

## Campus Security Report



2010-2012



**Sonoma County Junior College  
District Police Department  
1501 Mendocino Ave  
Santa Rosa CA, 95401  
(707) 527-1000**

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## **What is the “Jeanne Clery” Disclosure Act?**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, codified at 20 USC 1092 (f) as a part of the Higher Education Act of 1965, is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies. All public and private post secondary educational institutions participating in federal student aid programs are required to comply with it. The law, originally enacted by Congress in 1990 as the Campus Security Act, was initiated by Howard and Connie Clery after their daughter Jeanne was tragically murdered at Lehigh University in 1986. Amendments to the Act in 1998 renamed it in memory of Jeanne Clery.

The Clery Act requires colleges and universities to publish an annual report every year by October 1<sup>st</sup> that contains 3 years of crime statistics and certain policy statements including sexual assault policies which assure basic victims’ rights, the law enforcement authority of campus police, and where the students should go to report crimes. The complete text of the Clery Act and the U.S. Department of Education regulations are available on the Security On Campus, Inc. web site at <http://www.campussafety.org/>

The Sonoma County Junior College District Police Department is responsible for gathering crime statistics and providing safety information to all students, staff, faculty, visitors, and prospective students and employees of the District.

The annual security report for Santa Rosa Junior College and the entire Sonoma County Junior College District includes statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by the Sonoma County Junior College District, and on public property within, or immediately adjacent to and accessible from the campus. In accordance with mandated reporting requirements, information concerning the monitoring and recording of any criminal activity in which students have engaged, at off campus locations and/or within student organizations that are officially recognized by the District, are gathered from local police agencies. These agencies include any City, County, State, or Federal agencies that may have relevant information and the statistics are published in this disclosure. The report also includes institutional policies concerning campus safety and security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault and other matters.

The District Police Department is aware that crimes may go unreported to law enforcement and encourages employees of the District, who have significant responsibility for students and student activities, to report any crimes that they may have become aware of in their daily contact with students to the District Police. Employees such as, Administrators, Deans, Directors, Department Heads, Faculty Advisors, Student Academic Advisors, Student Activities Advisors, Coordinators, Athletic Coaches are encouraged to report any crime to District Police. Classroom faculty (except for Advisors), Physicians, Psychologists, and most Clerical Staff are examples of employees who are not required to report under the Clery Act. All reports to the District Police can be made confidentially and anonymously in accordance with the reporting person’s wishes. Crime prevention and personal safety information are available in the District Police Department and on the Police Department web site at: [www.santarosa.edu/police](http://www.santarosa.edu/police), in Student Health Services, and in various student and staff publications throughout the District.

## **Policy for Reporting the Annual Disclosure of Crime Statistics**

The District Police Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our website at <http://www.santarosa.edu/administration/college-safety/district-police/crime-on-campus.shtml> . This report is a collaborative and comprehensive effort that includes the cooperation of law enforcement agencies surrounding SRJC campuses, centers, off-site facilities and properties, the Student Services Division, and the Office of the Vice President of Student Services. Each entity provides crime statistics and/or information on their educational efforts and programs to comply with the Act.

To comply with the Act, we collect crime statistics from law enforcement agencies with concurrent law enforcement jurisdiction or jurisdiction surrounding Sonoma County Junior College District campuses, centers, off-site facilities, and properties owned or utilized by the District for college business, to include public property immediately adjacent to campuses and facilities. These law enforcement agencies provide crime statistics they have collected for crimes occurring on District properties or a radius around the properties requested. These statistics may include crimes that have occurred in private businesses and residences and is not required by law. The District does not have any off or on campus fraternity or sorority houses. Likewise, student organization recognition does not extend beyond the college, and student organizations are not recognized to engage in activity off-campus. Every paid part-time, full-time, adjunct, and short-term non-continuing student, faculty, and classified employee receive a notice with their paycheck/notice of deposit, that informs them of the security report, a description of the contents, information regarding the availability of the report on the Internet, the electronic address to access the report, and a statement on how to obtain a paper copy, if desired.

Employees and students also receive this same information when completing the application process for admission or employment in person or via the Internet. Additionally, notices regarding the existence of the Security Report, a brief description of its contents, information regarding the availability of the report on the Internet with the electronic address to access the report, and a statement on how to obtain a paper copy, if desired are included in the *Insider*, *BearFacts*, Schedule of Classes, the Course Catalog and on the Admissions & Records, Enrollment Development and Human Resources websites. Copies of the report may also be obtained at the Sonoma County Junior College District Police Department located in the Pedroncelli Center on the Santa Rosa Campus at 2032 Armory Drive Santa Rosa, CA 95401 or by calling Police Records at 707-527-4963 or Police Administration at 707-524-1820.

### **Assistance for Victims of Sexual Assault**

The District Police Department is committed to ensuring that students, employees, and other persons who have been sexually assaulted are provided medical treatment, counseling assistance, and that they are treated with sensitivity, dignity and confidentiality. Every effort is made to ensure that our educational environment promotes and assists prompt reporting of sexual assaults and provides compassionate support services for survivors. Prompt reporting of sexual assaults is encouraged. Sexual assault includes, but is not necessarily limited to, acts or attempted acts of rape, forced sodomy, forced oral copulation, rape by foreign object, sexual battery and acquaintance/date rape.

### **Reporting the Sexual Assault**

Sexual assaults should be reported to the law enforcement agency having jurisdiction over the location where the crime occurred. Sexual assaults that occur on campus or any District facility should be reported to District Police. When the crime occurs off District property, District Police will assist the survivor by facilitating contact with the law enforcement having jurisdiction over the location where the crime occurred. Reports may be made anonymously.

The following is a list of some of the law enforcement agencies, college departments, or support services that provide a variety of support options and resources for survivors of sexual assault.

<b>On-Campus Support Resources</b>	
Sonoma County Junior College District Police Department	(707) 527-1000
District Compliance Office	(707) 527-4954
Student Psychological Services	(707) 527-4445
Student Health Services	(707) 527-4445
Human Resources	(707) 527-4954
Office of the Vice President of Student Services	(707) 524-1647
Student Counseling and Support Services Dept.	(707) 527-4451

<b>Sonoma County Law Enforcement Agencies</b>	
Sonoma County Junior College District Police Department	(707) 527-1000
Sonoma County Sheriff's Department	(707) 565-2121
Windsor Police Department (SCSO contract)	(707) 838-1234
Santa Rosa Police Department	(707) 528-5222
Petaluma Police Department	(707) 762-2727
Sonoma County Probation Department	(707) 565-2149
Rohnert Park Department of Public Safety	(707) 584-2611
Healdsburg Police Department	(707) 431-3666
Cotati Police Department	(707) 792-4614
Sonoma Police Department (SCSO contract)	(707) 996-3602
Sebastopol Police Department	(707) 829-4400
Cloverdale Police Department	(707) 894-2323

<b>Community Resources</b>	
Verity (formerly United against Sexual Assault)	(707) 545-7270
Sonoma County Psychological Services	(707) 576-8181
Suicide Prevention	1-800-746-8181
Suicide Hotline	1-800-784-2433
Sonoma County Victim/Witness Assistance	(707) 565-2002
Sutter Medical Center	(707) 576-4000
Petaluma Valley Hospital	(707) 778-1111
Santa Rosa Memorial Hospital	(707) 546-3210
Sonoma County Mental Health	(707) 576-8181
YWCA (Temporary Restraining Order Clinic)	(707) 546-7115
YWCA 24 hour Domestic Violence Crisis Line	(707) 546-1234
YWCA Emergency Shelter	(707) 546-1234
Sonoma Valley Crisis Line	(707) 938-HELP
Child Protective Services	(707) 565-2245
Child Protective Services 24 hour Emergency Line	(707) 565-2246
MEN (Men Evolving Non-Violently) – Offender Hotline	(707) 528-2626
Legal Services / Lawyer Referral	(707) 546-5297
Chrysalis Counseling Services	(707) 545-1670
WOMAN, Inc. – Lesbian Services	(415) 864-4722
Homeless Service Center	(707) 525-0226
Family Justice Center	(707) 565-8255

### **Legal Options**

Any person who has been sexually assaulted has several legal options: criminal prosecution against the assailant; and/or civil prosecution against the assailant; and/or the College District disciplinary procedure if the assailant is an employee or student.

### **Criminal Prosecution**

Notification or reporting to the police agency having jurisdiction over the location where the crime or attempted crime occurred begins the criminal prosecution. If the crime occurs off campus or District properties, the District Police Department can facilitate contact for the sexual assault survivor with the appropriate law enforcement agency and/or provide information as to how to contact them. All law enforcement agencies have trained police officers who will facilitate medical and counseling services, referrals, evidence collection and information. Survivors will be interviewed at a location of their choice and will be allowed or offered an advocate(s) to accompany you during all aspects of the investigation. Under California law, a sexual assault survivor's name and any identifying information can't be released without the survivor's written consent. *The protection of the survivor's name and any identifying information will be of the highest priority.*

A survivor's decision to prosecute does not necessarily have to be made during initial contact with officers and the survivor's decision determines officers' subsequent investigation protocol. Police Officers have legal authority to arrest the assailant as appropriate and to forward the case to the District Attorney's Office for criminal prosecution upon completion of the investigation. District Police will also help ensure the survivor of sexual assault has an advocate from the court, the department, community agencies, and/or friends or family of their choosing to support them through the criminal prosecution process if the survivor decides to prosecute the assailant.

### **Civil Prosecution**

Survivors of sexual assault can consult an attorney about initiating a suit in civil court against their assailant for damages. The purpose of a civil suit is to compensate the survivor for the wrong done to them. A civil action can be brought against the assailant regardless of the decision to criminally prosecute.

### **College District Rape and Sexual Assault Policy and Response Procedures**

The Sonoma County Junior College District has adopted Student Conduct Standards and the following formal policy and response procedures 7.18 and 7.18P to address response to rape and sexual assault:

**7.18**  
**RESPONSE TO RAPE & SEXUAL ASSAULT**  
ADOPT: JULY 14, 1992  
REVISED: NOVEMBER 14, 1995  
REVIEWED: APRIL 10, 2001  
REVIEWED: MARCH 10, 2009  
ED CODE: 67390 et seq  
CFR 668.46(b) 11

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In compliance with the mandate of ECS 67385 and out of concern for the health and safety of District students, employees and visitors, Sonoma County Junior College District shall adopt and implement written procedures to ensure that students, employees and/or visitors who are victims of sexual assault committed on District owned or maintained property and/or while participating in District sponsored or supervised activities receive appropriate treatment, information and/or referrals to community agencies and medical facilities.

The District Police Department has the primary law enforcement responsibility for the investigation of all reported crimes, to include sexual assaults that are committed on District owned or maintained property. All victims of sexual assault should be encouraged to immediately report the crime to District Police. District Police will make every effort to identify, apprehend and prosecute all offenders.

The District provides a sexual assault prevention program which is made available to members of the College community each year. This includes seminars, presentations, pamphlets and information upon request about personal safety, crime prevention, awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses.

