

2020-2022



CAMPUS SECURITY REPORT

SONOMA COUNTY JUNIOR COLLEGE DISTRICT POLICE DEPARTMENT

SONOMA COUNTY JUNIOR COLLEGE DISTRICT POLICE

1501 MENDOCINO AVENUE, SANTA ROSA, CA 95401

(707)527-1000

POLICE.SANTAROSA.EDU

CAMPUS SECURITY REPORT

TABLE OF CONTENTS

The Jeanne Clery Act	2
Policy for Reporting the Annual Disclosure of Crime Statistics	3
Clery Act Reportable Crime Definitions	4
Clery Act Geography Definitions	7
District Police / Law Enforcement Authority	8
Crime Reporting Procedures	9
Timely Warnings & Emergency Notifications	10
Security, Safety and Facility Access	11
Sexual Assault Response Procedures	12
Sex Offender Registry	18
Unlawful Discrimination and Sexual Harassment	18
Drugs, Alcohol, and Tobacco / Drug Free Campus	19
Weapons on Campus	20
Workplace Violence	20
Crime Statistics	21
• Santa Rosa Campus	○ 21
• Petaluma Campus	○ 23
• Public Safety Training Center (Windsor)	○ 25
• Shone Farm	○ 27
• Southwest Center	○ 29
Hate Crimes	30
Fire Safety Report	30
Emergency Preparedness	33
Sonoma County Junior College District Board Policies	37
• Prevention of and Response to Sexual Assault, Sexual Harassment, Domestic Violence, Dating Violence and Stalking	○ 37
• Unlawful Discrimination and Sexual Harassment	○ 47
• Fraternalization in the Workplace	○ 65
• Guide to Complaint and Grievance Process	○ 66
• Workplace Violence Prevention	○ 68
• Drug-Free Workplace	○ 72
• District Police	○ 73
• Campus Crime Reporting and Campus Security Act	○ 75
• Response to Rape and Sexual Assault	○ 76
• Drugs, Tobacco, Alcohol	○ 80
• Student Conduct and Discipline Due Process	○ 81

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 The law, originally enacted by Congress in 1990 as the Campus Security Act, was initiated by Howard and Connie Clery after their daughter Jeanne was tragically murdered at Lehigh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 1st 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.clerycenter.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 Sonoma County Junior College District includes statistics for the previous three years concerning Clery reportable crimes, see page 3 for definitions, 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 and student academic advisors, student activities advisors/coordinators, and 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.

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 and pamphlets are available in the District Police Department and on the Police Department web site at, www.police.santarosa.edu, 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 in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. 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, the District Police 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 Clery specific crime statistics they have collected for crimes occurring on District properties or a radius around the properties requested. The statistics may include crimes that have occurred in private businesses and residences and are not required to be disclosed pursuant to the Clery Act.

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; <https://police.santarosa.edu/clery-annual-reports>. 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, in the Community Education Schedule of Classes, the Course Catalog, and on the Admissions & Records, Enrollment Development and Human Resources websites to inform students, employees and prospective students and employees about the existence of the Security Report, the electronic address to access the report, and information on how to obtain a paper copy, if desired.

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 the general police department phone number at (707)527-1000.

CLERY ACT REPORTABLE CRIME DEFINITIONS

Please note that the Clery Act only requires reporting of the crimes as defined below

Murder: The willful (non-negligent) killing of a human being by another. Any death caused by injuries received in a fight, argument, quarrel, assault or the commission of a crime. Does not include suicides, fetal deaths, traffic fatalities, accidental deaths, assaults with intent to murder and attempts to murder, justifiable homicide, and heart attack as a result of crime.

Manslaughter: The killing of another person through gross negligence. Gross negligence is the intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting the life or property of another. Does not include deaths due to a person's own negligence, traffic fatalities, and accidental deaths not resulting from gross negligence.

Sexual Assaults: Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent, also includes attempted sexual assaults.

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim(s) 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. Includes assaults or attempts to kill, poisoning, assault with deadly weapon, maiming, mayhem, assault with explosives, assault with disease.

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. Excluding vehicle burglary shoplifting, thefts from areas with open access and thefts from coin boxes or coin-operated machines.

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

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

Hate Crimes: For purposes of Clery Act reporting, hate crimes are defined as a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Under the Clery Act the categories for a hate crime to be reported are race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability.

Hate crimes include all of the crimes listed above and the following:

Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Motor vehicle theft, Embezzlement, confidence games, forgery, worthless checks, are excluded.

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

Intimidation: To unlawfully place another person in reasonable fear of bodily harm 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 of Property: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Dating Violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence: A felony or misdemeanor crime of violence committed – (1) By a current or former spouse or intimate partner of the victim; (2) By a person with whom the victim shares a child in common; (3) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (4) By a person similarly situated to a spouse or the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (5) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws or the jurisdiction in which the crime of violence occurred.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress. For the purpose of this definition *course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property. *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.

CLERY ACT REPORTABLE ARRESTS & DISCIPLINARY REFERRALS

The Clery Act only requires institutions to report arrests and disciplinary referrals for the following crimes:

Drug Abuse Violations: The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. Drug violations referred for campus disciplinary action under the Campus Code need not be reported to the Police Department.

Liquor Law Violations: the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness. Alcohol violations referred for campus disciplinary action under the Campus Code need not be reported to the Police Department

Weapon Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

CLERY ACT GEOGRAPHY

The Clery Act requires the institution to disclose statistics for reported crimes based on where the crime occurred, to whom the crimes were reported, the types of crimes reported, and the year in which the crimes were reported.

The Clery Act requires that colleges and universities report crimes that occur:

1. On-campus.
2. On public property within or immediately adjacent to the campus.
3. In or on non-campus buildings or property that the institution owns or controls.

Crimes that do not occur in one of those areas are not reportable in the Campus Security Report.

On-Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls and any building or property that is within or reasonably contiguous to the area identified in the aforementioned paragraph of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

For Clery Act reporting purposes, the campus includes buildings and properties that the Sonoma County Junior College District owns or controls, are reasonably contiguous, and directly support educational purposes. Controls means the District directly or indirectly rents, leases or has some other type of written agreement, for use of a building or property, or a portion of a building or property; even if there is no payment involved in the transaction. For Clery Act purposes, a written agreement for the use of space gives your institution control of that space for the time period specified in the agreement.

On public property within or immediately adjacent to the campus encompasses all public property, including thoroughfares, streets, sidewalks, and parking facilities, which are within the campus, or immediately adjacent to and accessible from the campus. Public property refers to property owned by a public entity, such as a city or state government that immediately borders and is accessible from the campus.

In or on non-campus buildings or property that the institution owns or controls is any building or property owned or controlled by a student organization that is officially recognized by the institution or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

For reporting purposes, crimes that occur on private homes, public parking lots and businesses are not included in this report.

DISTRICT POLICE / LAW ENFORCEMENT AUTHORITY

The District Police Department is a full-service, 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.

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 (POST) 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, by not limited to, firearms, defensive tactics, first aid/CPR, and legal updates.

Police 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. Police officers also 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.

Press 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. This log is updated daily.

Clery Log Access: The District Police Department maintains a Clery Log available to the public and updated at least every 48 hrs. The log contains Clery reportable crimes and is available for inspection at the police department in hard copy format 24 hours a day, 7 days a week.

The district police department has a “Report an Anonymous Tip” webpage in which anyone can report suspicious activities or crimes anonymously at any time by accessing the page at <https://police.santarosa.edu/form/submit-an-anonymous-tip>.

CRIME REPORTING PROCEDURES

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 crime, public safety related events, fire and 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 527-1000** from any phone on campus. 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 strategically located throughout the Santa Rosa Campus and the Public Safety Training Center. 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. The call box as well as gives the person direct audio contact with Police Dispatch. These call boxes do not provide access to general telephone services.

Non-emergencies on-campus: The non-emergency, business telephone number to reach the District Police Department is 527-1000. This number should be utilized to report property crimes such as theft from a car or building, or to obtain non-emergency police services and information such as fingerprinting, parking citation information, requests for safety escorts to and from parking lots and buildings, and crime prevention information.

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.

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 fire, police, and medical services.

