services:**

Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to them, both within the College and in the surrounding community. Those services include:

#### *Mayo Clinic Resources*

- Emergency Department - Mayo Clinic Hospital, 5777 East Mayo Boulevard, Phoenix, AZ 85054, 480-342-1750
- Mental Health Clinicians/Academic Success Advisors are available through Student Services. Call 480-301-4738.
- Student Financial Aid - Sometimes a victim of a crime may feel the need to take a leave of absence from school. If a student is considering a leave of absence based on the circumstances of a complaint under the Title IX Sexual Misconduct Policy, he/she should understand there may be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired. The College's financial aid website can be found at: <https://www.mayo.edu/office-of-student-financial-aid-and-registrar>.

#### *State/Local Resources*

- Arizona Department of Public Safety Victim Assistance Webpage: <https://www.azdps.gov/services/enforcement/crime-victims>
- The Judicial Branch of Arizona - Maricopa County
  - Law Library Resource Center: <https://superiorcourt.maricopa.gov/llrc/>
  - Resources: <https://superiorcourt.maricopa.gov/llrc/resources/>
  - Domestic Violence Advocates: <https://superiorcourt.maricopa.gov/llrc/domestic-violence-advocates/>

- Arizona Coalition to End Sexual & Domestic Violence: <https://www.acesdv.org/>; phone: 602-279-2900 or 800-782-6400
- Scottsdale Family Advocacy Center: <https://www.scottsdaleaz.gov/human-services/advocacy-center>
- Chrysalis: <https://noabuse.org/>
- Sojourner Center: <https://www.sojournercenter.org/>
- AZ Law Help: <http://www.azlawhelp.org/>

#### *National Resources*

- National Domestic Violence Hotline: 1-800-799-7233
- National Sexual Assault Hotline: 1-800-656-4673
- Rape, Abuse and Incest National Network (RAINN): <https://www.rainn.org/>
- U.S. Dept. of Justice Office on Violence Against Women: <https://www.justice.gov/ovw>
- National Coalition Against Domestic Violence: <http://www.ncadv.org/>
- National Sexual Violence Resource Center: <https://www.nsvrc.org/>
- U.S. Citizenship and Immigration Services: <https://www.uscis.gov/>
- Immigration Advocates Network: <https://www.immigrationadvocates.org/>

#### **Accommodations and Protective Measures:**

The College will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the College is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

Requests for accommodations or protective measures should be made to the Title IX Coordinator at 507-284-9029 or [otte.kimberly@mayo.edu](mailto:otte.kimberly@mayo.edu), and the Title IX Coordinator is responsible for deciding what, if any, accommodations or protective measures will be implemented.

When determining the reasonableness of such a request, the College may consider, among other factors, the following:

- The specific need expressed by the complainant.
- The age of the students involved.
- The severity or pervasiveness of the allegations
- Any continuing effects on the complainant
- Whether the complainant and alleged perpetrator share the same class or job location.
- Whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

The College will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the College's ability to provide

them. However, there may be times when certain information must be disclosed to a third party in order to implement the accommodation or protective measure. Such decisions will be made by the College in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation or protective measure is provided. In the event it is necessary to disclose information about a victim in order to provide an accommodation or protective order, the College will inform the victim of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

### **Procedures for Disciplinary Action:**

Allegations of dating violence, domestic violence, sexual assault or stalking will be processed through the College's Title IX Sexual Misconduct Complaint Resolution Procedure. The Procedure is the exclusive means of resolving complaints alleging violations of the Title IX Sexual Misconduct Policy, and it applies to the following persons when participating in Mayo Clinic educational programs, activities, organizations, or events:

- All Mayo Clinic employees, including Consulting Staff, Administrative Voting Staff, Allied Health employees, employed Research Temporary Professionals, faculty members, and other employees;
- Applicants for employment or admission to educational programs;
- The Board of Governors;
- All learners and students, including recognized learner or student organizations; and
- Third parties (such as non-employee physician/scientists, patients, alumni, contractors, vendors, and visitors).