**RESPONSE TO RAPE AND SEXUAL ASSAULT PROCEDURES**

BOARD REVIEW: JULY 14, 1992

REVISED: NOVEMBER 14, 1995

REVIEWED: APRIL 10, 2001

REVIEWED: MARCH 10, 2009

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## 1. Definitions

- a. Sexual assault includes, but is not limited to, rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, threat of sexual assault and related conduct that threatens the health and safety of another person.
- b. For the purposes of this procedure, victim refers to any student, employee and/or visitor who experiences sexual assault as defined above on District owned or maintained property and/or while participating in District sponsored or supervised activities.

## 2. Reporting

- a. District personnel shall make every effort to ensure that victims of sexual assault feel safe enough to report this crime. Throughout the notification process and subsequent investigation, confidentiality and consideration for issues such as the nature of the relationship between the victim and assailant, social biases re: victims of sexual assault and the possibility of the victim having continued contact with the assailant will be given high priority. In that interest, the victim has the right to be accompanied by a person of his/her choice at all proceedings related to the sexual assault.
- b. If the victim of a sexual assault is a minor (under 18 years of age), an elder or a dependent adult, state law mandates that any employee of the District immediately report this crime to the District Police Department. The duty to report rests with the individual who learns of the sexual assault and must be met by notifying District Police immediately and calling Child Protective Services (CPS) or Adult Protective Services (APS) upon learning of a previously unreported assault.
- c. A victim who is not a minor, elder or dependent adult may choose not to report a sexual assault. However, any such victim should be encouraged to notify District Police or Health Services as soon as possible and should be referred to one of the community's advocacy agencies, i.e. United Against Sexual Assault.

## 3. Legal Reporting:

The following legal reporting requirements are the responsibility of the District Chief of Police.

- a. In accord with the Campus Crime Awareness and Security Act of 1990, the District, on an annual basis, shall make statistics concerning specific types of crime, including sexual assault, available to students and employees.
- b. In cases of violent crimes with potential threat to other students and employees, the District shall make timely reports, respecting the confidentiality of the victim, in order to aid in the prevention of similar occurrences.



#### 4. District Services

- a. Emergency intervention, including assessment, personal safety assistance, transportation for medical treatment and referral to appropriate community agencies shall be provided by District Police. If the victim does not choose to report the crime to the police department, Health Services/Student Psychological Services shall provide the emergency intervention.
- b. Explanation of options and alternatives available to the victim shall be coordinated by the police department and the District Compliance Office and include but are not limited to: filing a police report, filing a sexual harassment complaint, filing a civil suit, availability of mediation, housing alternatives, withdrawal without penalty, disciplinary options available through the Student Conduct Code and academic assistance alternatives.

#### 5. Case Management

- a. Upon request, the victim shall be kept informed of the status and disposition of any District disciplinary proceedings in connection with the assault by the District Compliance Office in consultation with the appropriate administrator(s).
- b. District Police shall keep the victim informed of the status of the criminal investigation, if any, and will provide liaison with the District Attorney's office as necessary.
- c. Health Services, including Student Psychological Services, will, upon request, assist student victims in dealing with the emotional and physical difficulties that may arise in response to the sexual assault and its impact.

#### 6. Confidentiality and Requests for Information

- a. The identity of a victim of sexual assault shall remain confidential unless otherwise prescribed by law.
- b. Requests for information from the press and others concerned will be handled by the Public Relations Office in consultation with the District's Compliance Office and in accordance with the Family Educational Rights and Privacy Act, applicable California Education and Administrative Code sections and District policy.

#### 7. Dissemination of Procedure

The identity of a victim of sexual assault shall remain confidential unless otherwise prescribed by law.

## **Rape and Sexual Assault Response Procedures for Sonoma County Junior College District Employees**

Upon learning of a rape or sexual assault, it is important to support and protect the victim while following District procedures. In accordance with the Federal Crime Reporting Act, in all cases where the employee has "significant responsibility dealing with student and campus activities," that employee shall maintain and report statistics on sexual assaults where the victim does not want to report the crime, to the police department. (For questions, contact District Police Administration).

**IF THE VICTIM WISHES TO REPORT A SEXUAL ASSAULT:** Immediately contact the District Police Department.

**IF THE VICTIM IS NOT A MINOR, ELDER, OR DEPENDENT ADULT AND DOES NOT WISH TO REPORT:** Encourage victim to contact Health Services, Student Psychological Services, or District Police Department to obtain referral and support services. If possible, escort victim to departments listed.

**IF THE VICTIM IS A MINOR, ELDER OR DEPENDENT ADULT AND DOES NOT WISH TO REPORT:** Report immediately to District Police and Child Protective Services or Adult Protective Services.

### **College District Disciplinary Procedure**

If the crime occurs on a campus or any District property and the assailant is a student, in addition to criminal and civil action, campus administrative action may be initiated through the Office of the Vice President of Student Services (707) 524-1647 and/or the District Compliance Office at: (707) 527-4954. The District may sanction/discipline a student charged with sexual assault, which may include, but is not limited to: probation, counseling, suspension or expulsion.

If the assailant is a faculty or staff member, besides criminal and civil action, they may be subject to disciplinary action under applicable human resources employment policies or collective bargaining agreements. Report suspected employee misconduct to the Director of Human Resources at 527-4302 and/or the District Compliance Office representative (707) 527-4954.

A survivor may request a change in academic arrangements after a sexual assault. The District will make every effort to accommodate such requests if the changes are reasonably available.

Contact the Vice President of Student Services at 524-1647 and/or the District Compliance Office representative at (707) 527-4954 for additional information.

The District is committed to providing disciplinary proceedings that are supportive, sensitive, expedient and respectful to each individual's rights. *Both the accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding, and both must be informed of the outcome of any institutional disciplinary proceeding alleging a sex offense.*

For additional information regarding disciplinary proceedings, visit the Student Services web site at: [http://www.santarosa.edu/for\\_students/rules-regulations/scs/section3.shtml](http://www.santarosa.edu/for_students/rules-regulations/scs/section3.shtml)

### **If You Become the Victim of a Sexual Assault**

- ◆ Get to a safe place.
- ◆ Notify the police agency having jurisdiction of the location where the crime or attempted crime occurred.
- ◆ Seek medical attention whether or not you intend to notify the police, even if you have not been seriously physically injured. A medical examination is important to check for sexually transmitted diseases, other infections, injuries, and pregnancy.
- ◆ Help preserve evidence. Physical evidence is paramount in helping to prosecute assailants. Evidence generally must be collected within 72 hours of the assault and only by a certified medical facility upon the request of a law enforcement agency. To preserve evidence after an attack, you should not change your clothes, bathe, shower, or take any other personal hygiene action before contacting police. If it becomes absolutely necessary that you change your clothes, each item should be packaged separately in a paper bag. If oral contact took place, do not brush your teeth, use mouthwash or smoke. Do not straighten up the crime scene.

### **Sexual Assault Prevention**

The District Police Department works closely with Student Health Services and Student Psychological Services in providing joint seminars, classroom presentations, educational pamphlets, and sexual assault and rape prevention information to our educational community. Free date rape and acquaintance rape prevention information and educational pamphlets are also available in the District Police Department and Student Health Services. The Student Affairs office and Student Health Services annually sponsor “Sexual Health Awareness Week” which features resource tables and dynamic speakers that provide information on a myriad of topics to include date and acquaintance rape. The District Police Department also provides prevention information for new employee and faculty orientations, student information days, and student employee orientations in order to inform students and employees of available police services and programs. If you need any information on prevention programs please contact the District Police Department at 707 527-4922.

### **Public Information about Registered Sex Offenders on Campus**

Information about certain designated persons required to register in California as sex offenders is available to students, staff, faculty, and the public by viewing the California Department of Justice's Internet web site at <http://www.meganslaw.ca.gov/>. There are additional sex offenders in California that are not included on this site, but are known to law enforcement. Detailed personal profile information on individual registrants may be obtained by using a sex offender's specific name, Zip Code, or City/County listings. Additionally, the map application may be used to search individual neighborhoods throughout California to determine the specific location of any of those registrants on whom the law allows the Department of Justice to display a home address. The Internet web site does not list sex offender information specifically by a college or university name or zip code where a sex offender may work, attend, reside, or volunteer.

The Sonoma County Junior College District may have persons enrolled, employed, residing, carrying on a vocation, transient or volunteering on District facilities who have been convicted of certain sex crimes that require them to register their status as a sex offender in the State of California with the law enforcement agency having jurisdiction over where they reside. Additionally, some of these individuals may be required to register as sex offenders with the Sonoma County Junior College District Police Department. In limited circumstances and in compliance with Federal and State law, Sonoma County Law Enforcement Protocols, and District policies, the District Police may disclose the identity of a sex offender to the District community and/or to specified individuals within the District.

For further crime prevention and public information about registered sex offenders on campus, within Sonoma County, or laws regarding sex offender registration, please visit our police department web site at <http://www.santarosa.edu/administration/college-safety/district-police/sex-offender-registration.shtml> or call the District Police Department at 707-527-4922

## Crime Definitions

**Murder/Non-Negligent Manslaughter:** the willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

**Negligent Manslaughter:** the killing of another person through gross negligence.

**Sex Offenses—Forcible** is defined as any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. This includes forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling.

**Sex Offenses—Non-forcible:** Unlawful, non-forcible sexual intercourse. This includes incest and statutory rape.

**Robbery:** the taking or attempting to take anything from value of the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault:** an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned - including joy riding)

**Arson:** The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.

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

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

**Liquor Law Violations:** The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned.

**Larceny-Theft:** The unlawful taking carrying, leading or riding away of property from the possession or constructive possession of another. Constructive possession is defined as “where one does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.”

**Simple Assault:** All assaults which do not involve firearms, knife, cutting instrument, other dangerous weapons and in which the victim did not sustain serious or aggravated injuries.

**Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Destruction, Damage, Vandalism:** To willfully or maliciously destroy, damage, face, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

**Arrest:** Persons processed by arrest, citation or summons.

**Referred for Disciplinary Action:** The referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

**Hate Crime-Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).

**Hate Crime-Gender:** A preformed negative opinion or attitude toward a group of persons because those persons are male or female. Gender bias is also a Clery Act-specific term, not found in the FBI’s Hate Crime Data Collection Guidelines.

**Hate Crime-Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).

**Hate Crime-Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, and heterosexuals).

**Hate Crime-Ethnicity/National Origin:** A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Hispanics).

## **Crime Statistics 2010-2012**

The statistics on the following page are being provided as part of the Sonoma County Junior College District's commitment to safety and security on campus and to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

Crime statistics reported as occurring "on-campus" include incidents reported to the District Police Department as well as incidents reported to other campus officials, including but not limited to directors, deans, student affairs, the Vice President of Student Services, advisors to students, student organizers, and athletic coaches.