TIMELY WARNING & EMERGENCY NOTIFICATIONS

The District Police Department believes a well-informed community is an integral component in maintaining the safest campuses and facilities possible. Timely warnings are triggered when an institution determines that a crime for which it must report statistics, such as a homicide, sex offenses or robbery presents a serious or continuing threat to students and employees. It is the policy of District to have the Chief of Police or a 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 as soon as possible, as well as post and disseminate hard copies of crime bulletins in designated areas, alerting the campus community.

The Sonoma County Junior College District recognizes the positive effect that technology has in keeping the college community informed of pertinent information. As a result, the District has adopted the SRJC Alert mass notification system.

SRJC Alert, powered by Rave Mobile Safety, is an emergency mass notification system that provides institutions with a web-based SMS platform that will communicate information during an emergency. The system uses text messaging and e-mail during the first minutes and hours of an emergency event such as an earthquake, fire, power outage, active shooter, etc.

All current students are automatically entered into the SRJC Alert system. All employee email addresses are entered as well. Employees can choose to receive alerts on their personal cell phones by opting-in, via the SRJC Online Employee Portal, or by going to the District Police website and following the instructions; <http://police.santarosa.edu/emergency-alerts-signup>.

The District Police use SRJC Alert to release timely warning notifications, public service announcements, community oriented policing events, press releases, and emergency notifications to name a few.

SRJC Alert is the preferred method of mass communication from the District Police Department. However, the intranet electronic mail system throughout the District, the Police Department web site, the *Bearfacts*, the *Insider*, and the *Oakleaf* newspaper, and local radio stations are all additional resources which may be utilized by the District Police Department for dissemination of “timely warning” information bulletins, crime prevention tips, and other newsworthy information. Bulletins also include prevention information to assist members of our educational community from becoming a victim of a similar crime. Bulletins shall include, but are not limited to, those crimes that are listed in the Clery Act.

SECURITY, SAFETY AND FACILITY ACCES

The District Police Department provides 24-hour law enforcement protection of District buildings, property, parking lots, and other facilities utilized by the District. Officers investigate crimes, respond to alarms, suspicious persons and incidents, and provide responses to police, medical, and fire incidents.

District facilities are generally open to the campus community, visitors and guests Monday - Friday from 7:00 a.m. to 11:00 p.m., Saturday and Sunday from 8:00 a.m. to 5:00 p.m., and during other hours as certain special events dictate.

The District Facilities Operations conducts

Fall Evening Safety Strolls just before the time change in the fall semester to identify safety issues including but not limited to, trip hazards, lighting issues, broken equipment, fire hazards, needed landscaping, etc. Based on these safety surveys conducted by the District Safety and Health Committee (DSHC), the District community is asked to join to cover more ground, provide additional eyes, and to have some fun while improving the safety of Sonoma County Junior College District. Campus shrubbery, trees and other vegetation are routinely trimmed and artificial lighting maintained with safety issues in mind.

The District Safety and Health Committee (DSHC) also meets monthly, except in June and July, to bring representatives of the college community together to assist in the overall effort to maintain and improve a safe and healthy educational and working environment throughout the District. The mission of the District Safety and Health Committee is to identify, investigate, make recommendations, and communicate to the college community, on matters of safety and health that pertain to the educational and working environment throughout the District.

The campus community is encouraged to report unsafe conditions, safety concerns, or exterior lighting issues to Facilities Operations at (707)527-4231, or to District Police at (707)527-1000.

The District maintains several emergency call boxes (blue emergency boxes). These call boxes are located throughout the Santa Rosa campus, Petaluma campus, and the Public Safety Training Center. Once activated, a strobe light activates and the person at the call box is immediately connected to a dispatcher at the police department. The call boxes may also trigger video recording once they are activated. If you have an emergency on campus, the emergency call boxes are an excellent resource to report crimes in progress immediately.

The District maintains a limited number of residential facilities at Shone Farm for farm employees. Staff and visitors may have access to buildings in which contain private residential rooms during normal business hours, however, student's private residential rooms are secured 24 hours a day. Entry to the private residences can only be granted via residential keys.

SEXUAL ASSAULT RESPONSE PROCEDURES FOR DISTRICT EMPLOYEES

The Sonoma County Junior College District has adopted formal policy on a response to rape and sexual assault, see pages 37-46 and pages 76-79.

Upon learning of a rape or sexual assault, it is important to support and protect the survivor of the crime 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.

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, (707)527-4954 and/or District Title IX Coordinator, (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 and employment policies or collective bargaining agreements. Report suspected employee misconduct to the Director of Human Resources at (707)527-4954 and/or the District Compliance Office at (707)527-4954.

A survivor may request a change in academic arrangements (if living in college housing) 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 (707)524-1647 and/or the District Compliance Office 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.*

SEXUAL ASSAULT RESPONSE PROCEDURES

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. For example, if the crime occurred at a residence in the city of Sebastopol, contact the Sebastopol Police Department.
- 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.

The District's primary concern is your safety and the safety of our campus community. If you have been affected by or witnessed sexual misconduct, you should not be discouraged from reporting the incident because you are concerned that you might be subject to disciplinary action for related student conduct violations, of drug or alcohol use. Unless the District finds the violations egregious, including, but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic dishonesty, affected parties will not be subject to disciplinary action.

You have the right to decide whom and when to tell about what happened. Any person who has been sexually assaulted has several legal options such as criminal prosecution against the assailant; civil prosecution, the District disciplinary procedures if the assailant is an employee or student, and Title IX reporting. It is also your right to have a support person (such as a sexual assault victim advocate, friend, or family member) with you while you report the incident to law enforcement and/or the Title IX Coordinator or designee.

CRIMINAL REPORTING

SRJC District Police: (707) 527-1000

To report on campus/near campus, sexual assault, domestic or dating violence, or stalking, or threats of any of these.

Local Law Enforcement (police, sheriff)

To report off campus sexual assault, domestic or dating violence, or stalking, or threats of any of these, contact the law enforcement for the location of the incident.

Both Local Law Enforcement and SRJC District Police will:

- Help you to obtain medical assistance
- Help you obtain Emergency Protective Orders if appropriate
- Conduct a criminal investigation if appropriate and requested
- In the event of an arrest, help you obtain court order to protect you
- Connect you with community support services

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. You will be interviewed at a location of your 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.

ADMINISTRATIVE REPORTING

Filing a Complaint with the SRJC Title IX Office: To report sexual harassment, sexual assault, domestic or dating violence, stalking, or threat of any of these committed by a student, staff, faculty, or other member of the campus community, with or without filing a police report and whether on or off campus, contact the Title IX Coordinator or Deputy Title IX Coordinators, 707-527-4822. You can also submit an online reporting form: [Title IX: Sexual Misconduct Reporting Form](#).

Retaliation is prohibited against any person who assists someone with a report of sexual misconduct, or participates in any manner in an investigation or resolution of the sexual misconduct report. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment or education.

Campus Confidential Resources for Sexual Assault

Student Health Services

Santa Rosa Campus, Bertolini Student Center 3rd floor West Wing,

Petaluma Campus, Richard W. Call Building, Room 610

707-527-4445

Student Psychological Services

Santa Rosa Campus, Bertolini Student Center 3rd floor West Wing

707-527-4445

Community Confidential Resources for Sexual Assault

Family Justice Center

2755 Mendocino Avenue, Santa Rosa, CA 95403

707-565-8255

Verity Crisis Center

24 hour rape crisis line, 707-545-7273

YWCA Domestic Violence Hotline

24 hour hotline, 707-546-1234

Sexual Assault Prevention Programs: The District provides numerous personal safety and crime prevention seminars, to include sexual assault awareness and prevention, for students and staff and additionally to individual departments, organizations, clubs, classrooms, and other programs upon request. The District Police Department works closely with the Title IX Coordinators, 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. Student Affairs and Student Health Services annually sponsor Awareness events which include 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 an officer for new employee and faculty orientations, student information days, and student employee orientations to inform students and employees of available police services and programs.

The District 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.