The Procedure is invoked once a complaint is made to the Title IX Coordinator, Kimberly Otte (507-284-9029; [otte.kimberly@mayo.edu](mailto:otte.kimberly@mayo.edu)) or someone with information about a potential violation of the Title IX Sexual Misconduct Policy otherwise reports such information to her. Reports can also be made as described in the "Reporting a Crime or Emergency" section of this annual security report. When a complaint/report is made it should, to the extent possible, include the following information: (a) the date(s) and time(s) of the alleged conduct; (b) the names of all person(s) involved in the alleged conduct, including possible witnesses; (c) all details outlining what happened; and (d) contact information for the complainant and/or reporter so that Mayo Clinic may follow up appropriately.

### Formal Investigation and Resolution Procedure

When it is determined that a complaint falls within the scope of the Title IX Sexual Misconduct Policy, an investigation will be initiated. The Title IX Coordinator (or other trained investigator designed by the Title IX Coordinator) will provide written notice of the complaint to, and initiate a meeting with, the respondent, typically within seven (7) days of receipt of the complaint. The written notice will include information concerning the essential nature of the complaint, including, if possible: (i) when and where alleged sexual misconduct occurred; (ii) the type of sexual misconduct alleged; and (iii) the alleged policy violation(s) to be investigated.

During the investigation, the complainant and respondent will each have an equal opportunity to describe the situation and present witnesses and other supporting evidence. The Title IX Coordinator/Designee will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, conduct

follow up interviews, and take any other appropriate action to gather and consider information relevant to the complaint.

At the conclusion of the investigation, the Title IX Coordinator/Designee will prepare an interim investigatory report, which will include a summary of information learned during the investigation but will not include a determination of whether a policy violation occurred. The Title IX Coordinator/Designee will meet with each party and provide them with an opportunity to read the interim investigatory report. The parties will be given the opportunity to respond in writing to the interim investigatory report, generally within seventy-two (72) hours of reviewing the report. The Title IX Coordinator/Designee will review written comments from the parties, if any, and edit the interim investigatory report if deemed necessary. The report will then be finalized, and it will contain a: (i) summary of information learned during the investigation; (ii) determination of whether a preponderance of the evidence substantiates a finding of a violation of the Title IX Sexual Misconduct Policy; and (iii) designation of the appropriate official/s to: (a) where necessary, make a determination of appropriate disciplinary and remedial action; and (b) determine any appeal. The Title IX Coordinator/Designee will meet with each party and provide an opportunity to read the final report, but the parties will not be given a copy of it. The written determination of the Title IX Coordinator/Designee, and any sanction issued by the sanctioning official, is final, subject only to the right of appeal.

The institution will attempt to conduct most investigations of this nature in sixty (60) days, depending on the availability of the parties, witnesses, evidence, and other scheduling considerations.

### *Appeals*

Based on the respondent's status (learner, employee, third party), the relevant appeal procedures are found in the corresponding policies/procedures identified below:

- For learners:
  - Warning, Probation, Dismissal, and Appeal Policy
  - Warning, Probation, Dismissal, and Appeal Procedure
- For Mayo Clinic employees: as applicable:
  - Appeals Policy/Procedure
  - Appeals Procedures
  - Faculty Misconduct Policy

In accordance with the applicable policies/procedures, the Appellate Official(s) will review the appeal and make one or more of the following determinations: (a) reject the findings of the investigatory report and request further investigation; (b) reject the sanctions issued by the sanctioning official(s) based on the evidence in the investigatory report and other relevant evidence; or (c) deny the appeal in whole or in part. The Appellate Official(s) will provide a written determination of any appeal, summarizing the reasoning behind the determination, to the Title IX Coordinator. The Title IX Coordinator/Designee will promptly notify each party in writing of the outcome of the appeal.