Reports received from campus officials may have been submitted anonymously and may result in criminal statistics higher than those reported to the FBI by District Police pursuant to their reporting guidelines. The listed "crime definitions" will help you understand these statistics. Hard copies of this information are available upon request from the District Police Department. If you have any questions, please contact the District Police Records Unit at (707) 527-4963.

Santa Rosa Campus									
Crime Statistics	On Campus			Non-Campus			Public Property		
Category	2010	2011	2012	2010	2011	2012	2010	2011	2012
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent-Manslaughter	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	1	0	1	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	1	0	0	0	0	0	0
Robbery	0	1	1	0	0	0	1	0	0
Aggravated Assaults	0	1	1	0	0	1	0	0	0
Burglary	6	1	1	0	0	0	0	0	0
Motor Vehicle Theft	1	0	2	0	0	0	0	0	0
Arson	2	2	0	0	0	0	0	0	0

Petaluma Campus									
Crime Statistics	On Campus			Non-Campus			Public Property		
Category	2010	2011	2012	2010	2011	2012	2010	2011	2012
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent-Manslaughter	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assaults	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

Public Safety Training Center									
Crime Statistics	On Campus			Non-Campus			Public Property		
Category	2010	2011	2012	2010	2011	2012	2010	2011	2012
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent-Manslaughter	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assaults	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0



**Special Category - Arrests:  
Weapons, Drugs and Liquor Law Violations**

Santa Rosa Campus									
Arrest	On Campus			Non-Campus			Public Property		
	2010	2011	2012	2010	2011	2012	2010	2011	2012
Category	2010	2011	2012	2010	2011	2012	2010	2011	2012
Weapons	0	0	3	0	0	0	0	0	0
Drugs	2	4	8	0	0	0	4	0	4
Liquor	0	9	12	0	0	0	5	0	1

Petaluma Center									
Arrest	On Campus			Non-Campus			Public Property		
	2010	2011	2012	2010	2011	2012	2010	2011	2012
Category	2010	2011	2012	2010	2011	2012	2010	2011	2012
Weapons	0	0	0	0	0	0	0	0	0
Drugs	0	0	0	0	0	0	0	0	1
Liquor	0	1	0	0	0	0	0	0	0

Public Safety Training Center									
Arrest	On Campus			Non-Campus			Public Property		
	2010	2011	2012	2010	2011	2012	2010	2011	2012
Category	2010	2011	2012	2010	2011	2012	2010	2011	2012
Weapons	0	0	0	0	0	0	0	0	0
Drugs	0	0	0	0	0	0	0	0	0
Liquor	0	0	0	0	0	0	0	0	0

**Special Category – Student Disciplinary Referrals:  
Weapons, Drugs and Liquor Law Violations**

Santa Rosa Campus									
Referrals	On Campus			Non-Campus			Public Property		
	2010	2011	2012	2010	2011	2012	2010	2011	2012
Category	2010	2011	2012	2010	2011	2012	2010	2011	2012
Weapons	0	0	0	0	0	0	0	0	0
Drugs	0	0	0	0	0	0	0	0	0
Liquor	1	0	0	0	0	0	0	0	0

Petaluma Center									
Referrals	On Campus			Non-Campus			Public Property		
	2010	2011	2012	2010	2011	2012	2010	2011	2012
Category	2010	2011	2012	2010	2011	2012	2010	2011	2012
Weapons	0	0	0	0	0	0	0	0	0
Drugs	0	0	0	0	0	0	0	0	0
Liquor	0	0	0	0	0	0	0	0	0

Public Safety Training Center									
Referrals	On Campus			Non-Campus			Public Property		
	2010	2011	2012	2010	2011	2012	2010	2011	2012
Category	2010	2011	2012	2010	2011	2012	2010	2011	2012
Weapons	0	0	0	0	0	0	0	0	0
Drugs	0	0	0	0	0	0	0	0	0
Liquor	0	0	0	0	0	0	0	0	0

## Hate Crimes

**Hate Crimes:** “Hate violence as defined in the statute means “any act of physical intimidation or physical harassment, physical force, or physical violence, or the threat of physical force or physical violence, that is directed at any person or group of persons because of the ethnicity, race, national origin, religion, sex, sexual orientation, disability, or political/religious beliefs of that person or group. Incidents of hate violence can be reported to District Police, District Compliance Office, Human Resources, and/or the Office of the Vice President of Student Services.

Hate Crimes Category	Race			Gender			Religion			Sexual Orientation			Ethnicity			Disability			Location Where Incident Occurred
	2010	2011	2012	2010	2010	2010	2010	2011	2012	2010	2011	2012	2010	2011	2012	2010	2011	2012	
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Negligent-Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Non-Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Aggravated Assaults	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Larceny-theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	Santa Rosa Campus
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Vandalism	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

### **Law Enforcement Authority**

The District Police Department is a full-service, fully certified, police agency within the State of California staffed by sworn peace officers 24 hours a day, 7 days a week, every day of the year. The District Police Department is not a branch of any other law enforcement agency.

The Police Officers are vested with law enforcement powers pursuant to California Penal Code Section 830.32(a) and California Education Code Section 72330, have police authority throughout the state, and primary law enforcement jurisdiction for all crimes occurring on District properties. Police officers have full powers of arrest, enforce local, state and federal laws both on and off campus, and as full peace officers, their police authority includes concurrent law enforcement jurisdiction on adjacent streets and in the communities surrounding District properties. The District Police Department also complies with the Kristin Smart Campus Safety Act by maintaining formal operational agreements with law enforcement agencies sharing concurrent law enforcement jurisdiction to ensure prompt law enforcement response and collaboration in incidents requiring inter-agency cooperation. Police Officers employed by the District meet all training requirements as mandated by the California Commission on Peace Officer Standards and Training and actually are mandated to have more training than county or municipal law enforcement officers. Each Police Officer has graduated from a regional police academy, completed a rigorous field training program, and must complete a probationary period. Additionally, each police officer is updated in training throughout the year to include firearms, defensive tactics, first aid/CPR, and legal updates.

Officers also receive many hours of specialized training to include crime prevention, sexual assault investigation, emergency preparedness and response, evidence collection, domestic violence response, and more and attend countywide and statewide police planning and training meetings and conferences. All officers also receive specific training designed to meet the diverse needs of the educational community. Law enforcement duties and responsibilities of police officers are identical to municipal police departments or sheriff departments in your home community.

### **Facility Access and Security**

The District Police Department provides 24-hour law enforcement protection of College District buildings, property, parking lots, and facilities utilized by the District. Officers investigate crimes, respond to burglary and robbery alarms, to suspicious persons and incidents, and provide responses to police, medical, and fire incidents. Campus and District facilities are generally open to the campus community, visitors and guests Monday - Friday from 7 a.m. to 11p.m., Saturday and Sunday from 8 a.m. to 5 p.m., and during other hours as certain special events dictate. Campus shrubbery, trees and other vegetation are routinely trimmed and artificial lighting maintained with safety issues in mind.

The campus community is encouraged to report unsafe conditions, safety concerns, or exterior lighting issues to Facilities Operations at 527-4231, Environmental Health & Safety at 527-4803, or to District Police at 527-1000.

### **Daily Log Access**

The District Police Department maintains a daily log of officer activity and calls for police service for the most recent 60-day period. The log is open for public inspection during normal business hours of 8:00 a.m. - 5:00 p.m., Monday – Friday. Log entries older than 60 days can be obtained by request within 2 business days. Additionally, the District Police include a log on our web site at <http://www.santarosa.edu/administration/college-safety/district-police/crime-on-campus.shtml> with summary information about crimes and reports taken by the District Police.

## **“Timely Warning” Crime Alert Bulletins**

The District Police Department believes that a well-informed community is an integral component in maintaining the safest campuses and facilities possible. It is the policy of District to have the Police Chief, and/or designee, confer as necessary and applicable with administrators, legal counsel, and surrounding law enforcement agencies, after a violent crime occurs or a crime that is deemed by the Chief of Police and/or designee to represent a continuing threat to students, staff, faculty, or visitors and disseminate “timely warning” crime alert information within 24 to 48 hours. Bulletins also include prevention information to assist members of our educational community from becoming a victim of a similar crime.

## **Reporting Crimes and Emergencies**

Criminal activity and other emergencies that occur on campus should be reported to the District Police Department immediately. District police officers respond to all on-campus reports of fire, police, or medical emergencies.

The District Police Department has primary law enforcement jurisdiction for all criminal incidents that occur on campuses and District facilities. This includes incident investigation, follow-up, and resolution. If you are off-campus and are uncertain of the police jurisdiction you are in, your emergency call will be properly routed by dialing 911. For non-emergency information, contact any Sonoma County police agency and the dispatcher will refer you to the agency with primary jurisdiction over your incident.

**Emergencies On-Campus:** For all police, fire, and medical emergencies **call (707) 527-1000** from any phone on campus and advise the dispatcher that your call is an emergency as we only have one number for both emergency and non-emergency calls. District Police Officers will be dispatched to all crimes in progress and other emergencies along with appropriate fire and medical personnel as necessary.

**Emergency Call Boxes and Direct-Dial Phones:** Emergency call boxes are located throughout the Santa Rosa, Petaluma and Windsor campuses. These boxes enable anyone to contact Police Dispatch 24 hours a day, 7 days a week for in-progress crimes, fire and medical emergencies by merely pushing a button. A camera will show the area surrounding the call box as well as give the person direct audio contact with Police Dispatch. These call boxes do not provide access to general telephone services.

There are several direct-dial telephones located in building elevators throughout the campus, which ring directly into Police Dispatch. These auto-dialing phones may be used to summon emergency police, fire, or medical assistance.

**Non-emergencies On-Campus:** The non-emergency, business telephone number to reach the District Police Department is also the emergency number: 527-1000. Please be advised that dispatchers must answer all calls and that you may be put on hold if you do not have an emergency.

**Emergencies Non-Campus Facilities and Off-Campus:** The non-campus facilities and off-campus emergency telephone number in Sonoma County is “**9-1-1.**” Use this number for community-based fire, police, and medical services. The call is free from all payphones. When dialing 9-1-1 from a cellular telephone, you will be connected to the California Highway Patrol Dispatch Center or the closest police department within your location. Be prepared to provide dispatchers with the county, city, and specific location where emergency response is needed.

## **Health and Safety Policies**

### **Drug and Alcohol Policies / Drug Free Campus**

#### **Sonoma County Junior College District complies with the Drug Free Workplace Act of 1990 and the Higher Education Act Section 120a.**

Santa Rosa Junior College is committed to achieving a drug and alcohol free environment for students and employees.

The Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989 require that, as a condition of receiving funds or financial assistance under any Federal program, SRJC must create and maintain a drug-free environment and implement a program to prevent the unlawful possession, use, or distribution of drugs, and the abuse of alcohol, by its students and employees.