RESOURCES FOR SURVIVORS OF SEXUAL ASSAULT

On-Campus Support Resources	
Sonoma County Junior College District Police Department	(707) 527-1000
Title IX Coordinator	(707) 527-4822
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

Sonoma County Law Enforcement Agencies	
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

Community Resources	
Verity	(707) 545-7270
Family Justice Center	(707)565-8255
Sonoma County Victim/Witness Assistance	(707) 565-8250
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
Sonoma West Medical Center	(707) 823-8511
YWCA (Temporary Restraining Order Clinic)	(707) 546-1234
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) 565-4300
Child Protective Services 24 hour Emergency Line	(707) 565-4304
Suicide Prevention	1-800-746-8181
MEN (Men Evolving Non-Violently) – Offender Hotline	(707) 528-2636
Legal Aid	(707) 523-8823
Legal Services / Lawyer Referral	(707) 546-2924
Chrysalis Counseling Services	(707) 545-1670
WOMAN, Inc. – Lesbian Services	(415) 864-4777

SEX OFFENDER REGISTRY

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 <https://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 and located upon District properties, 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 and additionally 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 <https://police.santarosa.edu> or call the District Police Department at (707) 527-1000 and request to speak with an investigator or supervisor.

UNLAWFUL DISCRIMINATION AND SEXUAL HARASSMENT

The Sonoma County Junior College District has adopted formal policy on unlawful discrimination and sexual harassment complaint procedures, see pages 37-46 and pages 47-64.

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 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)527-4831 or the District Compliance Officer at (707)527-4821. To make an inquiry or complaint against a student contact the District Compliance Officer at (707)527-4821.

DRUG, ALCOHOL, AND TOBACCO / DRUG FREE CAMPUS

The Sonoma County Junior College District has adopted formal policy on drugs, alcohol, and tobacco, see pages 72 and 80.

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, the Sonoma County Junior College District 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.

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.

The District has adopted a “No Smoking” policy on all campuses. 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.

WEAPONS ON CAMPUS

The Sonoma County Junior College District has adopted formal policy on weapons on campus within the student conduct code, see page 83.

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 the California Penal Code sections 626.9, 653k, and 626.10. Violators are subject to student discipline, criminal prosecution, and/or arrest.

WORKPLACE VIOLENCE

The Sonoma County Junior College District has adopted formal policy on workplace violence, see page 68. 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.

CRIME STATISTICS

The following statistics 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 and the SaVE Act. The “crime” and other definitions listed in this report will help you understand these statistics. Hard copies of this information are available upon request from the District Police Department.

CRIME STATISTICS FOR THE SANTA ROSA CAMPUS

Santa Rosa Campus									
Crime Statistics	On Campus			Non-Campus			Public Property		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Category									
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent-Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	1	2	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assaults	1	0	0	0	0	0	0	3	2
Burglary	0	3	2	0	0	0	0	0	0
Motor Vehicle Theft	0	0	1	0	0	0	0	0	0
Arson	0	0	2	0	0	0	0	0	0
Domestic Violence	0	0	2	0	0	0	0	0	0
Dating Violence	2	0	0	0	0	0	0	0	0
Stalking	0	1	0	0	0	0	0	0	0

ARRESTS FOR DRUGS, ALCOHOL AND WEAPON LAW VIOLATIONS									
Santa Rosa Campus									
Arrest	On Campus			Non-Campus			Public Property		
Category	2020	2021	2022	2020	2021	2022	2020	2021	2022
Drugs	1	8	0	0	0	0	0	0	0
Alcohol	2	2	0	0	0	0	0	0	0
Weapons	2	0	4	0	0	0	0	0	0

STUDENT DISCIPLINE REFERRALS FOR DRUGS ALCOHOL AND WEAPONS LAW VIOLATIONS									
Santa Rosa Campus									
Referrals	On Campus			Non-Campus			Public Property		
Category	2020	2021	2022	2020	2021	2022	2020	2021	2022
Drugs	0	0	0	0	0	0	0	0	0
Alcohol	0	0	0	0	0	0	0	0	0
Weapons	0	0	0	0	0	0	0	0	0

CRIME STATISTICS FOR THE PETALUMA CAMPUS

Petaluma Campus									
Crime Statistics	On Campus			Non-Campus			Public Property		
Category	2020	2021	2022	2020	2020	2022	2020	2021	2022
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent-Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated 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
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

ARRESTS FOR DRUGS, ALCOHOL AND WEAPONS LAW VIOLATIONS									
Petaluma Campus									
Arrest	On Campus			Non-Campus			Public Property		
Category	2020	2021	2022	2020	2021	2022	2020	2021	2022
Drugs	0	0	0	0	0	0	0	0	0
Alcohol	0	0	0	0	0	0	0	0	0
Weapons	0	0	0	0	0	0	0	0	0

STUDENT DISCIPLINE REFERRALS FOR DRUGS ALCOHOL AND WEAPONS LAW VIOLATIONS									
Petaluma Campus									
Referrals	On Campus			Non-Campus			Public Property		
Category	2019	2020	2021	2019	2020	2021	2019	2020	2021
Drugs	0	0	0	0	0	0	0	0	0
Alcohol	0	0	0	0	0	0	0	0	0
Weapons	0	0	0	0	0	0	0	0	0

CRIME STATISTICS FOR THE PUBLIC SAFETY TRAINING CENTER

Public Safety Training Center									
Crime Statistics	On Campus			Non-Campus			Public Property		
Category	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent-Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated 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
Domestic Violence	0	1	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

ARRESTS FOR DRUGS, ALCOHOL AND WEAPONS LAW VIOLATIONS									
Public Safety Training Center									
Arrest	On Campus			Non-Campus			Public Property		
Category	2020	2021	2022	2020	2021	2022	2020	2021	2022
Drugs	0	0	0	0	0	0	0	0	0
Alcohol	0	0	0	0	0	0	0	0	0
Weapons	0	0	0	0	0	0	0	0	0

STUDENT DISCIPLINE REFERRALS FOR DRUGS ALCOHOL AND WEAPONS LAW VIOLATIONS									
Public Safety Training Center									
Referrals	On Campus			Non-Campus			Public Property		
Category	2020	2021	2022	2020	2021	2022	2020	2021	2022
Drugs	0	0	0	0	0	0	0	0	0
Alcohol	0	0	0	0	0	0	0	0	0
Weapons	0	0	0	0	0	0	0	0	0

CRIME STATISTICS FOR SHONE FARM

Shone Farm									
Crime Statistics	On Campus			Non-Campus			Public Property		
Category	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent-Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated 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
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

ARRESTS FOR DRUGS, ALCOHOL AND WEAPONS LAW VIOLATIONS									
Shone Farm									
Arrest	On Campus			Non-Campus			Public Property		
Category	2020	2021	2022	2020	2021	2022	2020	2021	2022
Drugs	0	0	0	0	0	0	0	0	0
Alcohol	0	0	0	0	0	0	0	0	0
Weapons	0	0	0	0	0	0	0	0	0

STUDENT DISCIPLINE REFERRALS FOR DRUGS ALCOHOL AND WEAPONS LAW VIOLATIONS									
Shone Farm									
Referrals	On Campus			Non-Campus			Public Property		
Category	2020	2021	2022	2020	2021	2022	2020	2021	2022
Drugs	0	0	0	0	0	0	0	0	0
Alcohol	0	0	0	0	0	0	0	0	0
Weapons	0	0	0	0	0	0	0	0	0

CRIME STATISTICS FOR THE SOUTHWEST CENTER

South West Center									
Crime Statistics	On Campus			Non-Campus			Public Property		
Category	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent-Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assaults	0	0	0	0	0	0	0	0	0
Burglary	0	1	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
Domestic Violence	0	0	0	0	0	0	0	1	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	1	0	0	0	0	0	0

ARRESTS FOR DRUGS, ALCOHOL AND WEAPONS LAW VIOLATIONS									
South West Center									
Arrest	On Campus			Non-Campus			Public Property		
Category	2020	2021	2022	2020	2021	2022	2020	2021	2022
Drugs	0	1	0	0	0	0	0	0	0
Alcohol	0	0	0	0	0	0	0	0	0
Weapons	0	0	0	0	0	0	0	0	0

STUDENT DISCIPLINE REFERRALS FOR DRUGS ALCOHOL AND WEAPONS LAW VIOLATIONS									
South West Center									
Referrals	On Campus			Non-Campus			Public Property		
Category	2019	2020	2021	2019	2020	2021	2019	2020	2021
Drugs	0	0	0	0	0	0	0	0	0
Alcohol	0	0	0	0	0	0	0	0	0
Weapons	0	0	0	0	0	0	0	0	0

HATE CRIMES

There were no hate crimes for the 2020 calendar year.