### Informal Resolution

Mayo Clinic allows the use of informal means of resolution, in lieu of the formal investigation and resolution procedure. The following standards apply to any informal resolution method that is used:

- Mayo Clinic does not mediate sexual misconduct complaints;

- The informal process can be used only with both parties' voluntary cooperation and appropriate involvement by the institution through the Title IX Coordinator;
- The complainant will not be required to "work out" the problem directly with the respondent; and
- Either party may terminate the informal process at any time and elevate the complaint to the formal investigation procedure.

### **Rights of the Parties in an Institutional Proceeding:**

During the course of the process described in the previous section, both the accuser and the individual accused of the offense are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result.
  - A prompt, fair and impartial process is one that is:
    - Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
    - Conducted in a manner that:
      - Is consistent with the institution's policies and transparent to the accuser and the accused.
      - Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
      - Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.
    - Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
  - The College Administrator for Compliance, Licensure and Accreditation, as well as a Mayo Clinic Compliance Officer, has completed comprehensive Title IX Coordinator Certification Training provided by ATIXA. Such training addresses topics such as relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest.
3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor, but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.

4. Have the outcome determined using the preponderance of the evidence standard.
5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, "result" means "any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters" and must include the rationale for reaching the result and any sanctions imposed.

**Possible Sanctions or Protective Measures that the College May Impose for Dating Violence, Domestic Violence, Sexual Assault or Stalking Offenses:**

Following a final determination in the institution’s disciplinary proceeding that dating violence, domestic violence, sexual assault, or stalking has been committed, the institution may impose a sanction depending on the mitigating and aggravating circumstances involved. The possible sanctions include:

Verbal warning	Termination of contract (for contractors)
Written warning	Demotion
Disciplinary hold on academic and/or financial records	Loss of pay increase
Performance improvement/management process	Transfer (employment)
Required counseling	Termination of contractual arrangements
Required training or education	Revocation of offer (employment or admissions)
Campus access restrictions	Disciplinary suspension
No trespass order (with respect to campus locations)	Suspension with pay
No contact directive (with respect to an individual)	Suspension without pay
Loss of privileges	Expulsion
Loss of oversight, teaching or supervisory responsibility	Degree revocation
Probation	Termination of employment

If a warning or probation is imposed on a student, it may be for part of a semester, a full semester, or an entire academic year. An employee may be suspended for any length of time determined appropriate by the Director of Human Resources. The individual will be required to meet with the Dean of Students (student) or Director of Human Resources (employee) to discuss re-entry and expectations going forward.

In addition, the College can make available to the victim a range of protective measures. They include: forbidding the accused from communicating with the victim, other institutional no-contact orders, security escorts, modifications to academic requirements or class schedules, changes in working situations, etc.

**Publicly Available Recordkeeping:**

The College will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of dating violence, domestic violence, sexual assault, and stalking who make reports of such to the College to the extent permitted by law.

**Victims to Receive Written Notification of Rights:**

When a student or employee reports to the College that he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the College will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

**Sex Offender Registration Program:**

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the College of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting the Mayo Clinic Security Department at 480-342-0576. State registry of sex offender information may be accessed at the following link: <https://www.azdps.gov/services/public/offender>

## **Timely Warnings and Emergency Response**

### **Timely Warnings**

In the event of criminal activity occurring either on campus or off campus that in the judgment of the Crisis Incident Response Team (CIRT) constitutes a serious or continuing threat to members of the campus community, a campus-wide “timely warning” will be issued. Examples of such situations may include a sexual assault or a series of motor vehicle thefts in the area that merit a warning because they present a continuing threat to the campus community. Warnings will be communicated to students and employees via one or more of the methods discussed later in this section. Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to:

- Mayo Clinic Security Department, 480-342-0576
- Crisis Incident Response Team, c/o Student Services Administrator, 507-284-3678

The College has communicated with local law enforcement asking them to notify the College if it receives reports or information warranting a timely warning.