In addition to being a violation of Federal and State laws, the possession and/or use of alcohol, the unlawful manufacture, distribution, dispensing, possession or use of illegal controlled substances on SRJC campuses, off-campus centers, workplace site of employees, or at any District-sponsored event is prohibited. No one may use illegal substances, or abuse legal substances, including alcohol, in a manner which impairs performance of assigned tasks. Violators of this prohibition are subject to criminal prosecution and/or disciplinary action, including reprimand, probation, suspension or expulsion, and/or termination from employment. This is formalized in District Policy 6.8.4, 4.11.5, and the Student Conduct Standards stated below:

**6.8.4**  
**DRUG-FREE WORKPLACE**  
ADOPT: JULY 10, 1989  
REVISED: DECEMBER 12, 2000  
REVISED: MARCH 11, 2008  
REVIEWED/NO CHANGE: JANUARY 10, 2012  
DRUG-FREE WORKPLACE ACT OF 1988  
(TITLE V-D OF PUB.L. 100-690)  
FEDERAL REGISTER - JANUARY 31, 1989  
ED CODE: 87405, 87009, 87011  
88022, 88123

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The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance while on Sonoma County Junior College District property or being under the unlawful influence of a controlled substance while engaged in activities endorsed, sponsored, or supported by the District is prohibited.

All paid employees and volunteers found in violation of the above controlled substance policy will be subject to suspension and/or dismissal by the District.

Suspension and reinstatement may be subject to employee participation in drug counseling, rehabilitation, or other approved employee assistance programs.

Federal regulations require that employees convicted of drug violations in the workplace notify their employer of such conviction within 5 days. The District will thereupon notify appropriate federal agencies of such conviction within 10 days. After such notice, the District will have 30 days to take appropriate personnel action, up to and including termination, or requiring satisfactory completion of an approved rehabilitation program.

Failure to complete such steps may result in the suspension or termination of federal grants or payments (see 34 CFR Part 85, Sections 85.615 and 85.620, Drug-Free Workplace Act, 1988).

The District will encourage those programs, lectures, presentations, and resources on its campuses and other District sites that warn of the dangers of drug abuse and promote awareness of the importance of a drug-free workplace.

The District will conform to all regulations set forth in the California Education Code related to employee use of controlled substances.

See Also:

Policy 3.2.4e, Drugs, Tobacco, Alcohol (regarding inspection of school property)

Student Services Procedures Manual 531

Policy 4.12, Terminations

Formerly policy 4.11.2

**7.4.2**  
**DRUGS, TOBACCO, ALCOHOL**  
ADOPT: APRIL 8, 1985  
REVISED: DECEMBER 13, 1994  
REVISED: APRIL 10, 2001  
RENUMBERED: MAY 12, 2009

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It shall be the policy of Sonoma County Junior College District that all College properties and facilities may be inspected by College authorities in the interest of maintenance, health, and safety. Inspection for the location of drugs, narcotics, liquor, weapons, poisons, and missing properties are matters relating to health and safety and may be regarded as reasonable purposes for inspection by College personnel.

See Also:

Policy 6.8.4 - Drug Free Workplace

The use, possession or distribution of alcoholic beverages on college property, at any college sponsored event or appearance on campus or at any college sponsored event after consuming alcoholic beverages is prohibited under the Sonoma County Junior College District Student Conduct Standards. District Policy 8.2.8 listed below authorizes formal Standards of Conduct for students:

### **Weapons Possession**

Student Conduct Standards and state laws prohibit the possession of weapons, all firearms, fireworks, explosives or any dangerous weapons on campus. Refer to the Student Standards of Conduct and California [Penal Code](#) sections 16100-33600, 626.9, 653k, and 626.10. Violators are subject to student discipline, criminal prosecution, and/or arrest.

**STUDENT DISCIPLINE**

ADOPT: APRIL 8, 1985

REVISED: NOVEMBER 14, 1995

REVIEWED: NOVEMBER 14, 2000

REVIEWED: MAY 13, 2008

REVIEWED/NO CHANGE: JANUARY 2012

The District shall maintain standards of conduct for students and due process procedure related to student discipline.

**Student Conduct Standards and Due Process****Section 1: Standards of Conduct**

Student shall conduct himself or herself in a manner which reflects their awareness of common standards of decency and the rights of others.

Students shall be disciplined only for good cause, which shall include, but not be limited to, the following categories of misconduct.

- A. Dishonesty, such as cheating, plagiarism, or knowingly furnishing false information to the College.
- B. Forgery, alterations, or misuse of College documents, records, or identification.
- C. Obstruction or disruption of teaching, administration, disciplinary procedures, College activities, or other authorized activities on College premises.
- D. Physical or verbal abuse of any person on College owned or controlled property or at College sponsored or supervised functions, or conduct which threatens or endangers the health or safety of any such person.
- E. Willful misconduct resulting in injury or death to a student or College personnel or which results in cutting, defacing, or other injury to any real or personal property owned by the District.
- F. Theft of or damage to property of the College or of a member of the College community or campus visitor.
- G. Willful or persistent smoking in any area on College property where smoking has been prohibited by law or by regulation of the Board of Trustees of Santa Rosa Junior College
- H. Unauthorized entry into College facilities, or unauthorized use of College supplies or equipment.
- I. Violation of College policies or of campus regulations concerning student organization, traffics, the use of College facilities, or the time, place and manner of public expression.
- J. Use, possession, sale or distribution of narcotics, hallucinogenic drugs or substances, or any poison classified as such by Section 4160 of the Business and Professional Code on College property or at any College sponsored event, or appearance on campus or at College sponsored event after illegal use of narcotic, dangerous drug, or any intoxicant (Schedule D Sec.4160 B.P.C.).
- K. Use, possession, or distribution of alcoholic beverages on College property, at any College sponsored event, or appearance on campus or at any College sponsored event after consuming alcoholic beverages.
- L. Disorderly, lewd, indecent or obscene conduct on College owned or controlled property or at College sponsored or supervised functions.
- M. Continued disruptive behavior, failure to comply with directions of College officials acting in the performance of their duties, continued willful disobedience, habitual profanity or vulgarity, open and persistent defiance of authority or persistent abuse of College personnel requiring inordinate drains on staff time, resources and supervision.



- N. Possession and use of any deadly weapon, threatening persons on College property or at College sponsored event (P.C.245).
- O. Assault, battery, or any threat of force or violence upon a student or College personnel.
- P. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct (E.C. Sec. 76033).
- Q. Failure to observe precautions which the College deems necessary to insure the safety of the student or others.
- R. Sexual assault or related physical abuse including rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, threat of sexual assault, or conduct that threatens the health and safety of another person.

The records regarding disciplinary action and decision or any appeals of any student or students found guilty of violating this conduct standard will be made available to the victim of such assault. (E.C. Sec.76234).

No student shall be removed, suspended, or expelled unless the conduct for which the student is disciplined is related to College activity or College attendance. (E.C. Sec.76034).

Any violation or violations of any law, ordinance, regulation, or rule regulating or pertaining to the parking of vehicles shall not be cause of the suspension or expulsion of a student. (E.C. Sec.76034).

The chief administrative employee at a community college shall, prior to the suspension or expulsion of any student, notify the appropriate law enforcement authorities of the county or city in which the school is situated of any acts of the student which may be in violation of Section 245 of the Penal Code. (E.C. Sec76035).

**Notice to Students:** For further information contact the Office of the Vice-President Student Services, Santa Rosa Junior College, 1501 Mendocino Avenue, Santa Rosa, CA 95401 or call (707) 524-1647.

The District Police Department believes that education coupled with enforcement of college policies, local, state, and federal laws will help to control the abuse of alcohol on campus. Education regarding the dangers of alcohol abuse will provide students and staff the opportunity to make informed choices regarding its use, while enforcement will help to enhance the safety of the campus community. If you have a drug or alcohol-related problem you are encouraged to have a confidential visit with a staff member from student Health Services or a counselor. Employees are encouraged to contact Human Resources for confidential information about resources through employment contracts and the Employee Assistance Program.

The use of alcoholic beverages must be in compliance with California State Law and is strictly limited to persons 21 years of age or older. The possession, transportation, and/or consumption of alcohol by individuals under 21 years of age is strictly prohibited. The District Police Department strictly enforces Federal and State laws and the District policies for the use and sale of illegal drugs. Violators are subject to college discipline and/or criminal prosecution. Students, faculty, or staff engaging in the sale of illegal drugs will be subject to college disciplinary procedures up to and including expulsion or termination of employment, arrest, and/or criminal prosecution. Students found in violation of District alcohol, drug and weapons policies may be subject to academic probation, suspension, expulsion, arrest, and/or criminal prosecution. **Parents or guardians may be notified about any disciplinary violation involving alcohol or a controlled substance which has been committed by a student who is under the age of 21.**

It is important to note that the District Police will investigate and prosecute violations of local, state, or federal laws pertaining to the use/abuse of illegal drugs, controlled substances, and alcohol. Successful criminal prosecution can lead to fines, incarceration in city or county jail, or incarceration in state prison, depending on the violation that was committed.

## Workplace Violence

The District is committed to creating and maintaining a working, learning and social environment for all employees, free from intimidation, disruptions, threats, or acts of violence. The campus has zero tolerance for violence against any member of the workforce and other persons in the workplace or property. This is formalized in District Policy 4.22, 4.22P, 4.16a, and 4.16aP as printed below:

### 4.14c

#### WORKPLACE VIOLENCE PREVENTION

ADOPT: FEBRUARY 12, 2002

REVIEWED: JANUARY 8, 2008

REVIEWED/NO CHANGE: JANUARY 10, 2012

California Penal Code sections 626.4, 626.6, Notice of Withdrawal of Consent

29 United States Code, Section 654

6400 California Labor Code

California Code of Civil Procedure, section 527.8

Policy 4.16a Employee Conflict and Crisis Intervention

SEIU Labor Agreement Section 21.5.1.12

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#### WORKPLACE VIOLENCE PREVENTION

The Sonoma County Junior College District can best perform its mission when faculty, students, and staff co-exist in a climate that supports academic freedom, the free exchange of ideas, and utilizes constructive methods of conflict management. The Sonoma County Junior College District is committed to supporting these principles while creating and maintaining an environment that is free from intimidation, disruptions, threats, and acts of violence.

Intimidation, disruptions, threats, and acts of violence will not be ignored, condoned or tolerated. Any and all of these acts will be considered serious misconduct and will be the basis of disciplinary action, up to and including dismissal. Acts that constitute criminal behavior will be referred to law enforcement.

Assurance of a safe working environment is important to everyone. All members of our college community must report any occurrence of intimidation, disruptions, threats, or acts of violence to the appropriate District resource(s).

### 4.14cP

#### WORKPLACE VIOLENCE PREVENTION

ADOPT: FEBRUARY 12, 2002

REVIEWED: JANUARY 8, 2008

REVISED: MARCH 13, 2012

California Penal Code sections 626.4, 626.6, Notice of Withdrawal of Consent

29 United States Code, Section 654

6400 California Labor Code

California Code of Civil Procedure, section 527.8

Policy 4.16a Employee Conflict and Crisis Intervention

SEIU Labor Agreement Section 21.5.1.12

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#### PURPOSE AND SCOPE

This section describes District procedures for preventing and responding to intimidation, disruptions, threats, or acts of violence involving any member of the District community (faculty, staff or students). It also provides information regarding personal safety and response to such conduct that is directed toward a member of the District community by unaffiliated visitors.