There were no hate crimes for the 2021 calendar year.

There were **no** hate crimes for the 2022 calendar year.

FIRE SAFETY REPORT

The Sonoma County Junior College District has very limited student housing facilities on its campuses. Currently the only student housing facilities are located on the SRJC Shone Farm in Forestville, CA. The SRJC Shone Farm is comprised of 365 acres; including vineyards, forest, pasture land, multi-use land, and a sustainable horticulture garden. The farm serves primarily

as an outdoor laboratory site for agriculture and natural resource classes. Students selected to live in the Shone Farm dorms and participate in the Shone Farm Resident Program are not charged rent, but will be expected to work a fair amount of equivalent hours per month. The student residents are provided dormitory rooms in multi-use buildings, not dedicated residence halls, at Shone Farm. The current dorm rooms are located at the following locations at Shone Farm:

BUILDING	HOUSING UNITS	RESIDENTS
Beldon Center	1	2
Warren G. Dutton Agriculture Pavilion	1	2
	0	0

The Sonoma County Junior College District Environmental Health and Safety maintain a fire log that records any fire that occurred in an on-campus student housing facility and includes information such as the nature, date, time and general location of each fire. Any entry to the log is required to be made within two business days of the receipt of the information. The fire log for the most recent 60 day period remains open for public inspection during normal business hours. Any portion of the log older than 60 days will be available within two business days after receipt of a request for public inspection.

2020-2022 Fire Statistics: There have been no fires in student residence buildings in this reporting period.

Fire Safety: is taken very seriously in the residence areas and residents are expected to adhere to the following regulations. For reasons of safety, the Sonoma County Junior College District has imposed restrictions on materials and some electrical equipment. Residents are not permitted to use anything that produces an open flame, such as candles, or has exposed heating elements, such as a space heater, in their residences. The District is a smoke free campus and does not allow smoking on any campus property. Hallways and walkways, as well as building entrance and exit areas, need to be clear at all time. No items should be stored in these areas at any time.

The residents have a direct “drop” phone in all residence halls. When these phones are picked up there is a direct and automatic connection with the on duty police dispatcher. Likewise, District Police can contact any residents directly from the District Police dispatch center via this dedicated phone line.

All residences are equipped with smoke detectors and all buildings have fire extinguishers located in them. The Warren G. Dutton Agriculture Pavilion is the only building with dorm rooms which is equipped with a monitored fire alarm system; fire pull stations are located just outside of the dorm room.

All student residents have undergone fire safety training including the use of fire extinguishers. All student residents are trained in emergency evacuation procedures and know where the emergency assembly area is for their residence. While detailed evacuation procedures are provided in the publicly available Emergency Preparedness Handbook, residents are trained to leave the building via the nearest stairway or exit. Once outside, residents should go to the designated evacuation assembly area and keep streets, fire lanes, hydrant areas, and walkways clear for emergency vehicles and personnel and are instructed not to return to an evacuated building until instructed that it is safe to do so. Residents are instructed to report fires immediately to District Police and notify Environmental Health and Safety and the Shone Farm Manager. A fire evacuation drill is conducted at least yearly to ensure that student residents are prepared for an evacuation.

Appliances: Small appliances/equipment (clocks, radios, lamps, personal computers, and televisions, etc.) and medium sized appliances (electric coffee pots, microwaves and small refrigerators, etc.) are permitted to be used in the student residences and public areas of the facilities at any time, provided that the resident ensures the wiring is safe, and that concerns from other residents/staff regarding usage of such appliances/equipment are respected. Appliances such as electric frying pans, toasters, Coleman stoves, toaster ovens, and any items with exposed heating elements or coils are prohibited in residences at all times unless they are District owned appliances approved for resident use. The only exception to the exposed heating element is a clothes iron. Space heaters and other heat producing appliances are a fire safety concern and are prohibited in residential rooms at all times. Students are required to use power strips instead of extension cords to protect their equipment during power outages and for fire safety. All electrical equipment (e.g. televisions, stereos) must be UL approved and in safe operating condition.

The Consumer Product Safety Commission (CPSC) has issued a warning to consumers that the light bulbs in most halogen lamps can reach very high temperatures and could start a fire if they come in contact with curtains, clothes, or other flammable materials. It is because of this increased fire and safety risk that halogen lamps are prohibited in the residences.

Flammable/Dangerous Materials: Open flames, including such items as candles, incense, laboratory burners, stoves, torches, etc. are not permitted inside of the residence rooms. Charcoal lighter fluid, gasoline, solvents and caustic chemicals other than normal household cleaning agents are not permitted in the residential area. No person may use or store fireworks or firecrackers in residences or on campus.

MISSING STUDENTS

The District Police do not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The District Police give missing person cases priority over property-related cases and will not require any time frame to pass before beginning a missing person investigation; Penal Code § 14211. Pursuant to California Education Code Section 67381, also known as the Kristen Smart Campus Safety Act of 1998, the District Police have agreements with outside law enforcement agencies. The purpose of these agreements are to provide investigatory

resources to this agency for Part 1 Crimes when the circumstances dictate a specially trained investigator is required.

EMERGENCY PREPAREDNESS

The Sonoma County Junior College District recognizes its responsibility to develop an emergency preparedness program including a response plan for incidents, emergencies and all hazard events and has developed an emergency preparedness program which includes an Emergency Operations Plan that meets the National Incident Management System (NIMS) and California Standardized Emergency Management System (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 state and federal laws and guidelines and standards established by the Chancellor of the California Community Colleges and shall be reviewed annually for effectiveness and consistency with existing California Office of Emergency Services (Cal OES) policies and guidelines.

The Sonoma County Junior College District regularly conducts training sessions and emergency exercises, including table top exercises, field exercises and tests of the emergency notification systems to assess and evaluate the emergency plans and the capabilities of the campus to respond to an emergency. The Sonoma County Junior College District is part of a regional and statewide emergency management system, and it is in compliance with state and federal standards for managing emergencies.

Emergency Notification and Immediate Emergency Response: The Santa Rosa campus is protected by its own POST certified, armed police agency 24 hour/7 day a week and supported by its own 24 hour/7 days a week POST 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 District has implemented an emergency notification system to send mass messages to students, faculty, and staff during emergencies. The system provides faculty, staff and students with timely information and instructions during emergencies or other urgent situations that may directly affect their well-being. In an emergency, the Sonoma County Junior College District Police Chief, District President/Superintendent or their designees are authorized to activate the emergency notification system at their discretion and determine the content of the message. These messages may be delivered to the entire list of registered contacts. Messages are sent by multiple methods to confidential contact information registered by users.

The Sonoma County Junior College District utilizes the SRJC Alert system to send cell phone text messaging and emails to staff staff, faculty, students, parents and anyone interested in receiving emergency notifications. Other methods of communication between the District include mass e-mails, bulletins posted on District websites, and audible emergency alerts over District

owned voice over internet phones (VOIP). The District conducts at least one test of the emergency notification yearly and maintains documentation of each use of the system.

Once notified to evacuate via an emergency notification or by a building fire alarm, students, staff, faculty, and visitors are to evacuate according to the procedures outlined in the Emergency Preparedness and Response Guide. The Emergency Preparedness and Response Guide is printed and copies are widely distributed across the District. The District conducts yearly evacuation drills to test the evacuation procedures and Emergency Operations Plan.

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

- District Police Department – Santa Rosa and Petaluma
- Superintendent/Vice President’s Office
- Human Resources Office
- Public Safety Training Center (Windsor)
- Shone Farm Campus
- Southwest Center Campus

The Emergency Preparedness and Response Guide can be found online here:

https://emergency-management.santarosa.edu/sites/emergency-management.santarosa.edu/files/documents/2022-EMERGENCY-GUIDE-FINAL_0.pdf

In addition to the Emergency Preparedness and Response Guide, the District Police Department has created, distributed, and posted large Emergency Procedures posters throughout all campuses; see next two pages.



EMERGENCY PROCEDURES

District Police Department | <https://police.santarosa.edu> | 707-527-1000
 Environmental Health & Safety | <https://ehs.santarosa.edu/> | 707-527-4803

FIRE (EVACUATION)

If you observe smoke or fire:

- Activate the fire alarm using a manual pull station and notify district police.
- **EVACUATE** the building and notify others as you exit.
- Do not use elevators.
- Notify Emergency Personnel of persons with disabilities or functional needs that need assistance.
- Move to an Evacuation Assembly Area to receive further information and assistance.