### **Emergency Response**

The College has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters, etc. The College has communicated with local police requesting their cooperation in informing the College about situations reported to them that may warrant an emergency response.

Students, staff and visitors are encouraged to notify the Mayo Clinic Security Department at 480-342-0576 of any emergency or potentially dangerous situation.

The Incident Commander of the Mayo Clinic Healthcare Incident Command System (HICS) will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and will be responsible for initiating the institution’s response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other College departments may be involved in the confirmation process.

Once the emergency is confirmed and based on its nature, the HICS Incident Commander will consult with other appropriate College officials to determine the appropriate segment or segments of the College community to be notified.

The HICS Incident Commander in collaboration with other appropriate personnel, will determine who should be notified, and 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.

Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The HICS Incident Commander will direct the issuance of emergency notifications, which will be accomplished using one or more of methods discussed later in this section, depending on the nature of the threat and the segment of the campus community being threatened.

If deemed necessary, the CIRT will notify local law enforcement of the emergency if they are not already aware of it and local media outlets in order that the larger community outside the campus will be aware of the emergency.

Methods for Issuing Timely Warnings and Emergency Notifications

The method(s) listed below may be utilized when the College issues a timely warning or emergency notification to the campus community.

<b>Method</b>	<b>Sign-Up Instructions</b>
Broadcast speakers	N/A
Email	<a href="https://mc.sendwordnow.com/homepage.aspx">https://mc.sendwordnow.com/homepage.aspx</a>
Text Message	<a href="https://mc.sendwordnow.com/homepage.aspx">https://mc.sendwordnow.com/homepage.aspx</a>
Telephone (mobile and/or landline)	<a href="https://mc.sendwordnow.com/homepage.aspx">https://mc.sendwordnow.com/homepage.aspx</a>
Priority pager	<a href="https://mc.sendwordnow.com/homepage.aspx">https://mc.sendwordnow.com/homepage.aspx</a>

Testing & Documentation

The College tests its emergency response and evacuation procedures at least once a year. The tests may be announced or unannounced. Also, at various times the Crisis Incident Response Team will meet to train and test and evaluate the College’s emergency response plan.

The Crisis Incident Response Team and Student Services Administrator maintain a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the College will distribute to its students and employees information to remind them of the College’s emergency response and evacuation procedures.

## Crime Statistics

The statistical summary of crimes for this College over the past three calendar years follows:

Crime	On Campus			Non Campus			Public Property		
	2017	2016	2015	2017	2016	2015	2017	2016	2015
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	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
Statutory Rape	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	1	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Robbery	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
Arrest - Liquor Law Violation	0	0	0	0	0	0	0	0	0
Arrest - Drug Abuse Violation	1	0	1	0	0	0	0	0	0
Arrest - Weapon Violation	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Liquor Law Violation	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Drug Abuse Violation	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Weapon Violation	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

\*The College does not have on-campus student housing facilities.

\*\*This revised Annual Security Report (ASR), dated December 5, 2018, corrects statistics reported on October 1 and 4, 2018. The number of crimes in the prior report were reported in error and the ASR has been updated accordingly.

**Hate crimes:**

**2017:** No hate crimes reported.

**2016:** No hate crimes reported.

**2015:** No hate crimes reported.

**Crimes unfounded by the College:**

**2017:** 0 unfounded crimes.

**2016:** 0 unfounded crimes.

**2015:** 0 unfounded crimes.

**Statistics for unfounded crimes provided by law enforcement agencies:**

**2017:** 0 unfounded crimes.

**2016:** 0 unfounded crimes.

**2015:** 0 unfounded crimes.

**Data from law enforcement agencies:**

- The College was provided with some crime data from law enforcement agencies for which it cannot be determined whether any of the statistics apply to or include the College's Clery Geography.