An individual may be excluded from District properties or events for certain reasons, including intimidation, disruptions, threats, or acts of violence. Faculty, staff, or students may be suspended or placed on leave under applicable District policies. Members of the District community and individuals not directly connected with the college (e.g., a spouse, former spouse, contractor, visitor) may also be excluded pursuant to a "notice of withdrawal of consent" as set forth in California Penal Code sections 626.4, 626.6, or by a court-issued restraining order. Many forms of intimidation, disruptions, threats, or acts of violence are prohibited under criminal or civil law. When appropriate, the District will refer cases for civil action or criminal prosecution. In the event of a state of emergency declared by the Superintendent/President, individuals may be prohibited from entering District facilities pursuant to the District Emergency Preparedness Plan.

Department chairpersons, managers, and supervisors are responsible for formulating and implementing the District's response to intimidation, disruption, threats, or acts of violence. All employees are responsible for reporting such behavior pursuant to the established procedures, and to a workplace violence response team member (see below). Students are strongly encouraged to report such behavior.

## DEFINITIONS

**DISRUPTIONS:** Behavior that disturbs, interferes with, or prevents normal work functions or activities. Disruptive behavior includes, but is not limited to, yelling, using profanity, waving arms or fists, verbally abusing others, making inappropriate or inordinate demands for time and attention, making unreasonable demands for action, or refusing a reasonable request for identification.

**INTIMIDATION:** An act or statement to another person which is communicated in person, writing, by telephone or electronic correspondence, which could reasonably cause the other person to fear for his or her safety or the safety of others.

**THREAT OF VIOLENCE:** Any statement or action which would cause a reasonable person to believe such statement or action is an intent to inflict physical or other harm on any person or property, which is communicated in person, writing, by telephone or electronic correspondence. Includes, but is not limited to, physical actions short of actual contact/injury (e.g., aggressively moving closer), spoken or written threats to people or property (e.g. "you better watch your back").

**ACT OF VIOLENCE:** Physical force used against another person or against property. Includes, but is not limited to, any physical assault, with or without weapons; behavior that a reasonable person would interpret as being violent (e.g., throwing things, pounding on a desk or door, or destroying property), and specific threats to inflict physical harm (e.g., a threat to shoot a named victim).

The District offers assistance to department chairpersons, managers, supervisors, and other members of the college community through various resources such as the Employee Crisis Assistance Team (ECAT) and The Crisis Intervention Resource Team (CIRT). These teams coordinate investigations of incidents, manage reports of ongoing or reoccurring problems, assist victims, recommend appropriate intervention and/or disciplinary action, and develop strategies for promoting safety and preventing high-risk situations from escalating into emergencies.

## EMERGENCIES

Employees must immediately report any situation that threatens life or property and needs a police, fire, or medical response by first dialing 911 and then dialing the District Police Department at 527-1000 (Extension 1000 from any intra-District phone).

## NON EMERGENCIES

For situations involving staff or faculty, contact members of the Employee Crisis Assistance Team (ECAT);

- Human Resources/District Compliance
- District Police Department

For situations involving primarily students, contact members of the Crisis Intervention Resource Team (CIRT);

- Student Health Services
- Student Psychological Services
- District Police Department
- Disability Resources

## TRAINING AND PLANNING

For assistance with department training and planning for workplace violence prevention, contact the District Police Department, Crime Prevention Unit, or visit the Police Department website at <http://www.santarosa.edu/police>.

### **Sexual Harassment and Unlawful Discrimination**

Sexual Harassment is prohibited on-campus and is defined as unwelcome sexual advances, requests for sexual favors and other verbal, visual, or physical conduct of a sexual nature when submission to the conduct is explicitly or implicitly made a condition of an individual's employment or academic advancement, or the conduct has a negative impact on the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment. While many types of conduct constitute sexual harassment, such behavior may include:

- ◆ unsolicited, non-reciprocal requests for sexual favors
- ◆ questions about one's sexual behavior
- ◆ derogatory sexual or sexist comments, slurs and jokes
- ◆ comments about one's body and/or clothing
- ◆ sexually suggestive pictures or objects displayed to embarrass or humiliate
- ◆ repeated, non-reciprocated propositions for dates
- ◆ pinching, fondling, patting, or kissing

Sexual harassment is a violation of Title VII of the Civil Rights Act of 1964, California Government Code Section 11135, California Education Code Sections 210 through 214 inclusive, Title IX of the Education Amendments of 1972 and of Santa Rosa Junior College Policy.

Violations by employees are subject to disciplinary action ranging from verbal warnings to dismissal from employment. Violations by students are subject to disciplinary action through the Office of the Vice President of Student Services and penalties may range from probation through suspension or expulsion. To make an inquiry or complaint against a college District employee, contact the Director of Human Resources at (707) 527-4302 or The District Compliance Officer at 527-4954. To make an inquiry or complaint against a student, contact the District Compliance Officer at (707) 527-4954.

Unlawful discrimination is prohibited on campus and is defined as any behavior or action that unlawfully denied access to the benefits of, or unlawfully subjects a person to discrimination on the basis of ethnic group identification, national origin, religion, age, sex, color, ancestry, sexual orientation or physical or mental disability in any program or activity that is administered by, funded directly by, or that receives any financial assistance from the State Chancellor or Board of Governors of the California Community Colleges. Sexual harassment, unlawful discrimination, and related issues are formalized in District Policy 2.7, and 2.6.1 as printed below:

**2.7P**  
**DISCRIMINATION COMPLAINT PROCEDURES**

REVIEWED: MAY 9, 1995  
REVIEWED: NOVEMBER 11, 1997  
REVISED: MARCH 13, 2001  
REVISED: DECEMBER 10, 2002  
REVISED: JUNE 10, 2008  
REVISED: MAY 10, 2011

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This procedure for the filing and processing of allegations of unlawful discrimination and sexual harassment is adopted to implement the requirements of Title 5 of the California Code of Regulations, sections 59300 et seq. (and other laws that prohibit unlawful discrimination) which requires all California Community College districts to ensure that their programs and activities are free from unlawful discrimination, to investigate complaints of unlawful discrimination in its programs and activities, and to try to resolve those complaints.

The Sonoma County Junior College District has identified the Vice President of Human Resources to the Chancellor of the California Community Colleges (State Chancellor) and to the public as the single District officer responsible for receiving unlawful discrimination complaints filed pursuant to this procedure and for coordinating their investigation. The actual investigation of complaints may be assigned to other staff or to outside persons or organizations under contract with the District. Such delegation procedures will be used whenever the Vice President of Human Resources is named in the complaint or is implicated by the allegations in the complaint.

Administrators, faculty members, other District employees, and students should direct all complaints of unlawful discrimination to the Vice President of Human Resources.

Vice President of Human Resources:  
Santa Rosa Junior College  
1501 Mendocino Avenue  
1988 Armory Drive  
Santa Rosa, CA 95401  
(707) 527-4954

Cal. Code Regs., Title 5, § 59324, 34 C.F.R. § 106.8

**CONFIDENTIALITY OF THE PROCESS**

The District recognizes that confidentiality is important to all parties involved in an alleged unlawful discrimination complaint investigation. To the extent possible, the confidentiality of the complainant, respondent and witnesses will be protected. Employees and/or students interviewed in accordance with these procedures shall assist in maintaining such confidentiality.

Investigative processes can best be conducted within a confidential climate, and the District does not reveal information about such matters except as necessary to fulfill its legal obligations. However, potential complainants are sometimes reluctant to pursue a complaint if their names will be revealed.

The inability to reveal the name of a complainant or facts that are likely to reveal the identity of the complainant can severely limit the ability of the District to respond. Complainants must also recognize that persons who are accused of wrongdoing have a right to present their side of the matter, and this right may be jeopardized if the District is prohibited from revealing the name of the complainant or facts that are likely to disclose the identity of the complainant.

If a complainant insists that his or her name not be revealed, the Vice President of Human Resources shall take all reasonable steps to investigate and respond to the complaint consistent with the complainant's request as long as doing so does not jeopardize the rights of other students or employees.

It is also important that complainants and witnesses understand the possibility that they may be charged with allegations of defamation if they circulate the charges outside of the District's process. In general, persons who are participating in a District investigative or disciplinary process that is related to a charge of discrimination are protected from tort claims such as defamation. However, persons who make allegations outside of these processes or who discuss their claims with persons outside of the process may expose themselves to tort charges. Complainants, witnesses, and those accused of discrimination will all be asked to sign a confidentiality acknowledgement statement.

Where an investigation results in recommendations of disciplinary action, the complainant may wish to have information about what disciplinary actions the District took. However, the privacy rights of the persons involved often prevent the District from providing such information. Disciplinary actions taken against employees are generally considered confidential. In student disciplinary actions for sexual assault/physical abuse charges, the victim shall be informed of the final results of the disciplinary proceeding, but the victim must keep the information confidential. Further disclosure of the final results of student disciplinary proceedings may be made in accordance with applicable law.

California Const., Article I, §1; Civil Code § 47; Ed. Code, §§ 76234 and 87740, 34 C.F.R. § 99.31(a); *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, Title IX*, Office for Civil Rights, January 19, 2001.

#### FILING A COMPLAINT

An individual who believes he/she has been unlawfully discriminated against or sexually harassed in violation of District policy in any program or activity of the District that is funded directly by, or that receives any financial assistance from, the State Chancellor or Board of Governors of the California Community Colleges or an individual who learns of such alleged discrimination or harassment in his or her official capacity as a faculty member or District administrator may file a complaint with the Vice President of Human Resources.

A representative of his/her choice may accompany the complainant and the respondent at any stage of these proceedings. Any expense of such representative is the sole obligation of the individual who requests the participation of a representative.

Cal. Code Regs., Title 5, §59328.

#### TIMELINES

The District recognizes that it is in the best interest of all parties that persons who allege that improper conduct occurred seek resolution of their concerns as soon as possible to allow necessary reviews to occur expeditiously. Formal written complaints must be complete and filed in a timely manner. (See "Investigation Upon Filing of a Formal Complaint" below for filing details, including filing deadlines.) It is the District's intent that all complaints be resolved as quickly as possible consistent with the requirements for a thorough investigation.

Cal. Code Regs., Title 5, § 59328.

## INFORMAL/FORMAL COMPLAINT PROCESS

Persons who feel comfortable doing so may attempt to address conduct that may violate the District's nondiscrimination policy on their own. For example, they may inform (either verbally or in writing) the individual perceived as engaging in unlawful discriminatory conduct that such behavior is offensive and must stop. However, no individual is required to attempt to resolve offensive conduct on their own and no direct communication with the individual whose conduct is offensive is required. If an individual chooses not to directly communicate with the individual whose conduct is offensive, or if such communication is unsuccessful, he/she should bring the complaint to the Vice President of Human Resources who will explain both informal and formal options for addressing the issue and the individual's rights and responsibilities under both options.