BOMB THREAT OR SUSPICIOUS OBJECTS

If you receive a bomb threat or observe a suspicious object:

- Contact the District Police, and provide as much information as possible.
- Evacuate the area around the object.
- Follow instructions from the District Police.

ACTIVE SHOOTER

Run!

- If it's possible to get away from danger, do so. If the threat is in your building or area always try to escape or evacuate, even when others insist on staying.
- Once out of the line of fire, try to prevent others from walking into the danger zone and call District Police.

Hide!

- If it's not possible to get out safely, or if the threat is external to your building, find a place to hide.
- Act quickly and quietly.
- Try to secure the hiding place as much as possible. Turn out lights, and if possible, remember to lock doors. Silence ringers and vibration mode on cell phones. If there isn't a safe room or closet, try to hide behind large objects that may offer protection.
- Try to remain quiet and calm

Fight!

- As a last resort, if life is at risk, either alone or working together as a group, fight!
- Act with aggression. Improvise weapons. Disarm the shooter. Commit to taking the shooter down, no matter what. District Police Officers are trained to respond without delay to begin a rapid search towards the gunfire to meet the shooter.
- Do not expect police to assist or tend to wounded victims until the shooter is no longer a threat.
- When confronted by police, keep your hands in plain sight (fingers spread), don't make sudden movements, and follow their directions

POWER OUTAGE OR UTILITY FAILURE

Contact facilities operations:

Santa Rosa: (707) 527-4231, Petaluma: (707) 778-3976
 After hours, call District Police

- If there is a possible danger to building occupants, evacuate the building and call the District Police.
- Notify Emergency Personnel of persons with disabilities or functional needs that need assistance.
- The District Administration will decide on the status of classes based on the situation. It typically takes at least 15 minutes to assess the situation.

EARTHQUAKE

Indoors:

- If you are indoors, stay there, and drop to the floor and take cover under a sturdy desk or table, and hold on to it firmly until the shaking stops. In other words: Drop! Cover! Hold On!
- Protect your head and neck with your arms. Avoid glass, hazardous materials, exterior walls, windows, hanging and heavy objects.
- If in a wheel chair, quickly move toward cover if available, lock the wheels, and cover your head.
- Do not shelter in doorways!

Outdoors:

- If outdoors, move to an open area away from falling hazards such as building walls, overhead power lines, tree limbs and light poles.

After the earthquake:

- Stay calm and evaluate the surroundings.
- Evacuate as necessary.
- Move to an Evacuation Assembly Area to receive further information and assistance.
- Regroup and take roll of who is OK, injured or missing.
- Notify Emergency Personnel of persons with disabilities or functional needs that need assistance.
- Provide first aid based upon your level of training.
- Do not go into damaged areas or buildings because additional aftershocks can cause structural collapse.

MEDICAL EMERGENCY

- Contact the District Police, provide information on the type of injury and the location of the victim.
- Provide first aid or medical assistance if required.
- Remain with the injured individual until help arrives.
- If the injured person is unconscious and not breathing start CPR, if trained.

SHELTER-IN-PLACE

When an evacuation is not safe or conditions are more dangerous outside (e.g. severe weather, chemical spill) it may be safer to shelter-in-place.

- The District will activate appropriate methods of emergency notification.
- Immediately seek refuge inside the nearest building.
- Move to rooms without windows if possible.
- Close any open windows and doors if you cannot move.
- Rooms that have little or no ventilation are preferred.
- Try to block windows and doors with clothing or towels to block airflow. Wet clothing or towels create a better seal against airflow.
- Only come out when you are told that it is safe by District officials or emergency personnel at the scene.

HAZARDOUS MATERIAL

Indoor spill:

- If a chemical spill occurs within a building, immediately notify the District Police.
- Warn others and block entry into the hazardous area until the Emergency Personnel arrive.
- Evacuate as necessary.
- In general, move uphill and upwind from a spill.

Outdoor spill:

- If a chemical spill occurs outside of a building or from an off campus source, follow shelter-in-place procedures.

Chemical exposure:

- Notify Emergency Personnel if the material has gotten onto your skin, clothing or shoes.
- Do not leave the area until you have been checked.



PROCEDIMIENTOS DE EMERGENCIA

Departamento Policía Distrital | <https://police.santarosa.edu> | 707-527-1000
Salud y Seguridad Ambiental | <https://ehs.santarosa.edu/> | 707-527-4803

INCENDIO (EVACUACIÓN)

Si observa humo o fuego:

- Active el sistema de alarma contra incendios en la caja de activación de alarmas y avise de inmediato a la policía distrital.
- **EVACÚE** el edificio y alerte a los demás mientras evacua el edificio.
- No use los ascensores.
- Avise al Personal de Emergencia de las personas con discapacidades o necesidades funcionales que necesiten ayuda.
- Vaya a un Punto de Reunión de Evacuación para recibir más información y ayuda.

AMENAZA DE BOMBA U OBJETOS SOSPECHOSOS

Si recibe una amenaza o ve un objeto sospechoso:

- Contacte a la Policía Distrital y dé toda la información posible.
- Evacúe toda el área alrededor del objeto.
- Siga las instrucciones de la Policía Distrital.

TIRADOR ACTIVO

¡Corra!

- Si es posible escaparse del peligro, hágalo. Si la amenaza está en su edificio, intente siempre escapar o evacuar, aun cuando otras personas insistan en quedarse.
- Una vez fuera de la línea de fuego, intente evitar que otras personas entren en la zona de peligro y llame a la Policía Distrital.

¡Escóndase!

- Si no es posible escaparse, o si la amenaza está fuera de su edificio, encuentre un lugar seguro para esconderse.
- Actúe con rapidez y silenciosamente.
- Intente asegurar su lugar de escondite lo mejor posible. Apague las luces, y si es posible, cierre con seguro las puertas. Apague el sonido y la vibración de su móvil. Si no hay un armario o cuarto seguro para ocultarse, intente esconderse detrás de objetos grandes que puedan servirle de protección.
- Procure permanecer callado y calmado.

¡Defíndase!

- Como último recurso, si hay peligro de vida o muerte, tome acción ya sea solo o con otros como grupo y ¡luche!
- Actúe con fuerza agresiva. Improvise armas. Comprométase a incapacitar al tirador, pase lo que pase. Los Oficiales de la Policía Distrital están capacitados para responder sin demora e iniciar de inmediato una búsqueda en dirección de los disparos para enfrentarse con el tirador.
- No espere que la policía ayude o trate a las víctimas heridas hasta que el tirador ya no represente un peligro.
- Cuando se enfrente con la policía, ponga las manos en alto con las palmas abiertas, no haga ningún movimiento repentino, y siga sus instrucciones.

APAGONES O FALLAS DE SERVICIOS

Contactar a operaciones de instalaciones:

Santa Rosa: (707) 527-4231, Petaluma: (707) 778-3976
Fuera del horario laboral, llame a la Policía Distrital

- Si existe posibilidad de peligro para los ocupantes del edificio, evacuar el edificio y llamar a la Policía Distrital.
- Avise al Personal de Emergencia de las personas con discapacidades o necesidades funcionales que necesiten ayuda.
- La Dirección del Distrito decidirá sobre el estatus de clases basado en la situación. Normalmente toma al menos 15 minutos evaluar la situación.

TERREMOTO

Interiores:

- Si está adentro, quédese ahí y agáchese en el piso, colóquese debajo de una mesa o escritorio resistente y agárrese bien hasta que pase el temblor. En otras palabras: ¡Agáchese, cúbrase y agárrese!
- Protéjase la cabeza y el cuello con los brazos. Evite cristales, materiales peligrosos, paredes exteriores, ventanas, y objetos pesados o colgantes.
- Si está en silla de ruedas, diríjase rápidamente a un lugar seguro si hubiese, bloquee las ruedas y protéjase la cabeza.
- ¡No se ponga debajo del marco de una puerta!

Después del terremoto:

- Permanezca calmado y evalúe sus alrededores.
- Evacúe según sea necesario.
- Vaya a un Punto de Reunión de Evacuación para recibir más información y ayuda.
- Reorganícese y tome lista de quién está, quién falta y quién está herido.
- Avise al Personal de Emergencia de las personas con discapacidades o necesidades funcionales que necesiten ayuda.
- Administre primeros auxilios según su nivel de capacitación.
- No entre a zonas o edificios dañados ya que las réplicas pueden causar colapsos estructurales.

Exteriores:

- Si está afuera, diríjase hacia un área despejada lejos de árboles, edificios o postes y cables eléctricos que puedan caer.

EMERGENCIA MÉDICA

- Contacte a la Policía Distrital y dé la información acerca del tipo de lesión y el lugar donde se encuentra la víctima.
- Si se requiere, dar primeros auxilios o ayuda médica.
- Permanezca con la persona herida hasta que llegue la ayuda.
- Si la persona herida está inconsciente y no está respirando, inicie reanimación cardiopulmonar (RCP), si está usted capacitado.

REFUGIO-EN-LUGAR

Cuando una evacuación es peligrosa o las condiciones afuera son más peligrosas (p.ej. condiciones climáticas extremas, derrames químicos) puede ser preferible refugiarse.

- El Distrito activará métodos adecuados de notificación de emergencia.
- Busque inmediatamente refugio dentro del edificio más próximo.
- Diríjase a cuartos sin ventanas si es posible.
- Si no puede cambiarse de cuarto, cierre las ventanas y puertas abiertas.
- Es preferible refugiarse en un cuarto con poca o ninguna ventilación.
- Intente bloquear las ventanas y puertas con ropa o toallas para evitar que entre el aire. La ropa o toallas mojadas son más eficaces en sellarlas contra el aire.
- No salga de donde está hasta que los oficiales del Distrito o el personal de emergencia presentes le digan que todo está seguro.

MATERIALES PELIGROSOS

Derrames interiores:

- Si el derrame químico ocurre dentro de un edificio, avise inmediatamente a la Policía Distrital.
- Avisar a los demás y bloquear la entrada a la zona peligrosa hasta que llegue el Personal de Emergencia.
- Evacúe según sea necesario.
- En general, diríjase en dirección opuesta arriba y contra el viento de donde está el derrame.

Derrames exteriores:

- Si el derrame químico ocurre fuera de un edificio o fuera del campus, siga los procedimientos de refugio-en-lugar.

Exposición de químicos:

- Avise al Personal de Emergencia si el material le ha contaminado la piel, ropa o calzado.
- No deje el área antes de que le hayan chequeado.

CLERY RELATED BOARD POLICY MANUAL SECTIONS

	2.15
PREVENTION OF AND RESPONSE TO SEXUAL ASSAULT, SEXUAL HARASSMENT, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING	
	ADOPT: July 14, 2015
ED CODE: 212.5, 66262.5, 67380-67385.7, 67386, & 67390-67393 et seq.34 CFR 668.46(a) & 668.46(b) 11	
	TITLE IX, at 34 C.F.R. §106.31(a) & 668.46(a)
	Labor Code § 230.1
	CAMPUS SAVE ACT
JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT	
	VIOLENCE AGAINST WOMEN ACT REAUTHORIZATION OF 2013
	FAMILY CODE 6211
PENAL CODE 261 261.5 262, 265, 266, 266a, 266b, 266c, 266g, 266j, 267, 269, 273.4, 285, 286, 288, 288a, 288.5, 289, 311.4& 646.9	
	DISTRICT POLICY AND PROCEDURE 2.6.1, 2.7, 2.7P, 8.2.8, 8.2.8P

The Sonoma County Junior College District is committed to creating and maintaining a community where all individuals who participate in District programs, services and activities can work and learn together in an atmosphere free of violence, harassment, exploitation, or intimidation. The District will respond promptly and effectively to reports of such behavior, and will take appropriate action to prevent, correct, address the effects, and when necessary, discipline behavior that violates this Policy and/or District Policy 2.7 on Unlawful Discrimination and Sexual Harassment.

Title IX of the Education Amendments of 1972 is a federal civil rights law that prohibits discrimination on the basis of gender in the District’s educational programs and activities, including all District classes and services and in its residence program. The Superintendent/President delegates general authority for compliance with Title IX to the Vice President of Human Resources who shall act as the District Title IX Coordinator. The District Title IX Coordinator is responsible for managing the District’s Title IX compliance program, including coordinating the investigation of allegations of gender discrimination and addressing problems revealed by such allegations or investigations. Questions and complaints regarding gender discrimination may be directed to the Title IX Coordinator/ Vice President of Human Resources. The Superintendent/President delegates general authority for compliance with all mandated crime reporting to the Chief of Police for the Sonoma County Junior College District.

This Policy applies to all District employees and students at all District locations and all District related activities regardless of location. This Policy may apply to other locations not associated with the District based on the relationship between the affected party and accused. A person who engages in conduct prohibited under this Policy is subject to all applicable punishment

within the jurisdiction of the District, including employee or student discipline procedures. Employees may be disciplined up to and including termination from District employment and students may be disciplined up to and including expulsion from the District. Such conduct may also lead to civil and/or criminal prosecution.

Students and employees affected by gender discrimination, including sexual misconduct (the "Affected Party") shall be treated with dignity and provided support and assistance.

A. DEFINITIONS

Sexual Harassment. Unwelcome sexual advances, requests for sexual favors, and other unwelcome verbal, nonverbal, written, visual or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

1. Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
2. Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decision affecting the individual.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance or of creating an intimidating, hostile, or offensive work or educational environment.
4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

Sexual harassment is sexual in nature or based on sex, gender, gender identity, gender expression, or sex- or gender-stereotyping. Sexual harassment is conduct that explicitly or implicitly affects a person's employment or education or interferes with a person's work or educational performance or creates an environment such that a reasonable person would find the conduct intimidating, hostile, or offensive. Sexual harassment includes sexual assault.

Sexual harassment may include incidents between any members of the District community, including faculty, staff, managers, student employees, students, coaches, interns, and non-student or non-employee participants in District activities (e.g., vendors, contractors and visitors). Sexual harassment may occur in hierarchical relationships, between peers, or between individuals of the same sex or opposite sex. To determine whether the reported conduct constitutes sexual harassment, consideration shall be given to the record of the conduct as a whole and to the totality of the circumstances, including the context in which the conduct occurred.

Affirmative Consent. The District shall apply this affirmative consent standard in any determination of whether consent was given by both parties to sexual activity.

Affirmative Consent is consent that is informed, clearly affirmative, unambiguous, and a conscious decision by each participant to engage in mutually agreed-upon sexual activity. Silence or a lack of protest or resistance does not mean consent.

Consent is *voluntary*. It must be given without coercion, force, threats, or intimidation. Consent means positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will. Whether one has taken advantage of a position of influence over another may be a factor in determining consent.

Consent is *revocable*. Consent to some form of sexual activity does not imply consent to other forms of sexual activity. Consent to one act by itself does not constitute consent to another act. Consent to sexual activity on one occasion is not consent to engage in sexual activity on another occasion. A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be mutual consent to engage in sexual activity.

Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once consent is withdrawn, the sexual activity must stop immediately.

Consent cannot be given when a person is *incapacitated*. A person cannot consent if s/he is unconscious or coming in and out of consciousness. A person cannot consent if s/he is under the threat of violence, bodily injury or other forms of coercion. A person cannot consent if his/her understanding of the act is affected by a physical or mental impairment.

If the Affected Party states affirmative consent was not given, it shall not be a valid excuse that the accused believed consent was given to sexual activity under either of the following circumstances: (1) belief the consent arose from the intoxication or recklessness of the Affected Party or (2) the accused did not take reasonable steps at the time of the alleged incident, to determine if the Affected Party affirmatively consented.

Similarly, it shall not be a valid excuse that the accused believed the Affected Party affirmatively consented to sexual activity if the accused knew or should have known that the affirmative consent could not be given because the Affected Party (1) was asleep or unconscious, (2) was incapacitated due to the influence of drugs, alcohol, or medication or could not understand the nature, or extent of the sexual activity, or (3) was unable to communicate due to a mental or physical condition.

For purposes of this *Policy*, the age of consent is consistent with current California Penal Code.

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

Domestic Violence. A felony or misdemeanor crime of violence committed by a spouse or former spouse, cohabitant or former cohabitant of the victim, or someone with whom the accused has a child, has an existing dating or engagement relationship, or has had a former dating or engagement relationship, or abuse perpetrated against any persons described in Family Code section 6211.