The purpose of an informal resolution process is to allow an individual who believes he/she has been unlawfully discriminated against or sexually harassed to resolve the issue through a mediation process rather than through a formal complaint process. The informal resolution process may be an effective process when there may be a simple misunderstanding or when an individual does not wish to file a formal complaint. For example, such a process may resolve problems that require only clarification or where a problem can be resolved fairly easily, such as with an apology and an assurance that the offensive conduct will stop. The individual who selects informal resolution will be asked to sign the District's Informal Proceeding verification form.

When a person brings charges of unlawful discrimination to the Vice President of Human Resources, the Vice President will:

- (1) Undertake efforts to informally resolve the charges;
- (2) Advise the complainant that he or she need not participate in informal resolution;
- (3) Notify the person bringing the charges of his or her right to file a formal complaint and explain the procedure for filing a formal complaint;
- (4) Assure the complainant that he or she will not be required to confront, or work out problems with, the person accused of unlawful discrimination.
- (5) Advise students a complaint may be filed with the Office for Civil Rights of the U.S. Department of Education (OCR – <http://www.ed.gov/about/offices/list/ocr>) where such complaint is within that agency's jurisdiction; and,

OFFICE FOR CIVIL RIGHTS  
U.S. Department of Education  
Old Federal Building  
50 United Nations Plaza, Room 239  
San Francisco, CA 94102-4102  
(415) 437-7700

- (6) If the complaint is employment-related, advise the complainant that complaint may be filed with the Department of Fair Employment and Housing (DFEH – <http://www.dfeh.ca.gov>) and/or the U.S. Equal Employment Opportunity Commission (EEOC – <http://www.eeoc.gov>) where such complaint is within the agency's jurisdiction.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
350 The Embarcadero, Suite 500  
San Francisco, CA 94105-1260  
(415) 625-5600

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING  
San Francisco District Office  
1515 Clay Street, Suite 701  
Oakland, CA 94612  
(800) 884-1684

The Vice President of Human Resources cannot offer advice regarding the processes that will be followed by the EEOC, DFEH, or OCR. Persons should contact those agencies directly with any questions about their jurisdiction or their processes.

Efforts at informal resolution need not include any investigation unless the Vice President of Human Resources determines that an investigation is warranted by the seriousness of the charges.

Efforts at informal resolution may continue after the filing of a formal written complaint, but informal resolution efforts do not extend the time limitations for filing a formal complaint. After a complaint is filed an investigation is required to be conducted and will be completed unless the matter is informally resolved and the complainant dismisses the complaint. If a complainant chooses informal resolution or dismisses a formal complaint prior to completion of the process, the Vice President of Human Resources may require a complete investigation if warranted by the seriousness of the allegations. Any efforts at informal resolution after the filing of a written complaint will not exceed the ninety-day period for rendering the administrative determination.

In employment related cases, if the complainant files with the Department of Fair Employment and Housing, a copy of that filing will be sent to the State Chancellor's Office requesting a determination of whether a further investigation under Title 5 is required. Unless the State Chancellor's Office determines that a separate investigation is required, the District will discontinue its investigation under Title 5 and the matter will be resolved through the Department of Fair Employment and Housing.

Cal. Code Regs., Title 5, §§ 59327, 59328, 59334, 59336 and 59339.

#### FILING OF FORMAL WRITTEN COMPLAINT

If a complainant decides to file a formal written unlawful discrimination complaint with the District, he or she will file the complaint on a form prescribed by the State Chancellor. These approved forms are available from the District and also at the Chancellor's Office website listed below:

<http://extranet.cccco.edu/Divisions/Legal/Discrimination.aspx>

The completed form is to be filed with the Vice President of Human Resources or mailed directly to the State Chancellor's Office.

Vice President of Human Resources  
Human Resources Department  
Santa Rosa Junior College  
1501 Mendocino Avenue  
1988 Armory Drive  
Santa Rosa, CA 95401  
(707) 527-4954

State Chancellor's Office  
Legal Affairs Division  
Chancellor's Office  
California Community Colleges  
1102 Q Street  
Sacramento, CA 95811  
(916) 445-4826



## INVESTIGATION UPON FILING OF A FORMAL WRITTEN COMPLAINT

When a formal written complaint is filed it will be reviewed to determine if the complaint meets the following requirements:

- (1) The complaint must be filed on a form prescribed by the State Chancellor's Office.
- (2) The complaint must allege unlawful discrimination prohibited under Cal. Code Regs., tit. 5, § 59300.
- (3) The complaint must be filed by one who alleges that he or she has personally suffered unlawful discrimination or by one who has learned of such unlawful discrimination in his or her official capacity as a faculty member or administrator.
- (4) In any complaint not involving employment, the complaint must be filed within one year of the date of the alleged unlawful discrimination or within one year of the date on which the complainant knew or should have known of the facts underlying the allegation of unlawful discrimination.
- (5) In any complaint alleging discrimination in employment, the complaint shall be filed within 180 days of the date the alleged unlawful discrimination occurred, except that this period will be extended by no more than 90 days following the expiration of that 180 days if the complainant first obtained knowledge of the facts of the alleged violation after the expiration of 180 days.

If a complaint is defective it will be immediately returned to the complainant with a complete explanation of why an investigation could not be initiated under this process. The notice shall specify in what way(s) the complaint is defective, and a copy of the notice to the complainant will be sent to the State Chancellor's Office.

Cal. Code Regs., Title 5, §§ 59328, 59332.

Once a complaint is determined to be a valid complaint under this process, the individual(s) accused of engaging in prohibited discriminatory conduct shall be advised of the filing and the general nature of the complaint. This will occur as soon as possible and as appropriate under the circumstances. The District will also advise the accused that an assessment of the accuracy of the allegations has not yet been made, that the complaint will be investigated, that the accused will be provided an opportunity to present his/her side of the matter, and that any conduct that could be viewed as retaliatory against the complainant or any witnesses must be avoided.

Cal. Code Regs., Title 5, 59334.

## RETALIATION

If an individual believes he/she has been subject to retaliation for filing a complaint or asserting the right to be free from discrimination prohibited by District Policy 2.7, the individual may file an additional complaint with the Vice President of Human Resources. The Vice President of Human Resources shall investigate the claim of retaliation in accordance with these procedures.

If the Vice President of Human Resources determines that the complaint of retaliation is valid, in addition to any other remedies which may be appropriate (such as disciplinary action), the Vice President of Human Resources shall take all necessary steps to end the retaliatory behavior as quickly as possible including providing counseling to the person engaging in the retaliatory conduct.

## INVESTIGATIVE REPORT AND ADMINISTRATIVE DETERMINATION

The Vice President of Human Resources reviews the formal complaint, conducts an impartial fact finding investigation of the complaint, and recommends corrective action on behalf of the District. Corrective action involving a recommendation for staff or student disciplinary action shall be referred to the appropriate vice president for further action. To the extent possible, all unlawful discrimination or sexual harassment complaints filed under this process shall be investigated within a maximum of ninety (90) days of receipt. If circumstances beyond the control of the District prevent the completion of an investigation within 90 days, the Vice President of Human Resources will notify the State Chancellor and the complainant. (See "Extensions" section below for complete information.) Upon completion of the investigation, the Vice President of Human Resources will forward a copy of the investigative report to the State Chancellor.

The investigative report shall include at least all of the following:

- (1) A description of the circumstances giving rise to the complaint.
- (2) A summary of witness testimony.
- (3) An analysis of relevant data.
- (4) A finding as to whether probable cause exists to believe that discrimination in violation of District policy occurred with respect to each complaint allegation.

Upon completion of the investigation, a summary of the investigative report shall be forwarded to the complainant

Cal. Code Regs., Title 5, § 59334.

The District's administrative determination shall also be sent to the State Chancellor and the complainant, and shall set forth all of the following:

- (1) The determination of the District's Superintendent/President or his/her designee as to whether there is probable cause to believe that discrimination in violation of District policy occurred with respect to each complaint allegation.
- (2) A description of actions taken, if any, to prevent similar problems from occurring in the future.
- (3) The proposed resolution to the complaint.
- (4) The complainant's right to appeal to the District's Board of Trustees and to the State Chancellor.

Cal. Code Regs., Title 5, § 59336.

## COMPLAINANT'S APPEAL RIGHTS

Complainants have appeal rights that they may exercise if they are not satisfied with the results of the District's administrative determination. At the time the administrative determination and the summary of the investigative report is mailed to the complainant the District will notify the complainant of his or her appeal rights as follows:

- (1) First level of appeal: the complainant has the right to file an appeal to the District's Board of Trustees within 15 days from the date of the administrative determination. The Board of Trustees will review the original complaint, the investigative report, the administrative determination, and the appeal.

The District's Board of Trustees will issue a final District decision in the matter within 45 days after receiving the appeal. Or, the Board of Trustees may elect to take no action within 45 days, in which case the administrative determination will be deemed to be affirmed and shall become the final District decision in the matter. A copy of the final decision rendered by the Board will be forwarded to the complainant and to the State Chancellor's Office.

- (2) Second level of appeal: the complainant has the right to file an appeal with the California Community College Chancellor's Office in any case not involving employment related discrimination within 30 days from the date that the Board of Trustees issues the final District decision or permits the administrative determination to become final by taking no action within 45 days.

The complainant's appeal to the State Chancellor must be accompanied either by a copy of the Board of Trustees' decision or by evidence showing the date the complainant filed an appeal with the Board of Trustees and a statement signed under penalty of perjury that the complainant received no response from the Board of Trustees within 45 days from that date.

Complainants must submit all appeals in writing.

Cal. Code Regs., Title 5, §§ 59338 and 59339.

If a person chooses to pursue a complaint under this policy, he/she has not waived the right to file a complaint with the Equal Employment Opportunity Commission, Department of Fair Employment and Housing, the Office for Civil Rights or the appropriate bargaining agent, and has not waived the right to pursue the matter in a court of law.

#### FORWARD TO STATE CHANCELLOR

Within 150 days of receiving a complaint that does not involve employment discrimination, the District will forward the following to the State Chancellor:

- (1) A copy of the final District decision rendered by the Board of Trustees or a statement indicating the date on which the administrative determination became final as a result of taking no action on the appeal within 45 days.
- (2) A copy of the notice of appeal rights the District sent the complainant.
- (3) Any other information the State Chancellor may require.

Cal. Code Regs., Title 5, §§ 59338 and 59340.

#### EXTENSIONS

If for reasons beyond its control, the District is unable to comply with the 90-day or 150-day deadlines specified above for submission of materials to the complainant and the State Chancellor's Office, the District will file a written request that the Chancellor grant an extension of the deadline. The request will be submitted no later than 10 days prior to the expiration of the deadlines for completing investigations or for reaching a final District decision as established by Title 5 in sections 59336 and/or 59340 and will set forth the reasons for the request and the date by which the District expects to be able to submit the required materials.