Incapacitation. Physical and/or mental inability to make informed, rational judgments. States of incapacitation include, but are not limited to, unconsciousness, sleep, and blackouts. Where alcohol or drugs are involved, incapacitation is defined with respect to how the alcohol or other drugs consumed affects a person's decision-making capacity, awareness of consequences, and ability to make fully informed judgments. If a person is mentally or physically incapacitated so that the person cannot understand the fact, nature or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption or being asleep or unconscious. One person or more than one person being intoxicated by drugs or alcohol does not diminish one's responsibility to obtain consent for any sexual activity. The factors to be considered when determining whether consent was given include whether the accused knew, or whether a reasonable person should have known, that the Affected Party was incapacitated.

Sexual Assault. Sexual activity without the consent of the other person or when the other person is unable to consent to the activity. The activity or conduct may include physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person's incapacitation (including voluntary intoxication). Sexual assault includes, but is not limited to, fondling, rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, incest, statutory rape, or threat of sexual assault.

Sexual Misconduct. Sexual misconduct includes discrimination based on gender, sexual harassment, dating violence, domestic violence, sexual assault, stalking, sexual violence, sexual coercion, and hate crimes based on gender.

Stalking. A course of conduct in which a person repeatedly engages in actions directed at a specific person that places that person in reasonable fear of his or her safety or the safety of others or causes substantial emotional distress. A course of conduct means two or more acts, including, but not limited to acts in which the stalker directly, indirectly, or through third parties by any method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about a victim, or interferes with the property of the victim.

B. Prohibited Acts

This *Policy* prohibits sexual misconduct. Sexual misconduct by an employee is considered to be outside the course and scope of employment and shall be investigated and considered for discipline under applicable District Policy and Procedure. Sexual

misconduct by a student is considered a violation of the Student Conduct Code and shall be investigated and considered for discipline under applicable District Policy and Procedure.

C. Consensual Relationships

This *Policy* covers unwelcome conduct of a sexual nature. Consensual romantic relationships between members of the District community are subject to applicable District Policy.

While romantic relationships between members of the District community may begin as consensual, they may evolve into situations that lead to charges of sexual misconduct.

D. Retaliation

This *Policy* prohibits retaliation against a person who reports sexual harassment, domestic or dating violence, or stalking. Retaliation is prohibited against any person who assists someone with a report of this type of misconduct, or participates in any manner in an investigation or resolution of the misconduct report. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment or education.

E. PREVENTION PROGRAMMING, training and dissemination of POLICY INFORMATION

The District's commitment to providing a working and learning environment free from sexual misconduct includes a multi-faceted approach to preventive education and programming for administrators, faculty, staff and students. This includes the dissemination of information on the dynamics of sexual violence, access to care, victim response, District procedures, and federal/state laws. Educational programming provided includes information on risk reduction, teaches bystander intervention techniques, and addresses the role of consent in sexual relationships. Prevention education and information on this *Policy* shall be disseminated widely to the District community through publications, websites, new employee orientations, student orientations, and other appropriate channels of communication. In addition, the District will provide annual training to investigators and hearing officers.

F. Free Speech and Academic Freedom

As participants in a public community college, the faculty and other academic appointees, staff, and students of Sonoma County Junior College District enjoy free speech protections guaranteed by the First Amendment of the United States Constitution and Article I, Section I of the California Constitution. This *Policy* is intended to protect members of the District community from discrimination, not to regulate protected speech. However, freedom of speech and academic freedom are not limitless and do not protect speech or expressive conduct that violates federal or state anti-discrimination laws.

G. Enforcement Information

Allegations of gender discrimination or sexual misconduct may be filed with the District's Title IX Coordinator. The Office of the Title IX Coordinator is located at 1300 Scholars Dr, Santa Rosa, CA 95401 and can be contacted by telephone at (707) 527-4822. The mailing address is 1501 Mendocino Avenue, Santa Rosa, CA 95401.

Student allegations of gender discrimination may also be filed with the U.S. Department of Education, Office for Civil Rights (OCR) 50 Beale Street, Suite 7200, San Francisco, CA 94105, (415) 486-5555, (www2.ed.gov/ocr) or with the Chancellor of the California Community Colleges at www.cccco.edu or Chancellor's Office, California Community Colleges, 1102 Q Street, Suite 4554, Sacramento, CA 95811-6549, Attention: Legal Affairs Division.

Employee allegations of gender discrimination may also be filed with the Equal Employment Opportunities Commission, 350 The Embarcadero, Suite 500, San Francisco, CA 94105 (www.eeoc.gov) or with the California Department of Fair Employment and Housing (www.dfeh.gov).

2.15P

PREVENTION AND RESPONSE TO SEXUAL ASSAULT, SEXUAL HARASSMENT, DOMESTIC
VIOLENCE, DATING VIOLENCE AND STALKING

ADOPT: July 14, 2015

ED CODE: 67380-67385.7, 67386 & 67390-67393 et seq

34 CFR 668.46(a) & 668.46(b) 11

TITLE IX, at 34 C.F.R. §106.31(a)

CAMPUS SAVE ACT

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT
VIOLENCE AGAINST WOMEN ACT REAUTHORIZATION OF 2013

FAMILY CODE 6211

PENAL CODE 261.5 & 646.9

DISTRICT POLICY AND PROCEDURE 2.6.1, 2.7, 2.7P, 8.2.8, 8.2.8P

The intention of the Prevention and Response to Sexual Assault, Sexual Harassment, Domestic Violence, Dating Violence and Stalking Procedure is to investigate and resolve alleged violations of these offenses.

A. INTRODUCTION

The Sonoma County Junior College District is committed to creating and maintaining an educational community where all individuals who participate in District programs and activities can work and learn together in an atmosphere free of unlawful discrimination, harassment, exploitation, or intimidation. Board Policy 2.15 prohibits sexual assault, sexual harassment, domestic violence, dating violence, and stalking (collectively referred to herein as “sexual misconduct”). Board Policy 2.7 (Unlawful Discrimination and Sexual Harassment) and Procedure 2.7P (Unlawful Discrimination and Sexual Harassment Complaint Procedures) prohibit unlawful discrimination and sexual harassment. Board Policy and Procedure 8.2.8 and 8.2.8P (Student Conduct and Discipline Due Process) prohibit student conduct that constitutes gender discrimination, sexual harassment, sexual assault and sexual misconduct as defined in Board Policy 2.15.

The District is committed to preventing sexual misconduct from occurring or recurring; to responding to reports or complaints about prohibited sexual misconduct by taking prompt and effective steps to end sexual misconduct; to eliminating hostile educational environments; and to providing remedies if improper conduct is found to have occurred.

B. REPORTING SEXUAL ASSAULT, SEXUAL HARASSMENT, DOMESTIC AND DATING
VIOLENCE AND STALKING

Any member of the District community may report conduct that may constitute sexual misconduct to any supervisor, manager, or directly to the Title IX Coordinator, or designee. Supervisors and managers are required to promptly forward such reports to

the Title IX Coordinator/Vice President of Human Resources or designee. Any manager or supervisor who knew about the incident and failed to report the prohibited act may be subject to disciplinary action. All employees who learn of incidents of sexual misconduct or concerns of sexual misconduct should refer the issue to the Title IX Coordinator and encourage direct reporting to the Title IX Coordinator as well.

C. CONFIDENTIALITY

Requests regarding the confidentiality of reports of sexual misconduct to non-confidential District resources will be considered in determining an appropriate response. The District preserves individual privacy and the confidentiality of sensitive information to the extent reasonable and appropriate, recognizing that it cannot ensure that reported information can be completely protected from disclosure. If a student or employee affected by sexual misconduct (the "Affected Party") requests that his/her allegations of sexual misconduct be confidential, the District may be limited in its ability to respond to such allegations. In such cases, the District's ability to investigate, to take remedial actions, or to take disciplinary action against an accused student or employee may be impeded. Although the District seriously considers requests for confidentiality, it must consider such requests in light of its obligations to provide a nondiscriminatory environment and District safety concerns.

The Title IX Coordinator, or designee, shall advise Affected Parties about requesting confidentiality from the District and evaluate such requests. The Title IX Coordinator shall ensure that employees who are required to report sexual misconduct are trained in advising Affected Parties about confidential reporting.