A copy of the request for an extension will be sent to the complainant who may file written objections with the State Chancellor within five (5) days of receipt.

The State Chancellor may grant the request unless delay would be prejudicial to the investigation. If the State Chancellor grants an extension of the 90-day deadline the 150-day deadline is automatically extended by an equal amount.

Cal. Code Regs., Title 5, § 59342.

#### NOTICE, TRAINING AND EDUCATION FOR STUDENTS AND EMPLOYEES

The Vice President of Human Resources or designee is responsible for providing information and/or training to employees and students on the District's unlawful discrimination and sexual harassment policy and procedures.

Every nonsupervisory District employee will receive information related to nondiscrimination and a copy of the unlawful discrimination and sexual harassment policies and procedures during the first year of their employment. New supervisory employees shall receive training regarding the District's nondiscrimination policy, including training in sexual harassment prevention within six months of assuming their supervisory positions. All supervisory employees will receive such training at least once every two years. In years in which a substantive policy or procedural change has occurred all District employees will attend a training update and/or receive a copy of the revised policies and procedures.

A copy of the District's written policy on unlawful discrimination and sexual harassment, as it pertains to students, will be provided as part of any orientation program conducted for new students at the beginning of each semester or summer session, as applicable. A training program will be made available to continuing students as often as practical. Such informational services shall ensure that students have information on where to obtain rules and procedures for reporting allegations of discrimination and sexual harassment and how to file a District complaint or pursue available remedies.

A copy of the District's written policies on unlawful discrimination and sexual harassment will be displayed in a prominent place in the main administration building, Bailey Hall, and other areas where notices regarding the, and other areas where notices regarding the District's rules, regulations, procedures, and standards of conduct are posted, and shall appear in any District publications that set forth the comprehensive rules, regulations, procedures, and standards of conduct for the District.

Ed. Code, § 66281.5; Cal. Code Regs., Title 5, § 59324 and 59326; Reference: Cal. Code Regs., Title 5, § 59300 et seq.; 34 C.F.R. § 106.8(b).

#### DOCUMENT RETENTION

Documents related to complaint resolution and to employee and student notices and training will be retained by the District in accordance with Title 5 of the California Code of Regulations, sections 59020 et seq.

#### DEFINITIONS APPLICABLE TO NONDISCRIMINATION POLICIES AND PROCEDURES

"Appeal" means a request by a complainant made in writing to the District Board of Trustees requesting review of the administrative determination and/or the State Chancellor requesting review of the District's final decision regarding a complaint of discrimination or harassment.

“Association with a person or group with one or more of these actual or perceived characteristics” includes advocacy for or identification with people who have one or more characteristics of a protected category listed in the District’s Unlawful Discrimination Policy (Policy 2.7), participation in a group associated with persons having such characteristics, or use of a facility associated with use by such persons.

“Complaint” means a written and signed statement meeting the requirements of section 59338 of Title 5, and described in the “Investigation Upon Filing of a Formal Written Complaint” portion of this procedure that alleges unlawful discrimination in violation of District Policy 2.7 and the nondiscrimination regulations set out at title 5, section 59300 et seq. of the California Code of Regulations.

“Days” means calendar days.

Disability means mental or physical disability as defined herein, and includes the Americans with Disabilities Act of 1990. If those definitions would result in broader protection of civil rights of individuals with a mental or physical disability, or would include any medical condition not included within these definitions, then that broader protection or coverage shall be deemed incorporated by reference, and shall prevail over conflicting provisions described herein.

“District” means the Sonoma County Junior College District or any District program or activity that is administered by, funded directly by, or that receives any financial assistance from the Chancellor or Board of Governors of the California Community Colleges. This includes any other organization associated with the District that receives state funding or financial assistance through the District.

“Discrimination on the basis of sex” means sexual harassment or discrimination on the basis of gender.

“Mental disability” includes, but is not limited to, all of the following:

- (1) Having any mental or psychological disorder or condition, such as mental retardation, organic brain syndrome, emotional or mental illness, or specific learning disabilities that limits a major life activity. For purposes of this procedure:
  - (a) “Limits” shall be determined without regard to mitigating measures, such as medications, assistive devices, or reasonable accommodations, unless the mitigating measure itself limits a major life activity.
  - (b) A mental or psychological disorder or condition limits a major life activity if it makes the achievement of the major life activity difficult.
  - (c) “Major life activities” shall be broadly construed and shall include physical, mental, and social activities and working.
- (2) Any other mental or psychological disorder or condition not described in paragraph (1) that requires special education or related services.  
  
Having a record of a mental or psychological disorder or condition not described in paragraph (1) or (2) which is known to the District.
- (3) Being regarded or treated by the District as having, or having had, any mental condition that makes achievement of a major life activity difficult.
- (4) Being regarded or treated by the District as having, or having had, a mental or psychological disorder or condition that has no present disabling effect, but that may become a mental disability as described in paragraph (1) or (2).

“Mental disability” does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.

“Physical disability” includes, but is not limited to, all of the following:

- (1) Having any physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss that does both of the following:
  - (a) Affects one or more of the following body systems: neurological, immunological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin and endocrine.
  - (b) Limits a major life activity. For purposes of this procedure:
    - (i) “Limits” shall be determined without regard to mitigating measures such as medications, assistive devices, prosthetics, or reasonable accommodations, unless the mitigating measure itself limits a major life activity.
    - (ii) A physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss limits a major life activity if it makes the achievement of the major life activity difficult.
    - (iii) “Major life activities” shall be broadly construed and includes physical, mental, and social activities and working.
- (2) Any other health impairment not described in paragraph (1) that requires special education or related services.
- (3) Having a record or history of a disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment described in paragraph (1) or (2) which is known to the District.
- (4) Being regarded or treated by the District as having, or having had, any physical condition that makes achievement of a major life activity difficult.
- (5) Being regarded or treated by the District as having, or having had, a disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment that has no present disabling effect but may become a physical disability as described in paragraph (1) or (2).
- (6) “Physical disability” does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.

“Sexual Harassment” includes but is not limited to:

- (1) Making unsolicited and unwelcome written, verbal, physical, and/or visual contacts with sexual overtones. (Examples of sexual harassment which appear in a written form include, but are not limited to: suggestive or obscene letters, notes, and invitations. Examples of visual sexual harassment include, but are not limited to: leering, gestures, display of sexual objects or pictures, cartoons, or posters. Examples of verbal harassment include, but are not limited to: sexual innuendoes and comments; humor or jokes about sex or females/males in general; pejorative comments about females; comments about one’s own or someone else’s sex life or body; rating a person’s sexuality or attractiveness. Examples of physical harassment include but are not limited to: giving a neck or shoulder massage; touching, patting, pinching, stroking or brushing against a person; attempted or actual sexual assault.)

- (2) Continuing to express sexual interest after being informed that the interest is unwelcome.
- (3) Making reprisals, threats of reprisal, or implied threats of reprisal following a rebuff of harassing behavior. The following are examples of this type of sexual harassment: implying or actually withholding grades earned or deserved; suggesting a poor performance evaluation will be prepared; or suggesting scholarship recommendation or college application will be denied.
- (4) Engaging in explicit or implicit coercive sexual behavior within the work environment which is used to control, influence, or affect the employee's career, salary, and/or work environment.
- (5) Engaging in explicit or implicit coercive sexual behavior within the educational environment that is used to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student.
- (6) Offering favors or educational or employment benefits, such as grades or promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, etc. in exchange for sexual favors.

Ed. Code, §§ 212.5, 66262.5; Cal. Code Regs., Title 5, §§ 59300, 59311; *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, Title IX*, Office for Civil Rights, January 19, 2001.

#### **2.6.1**

#### **FRATERNIZATION IN THE WORKPLACE**

ADOPT: DECEMBER 12, 1995 REVIEWED: MARCH 13, 2001

REVISED: MAY 13, 2008

REVISED: JUNE 14, 2011

REVISED: JANUARY 10, 2012

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Sonoma County Junior College District (SCJCD) is committed to fostering the development of learning and working environments characterized by professional and ethical behavior. The District seeks to eliminate conflicts of interest, potential coercion by individuals who have authority over other individuals, sexual harassment, and unfair favoritism in the educational and working environment.

Romantic relationships between District employees, including instructors, administrators, and staff where one employee supervises, evaluates, or otherwise exercises employment related authority over the other employee are prohibited. Romantic relationships between District employees and students are also prohibited if the employee exercises any academic or employment authority over the student in an instructional or working environment.

Those who teach, counsel, administer programs, and supervise employees and students are in a position of trust and power. This trust is jeopardized by actual or perceived conflicts of interest, coercion, or favoritism. In the event of potential or actual romantic involvement, SCJCD will assist such persons to find other teaching or supervisory assignments.

In offering such assistance SCJCD will be guided by the following principles: non-gender bias, power neutrality, and non-status bias. When feasible, academic or employment assignments/reassignments will be made to minimize concerns and reasonable efforts at such assignments/reassignments will be attempted prior to disciplinary intervention.

All employees should keep in mind that initial consent to a romantic relationship does not preclude a charge of sexual harassment in the future.



## Employee and Student Complaint and Grievance Process

In the event a student or employee needs to file a complaint and/or grievance, the District has provided a guide that is formalized in District policy 4.14 as printed below:

### 4.14

#### GUIDE TO COMPLAINT AND GRIEVANCE PROCESSES

ADOPT: APRIL 8, 1985

REVISED: NOVEMBER 14, 1995

REVISED: APRIL 10, 2001

REVISED: JUNE 10, 2003

REVISED: DECEMBER 9, 2008

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The Board of Trustees recognizes the need for complaint/grievance processes for all employees and students that provide for timely, equitable settlement of grievance and/or complaints, at the lowest level possible.

The Board of Trustees encourages any individual seeking assistance with a complaint or a grievance to seek the advice of the appropriate individual or group listed below. In some cases, individuals associated with the groups named below may also be able to refer individuals to other agencies with information regarding complaint issues.

The following paragraphs outlined recognize complaint/grievance processes within the District. The groups listed below have each committed to the concept that the first step in any grievance or complaint should be an informal one and that timely and equitable settlement of complaints and/or grievance at the lowest level possible shall be ideal. If a complaint or grievance is not resolved informally, formal steps through the appropriate complaint or grievance processes that are identified below shall be followed.

A. The principal written sources for grievance and complaint information within the District include:

- SEIU Contract (Service Employees International Union for Classified Staff)
- AFA Contract (The All Faculty Association for Faculty Unit A)
- AFT Contract (The American Federation of Teachers for Faculty Unit B)
- District Policy 2.7 (Discrimination and Complaint)
- District Procedure 2.7P (Discrimination and Complaint)
- District Policy 4.14a (Employee Conduct)
- District Procedure 4.14aP (Employee Conduct)
- District Policy 4.14b (Employee Conflict and Crises Intervention)
- District Procedure 4.14bP (Employee Conflict and Crises Intervention)
- District Policy 4.14c (Workplace Violence Prevention)
- District Procedure 4.14cP (Workplace Violence Prevention)
- District Policy 8.22 (Student Grievance/Complaint)
- District Procedure 8.22P (Student Grievance/Complaint)
- Academic Senate Professional Relations and Ethics Guidelines

B. The Human Resources Department will maintain a list of officer's names for each of the organizations listed below.

#### Areas of Grievance or Complaint:

##### 1. Violation of Employee Contract

- Classified Staff - Contact SEIU Grievance Officer or SEIU President
- Faculty, Unit A - Contact AFA Grievance Officer or Unit A President
- Faculty, Unit B - Contact AFT Grievance Officer or Unit B President



2. Discrimination or Sexual Harassment

All Employees & Students - Contact the District Compliance Officer

3. Complaints Between Faculty Members - Contact Academic Senate President and the Professional Relations Committee of the Academic Senate

4. Complaints Between Faculty Members and Students - Contact the Department Chair in the appropriate instructional area or the Office of the Vice President for Student Services

C. Individuals not able to visit the Santa Rosa Campus or Petaluma Campus to use resources listed above are encouraged to contact the appropriate Santa Rosa or Petaluma office or individual by phone or email to receive additional information and/or advice.

## **Emergency Preparedness**

It's the practice of the Sonoma County Junior College District to maintain a an all-hazard emergency preparedness plan in compliance with the California Standardized Emergency Management System (SEMS) following the requirements of the National Incident Management System (NIMS) using the nationally recognized Incident Command System (ICS) and in cooperation with Emergency Management Office of the Sonoma County Fire and Emergency Services Department. The emergency preparedness plan includes:

1. A written Emergency Operations Plan (EOP) complete with specific response annexes for all hazard types including but not limited to natural, technological, or artificial threats;
2. Organization and maintenance of centrally cached disaster supplies;
3. Emergency Preparedness training to update and educate staff and faculty as to emergency response responsibilities to meet NIMS, SEMS and ICS requirements; and,
4. Emergency Preparedness Committee meeting at least four times a year.

The Chancellor of the California Community Colleges has established emergency preparedness standards and guidelines to assist community college districts and campuses in the event of an emergency or disaster.

The standards and guidelines were developed in accordance with the Standardized Emergency Management System and the National Incident Management System. In developing the standards and guidelines, the Chancellor's Office considered, but was not limited to, all of the components listed in California Education Code Section 71095. The Sonoma County Junior College District recognizes their responsibility to develop a response plan for incidents, emergencies and all hazard events. Therefore, the Sonoma County Junior College District has developed an Emergency Operations Plan that meets the NIMS and SEMS preparedness standards and guidelines to meet its response and mitigation needs in the event of a natural disaster, hazardous incident, criminal or terrorist activity on or around the District properties.

The Emergency Operations Plan has been developed in accordance with the existing described systems and shall be reviewed annually for effectiveness and consistency with existing California Emergency Management Agency (CA EMA) policy. Periodic review will also be sought from Sonoma County Junior College District Self Insurance, ASCIP, and the County of Sonoma Office of Emergency Services (OES) Sonoma County Fire and Emergency Services Department's Emergency Management Office. The Sonoma County Junior College District may provide a copy of its Emergency Operations Plan and/or appropriate response annexes when requested by appropriate regional law enforcement agencies, city emergency management offices and fire departments as a reference tool to assist the District during emergency situations.

A redacted copy of the Emergency Plan excluding security access codes, personnel contact information and restricted response plans will be made available for employees of the District for review.

The redacted Emergency Operations Plan for the District is available in the following locations:

- District Police Department – Santa Rosa and Petaluma
- Superintendent/Vice President Office
- Human Resources Office
- Campus Dean, Windsor

Shone Farm

Southwest Center

- <http://www.santarosa.edu/administration/college-safety/emergency-preparedness/>

The California Emergency Services Act is legislation, which provides extraordinary emergency powers and authority for state and local governments. Operations outlined in this plan will be conducted in accordance with legislation and the ordinances, plans and agreements listed below. The authorities and references listed herein establish the legal basis for emergency preparedness and response; however, the listings below are not all inclusive.

1. JURISDICTIONAL: County Board of Supervisor's ordinance creates under the Operational Area Agreement the City, County Emergency Management Planning Board and defines membership, powers, duties, divisions, services and staff.

2. INTER-JURISDICTIONAL:

Federal: Robert I. Stafford, disaster Relief and Emergency Assistance Act of 1988 (Public Law 93-288), Federal Civil Defense Act of 1950 (Public Law 81-290 as (amended), and Public Law 84-99 (U.S. Army Corps of Engineers – Flood Fighting).

State: California Emergency Services Act, California State Emergency Plan, Disaster Assistance Procedural Manual (published by California Office of Emergency Services), California Emergency Resources Management Plan, California Mutual Aid Agreement with supporting Mutual Aid Agreements, California Law Enforcement Mutual Aid Plan and Fire Mutual Aid Plan, Government Code 3100, under California Law all public employees, including special district employees are "disaster service workers" and as such have special responsibilities in disasters.

Government Code 3101: For the purpose of this chapter the term "disaster service worker" [ District employees] includes all public employees and all volunteers in any disaster council or emergency organization accredited by the California Emergency Council. The term "public employees" includes all persons employed by the state or any county, city, city and county, state agency or public district, excluding aliens legally employed.

Government Code 3102(a): All disaster service workers shall, before they enter upon the duties of their employment, take and subscribe to the oath or affirmation required by this chapter.

3. Proclamation of a State of Emergency by the Governor: The Governor is empowered to proclaim a State of Emergency when the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, terrorism or earthquake or other conditions, other than conditions resulting from a labor controversy or conditions causing a State of War Emergency, or he is requested to do so by local authorities, or he finds that local authority is inadequate to cope with the emergency. See Article 2, Section 8558 (b), California Emergency Services Act, for additional information.

4. Government Code 8550: The state has long recognized its responsibility to mitigate the effects of natural, manmade, or war-caused emergencies which result in conditions of disaster or in extreme peril to life, property, and the resources of the state, and generally to protect the health and safety and preserve the lives and property of the people of the state. To insure that preparations within the state will be adequate to deal with such emergencies, it is hereby found and declared to be necessary: (e) to authorize the establishment of such organizations and the taking of such actions as are necessary and proper to carry out the provisions of this chapter. It is further declared to be the purpose of this chapter and the policy of this state that all emergency services functions of this state be coordinated as far as possible with the comparable functions of its political subdivisions, of the federal government including its various departments and agencies, of other states, and of private agencies of every type, to the end that the most effective use may be made of all manpower, resources, and facilities for dealing with any emergency that may occur.

5. Government Code 8557(a): "Emergency Council" means the California Emergency Council.

(c) "Political subdivision" includes any city, city and county, county, "district", or other "local governmental agency" or public agency authorized by law.

6. Government Code 8607 (a): The Standardized Emergency Management System (SEMS/NIMS) is the system for managing response to multi-Authority and multijurisdictional emergencies in California. SEMS/NIMS incorporate the use of the Incident Command System (ICS), the Master Mutual Aid Agreement, existing mutual aid systems, the operational area concept, and multi-Authority or inter-Authority coordination. Local governments must use SEMS/NIMS to be eligible for funding of their personnel-related costs under the state disaster assistance programs.

7. Government Code 8680.2: "Local agency" means any city, city and county, county, county office of education, "community college district", school district, or special district.

### **Emergency Response Plan**

The Superintendent/President shall establish procedures that ensure that the District implements a program or plan to be activated in the event of an emergency, or when a natural disaster or hazardous condition occurs. This program or plan must comply with the National Incident Management System (NIMS), the Standardized Emergency Management System (SEMS) and should incorporate the functions and principles of the Incident Command System (ICS), the Master Mutual Aid Agreement (MMAA) and any other relevant programs. The program must incorporate NIMS and SEMS to facilitate the coordination between and among agencies in the event of an emergency or natural disaster.

Compliance with NIMS and SEMS mandates include:

- Establishing a disaster preparedness program or Emergency Operations Plan
- Completion of training sessions by District personnel in compliance with NIMS and SEMS guidelines

Training requirements vary based on job titles and/or assigned roles defined within the Emergency Operations Plan. District personnel must be informed that as public employees, they are also Disaster Service Workers during declared national, state, local, and campus emergencies. Responses to incidents, emergencies or disasters are organized using SEMS and its five sections: management, operations, planning/intelligence, and finance/administration. The plan should contain information regarding activation and chain of command responsibilities. Compliance with NIMS mandates requires planning and incorporation for all phases of emergency management including mitigation and prevention, preparedness, response, and recovery. The District must ensure that its plan is reviewed yearly.

## **Emergency Notification**

Immediate Emergency Response: The Santa Rosa campus is protected by its own P.O.S.T certified, armed police department. The Department operates 24 hour/7 day a week and is supported by its own 24 hour/7 day a week P.O.S.T certified dispatch center. The police department is part of a county wide public safety consortium consisting of adjoining law enforcement agencies, fire and medical response teams using paramedic level teams. Interoperability between the public safety agencies is provided by multi-channel radios in each patrol vehicle along with Mobile Data Computer terminals with GPS mapping and instant cross jurisdictional alert bulletin capability. This communication is further extended through the use of an interconnected Computer Aided Dispatch system that monitors and catalogs all incidents, calls for service and written reports.

The Sonoma County Junior College District utilizes the cell phone text messaging Nixle and Alert-U systems which allow staff, faculty, students, parents and anyone interested in receiving such emergency notifications to enroll their cell phone on a notification list. Other methods of communication between the district include mass e-mails, network computer “pop ups” and bulletins posted around campus and on District websites.

Evacuation Procedures: The Santa Rosa campus has established the following notification procedures as listed on page 8 of the 2008/2009 Emergency Preparedness Handbook to use in the event of an evacuation. Some of these methods are audible building alarms (tested by Facility Operations on a yearly basis), outdoor loud speakers mounted on emergency telephone kiosks strategically placed about the campus, mobile display signs, patrol car public address speakers, hand held bull horns and a text message Alert-U system which included email address for wide public dissemination of announcements through the existing college computer network.

The college District publishes an Emergency Preparedness Handbook every two years which is posted in every classroom, office and assembly area. It contains emergency guidelines, resources lists, specific emergency response procedures, medical and first aid information, staff responsibilities, explanation of the District’s emergency operations center and evacuation maps showing assembly areas.

The District provides on-going SEMS, NIMS, and ICS trainings for all staff and faculty who may play a response role in any incident, emergency or event in which an emergency response is required. Evacuations are initiated by each campus and supported by representatives from local fire department to evaluate the process. Each year, the District’s Emergency Management Coordinator tests the District campuses by holding either an emergency operations center or department operations center table top, work shop, exercise or a functional exercise with specific agencies such as fire or in the case of the Race Medical Center, participates a countywide coordinated exercise involving alternate medical care sites between hospitals.

These same procedures hold true for the Petaluma Campus, Public Safety Training Center, SRJC Culinary Arts Center, South West Center and the SRJC’s Shone Farm.