The District has identified the confidential resources with which Affected Parties or members of the District community can consult for advice and information regarding making a report of sexual misconduct. These are the professional staff operating under licensure in Student Health Services and Student Psychological Services or other community agencies that have the specialized skills and training to provide resources such as rape crisis centers.

D. ENCOURAGEMENT OF REPORTING

Students and employees are encouraged to report conduct that they, in good faith, believe constitutes sexual misconduct. To encourage reporting, any Affected Party or witness to alleged sexual misconduct shall not be disciplined for student conduct violations, such as drugs and alcohol, which occurred at or around the time of the reported incidents, unless the District finds the violations egregious, including, but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic dishonesty.

E. RESPONSE TO REPORTS OF SEXUAL ASSAULT, SEXUAL HARASSMENT, DOMESTIC AND DATING VIOLENCE, AND STALKING

The District shall provide prompt and effective response to reports of sexual misconduct which may include early resolution, formal investigation, interim or permanent remedies and/or targeted prevention training or educational programs. The District's response process is intended to provide prompt and equitable means to respond to allegations of unlawful gender discrimination, sexual harassment and assault, and sexual misconduct in accordance with federal and state due process requirements. All procedures, from initial investigation to a final disciplinary result, are intended to be prompt, fair, and impartial.

Allegations of student sexual misconduct are subject to the applicable Student Conduct procedure. Allegations of employee sexual misconduct are subject to the procedure set forth in District Policy, the Education Code, and/or collective bargaining agreements. Allegations or complaints may be filed by the Affected Party or by others on the Affected Party's behalf. If the District receives a credible report of sexual misconduct against a student(s) or employee(s), it will investigate even in the absence of an allegation or complaint from an individual.

Alleged sexual misconduct will be evaluated from the perspective of a reasonable person in the Affected Party's position, considering all the circumstances.

These procedures are not intended to substitute for criminal or civil complaints that may be initiated simultaneously.

When an individual reports to the District that he or she has been a victim of sexual misconduct, he or she shall be provided with a written explanation of his or her rights, options, and resources whether the offense occurred on or off District property.

The District shall investigate reports of sexual misconduct utilizing investigators trained in civil rights/sexual misconduct investigation. The investigation and adjudication process shall conclude within 60 calendar days unless reasonable delays beyond the control of the District occur. The investigation, fact finding, and the employee and student conduct processes shall use a "preponderance of evidence" standard to draw findings or conclusions, meaning the act was more likely than not to have occurred.

The District shall maintain memoranda of understanding (i.e., MOU's) with local law enforcement agencies for the sharing of information from incidents reported to law enforcement with the intent of relieving the Affected Party from unnecessary repetition of information that may be traumatic.

Both during an investigation and upon a finding of sexual misconduct, the District may offer remedies to the individual or individuals harmed by the misconduct consistent with applicable complaint resolution and grievance procedures. Remedies may include

counseling, an opportunity to repeat course work without penalty, change in class section, District-initiated employee transfer, or other appropriate interventions.

Any employee of the District who is found to have engaged in sexual assault, sexual harassment, domestic violence, dating violence, or stalking is subject to disciplinary action up to and including dismissal in accordance with the applicable District disciplinary procedures, and collective bargaining agreement.

Any student of the District who is found to have engaged in sexual assault, sexual harassment, domestic violence, dating violence, or stalking is subject to disciplinary action up to and including expulsion in accordance with the applicable Student Conduct and Discipline Due Process policy and procedure.

2.7

UNLAWFUL DISCRIMINATION AND SEXUAL HARASSMENT

ADOPT: MAY 9, 1995

REVISED: MARCH 13, 2001

REVISED: DECEMBER 10, 2002

REVISED: JUNE 10, 2008

CATEGORY 2 REVISION: FEBRUARY 14, 2012

CATEGORY 3 REVISION: JUNE 10, 2014

REVIEWED: OCTOBER 11, 2016

Education Code, §§ 212.5, 66262.5, 66281.5; 20 U.S.C. §1681 et seq.
20 U.S.C. §1681 et seq.; 34 C.F.R. § Part 106; Cal. Code Regs., Title 5, § 59300 et seq.;
*Revised Sexual Harassment Guidance: Harassment of Students by School Employees,
Other Students, or Third Parties, Title IX*, Office for Civil Rights, January 19, 2001

The Sonoma County Junior College District is committed to an environment in which all employees and students are treated with respect and dignity. Each employee and student has the right to work/learn in a professional atmosphere that promotes equal opportunity and is free from unlawful discriminatory practices.

UNLAWFUL DISCRIMINATION

No person shall be unlawfully subjected to discrimination, in whole or in part, on the basis of disability, gender, gender identity, gender expression, sexual orientation, genetic condition, citizenship, national origin, color, race, ethnicity, religion, or age; or on the basis of these perceived characteristics; or on the basis of association with, advocacy for, or identification with a person or group with one or more of these actual or perceived characteristics.

No discrimination shall occur in any program or activity that is administered by, funded directly by, or that receives any financial assistance from the District, the State Chancellor, or the Board of Governors of the California Community Colleges.

The District will comply with the accessibility requirements of Section 508 of the Rehabilitation Act of 1973 in the development, procurement, maintenance, or use of electronic or information technology, and will respond to and resolve unlawful discrimination complaints regarding accessibility. Such complaints shall be treated as complaints of discrimination on the basis of disability.

Information on specific rules and procedures for reporting unlawful discrimination, including sexual harassment, and information on potentially available remedies is available from the Vice President of Human Resources.

Employees, students, or other persons acting on behalf of the District who engage in unlawful discrimination as defined in this policy or by state or federal law may be subject to discipline, up to and including discharge, expulsion, or termination of contract.

SEXUAL HARASSMENT

Sexual Harassment is unlawful discrimination in the form of unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the workplace or in the educational setting, Sonoma County Junior College District will provide an educational and employment environment free from sexual harassment, including but is not limited to:

- (1) Unwelcome sexual advances or requests for sexual favors.
- (2) Unsolicited and unwelcomed written, verbal, physical, and/or visual contacts with sexual overtones. (Examples of possible sexual harassment that appear in a written form may include: sexually suggestive or obscene letters, text messages, notes, or invitations. Examples of possible visual sexual harassment may include: leering, inappropriate gestures, display of sexual objects or pictures, cartoons, or posters. Examples of verbal harassment may include: sexual innuendoes and comments; humor or jokes about sex; 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 may include but are not limited to: unwanted and inappropriate touching, patting, pinching, stroking or brushing against a person; attempted or actual sexual assault.)
- (3) Continued expression of sexual interest after being informed that the interest is unwelcome.
- (4) Reprisals, threats of reprisal, or implied threats of reprisal following a rebuff of harassing behavior.
- (5) Explicit or implicit coercive sexual behavior within the work environment that is used to control, influence, or affect the employee's career, salary, and/or work environment.
- (6) 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.
- (7) The offering of favors or educational or employment benefits, such as grades or promotions, favorable performance evaluations, reclassifications, favorable assignments, favorable duties or shifts, or favorable recommendations, in exchange for sexual favors.
- (8) The awarding of educational or employment benefits, such as grades or duties or shifts, recommendations, or reclassifications, to any student or employee with whom the decision maker has a sexual relationship and denying such benefits to other students or employees.

The District will not tolerate sexual harassment in the education and employment environment, especially under any of the following conditions:

- (1) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
- (2) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- (3) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- (4) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the District.

NON-RETALIATION

It is unlawful for anyone to retaliate against someone who files an unlawful discrimination complaint, including a complaint alleging sexual harassment; who refers a matter for investigation or complaint; who participates in an investigation of a complaint; who represents or serves as an advocate for an alleged victim or alleged offender; or who otherwise furthers the principles of this unlawful discrimination policy.

ACADEMIC FREEDOM

The Board of Trustees affirms its commitment to academic freedom as delineated in Article 9 of the Contract between the All Faculty Association and the Sonoma County Junior College District. Academic freedom ensures both the faculty's right to teach and the student's right to learn.

Academic freedom does not allow a faculty member to engage in any form of unlawful discrimination, including sexual harassment.

DEFINITIONS

For purposes of this policy, the following definitions apply:

"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.

"Gender" means sex, and includes a person's gender identity and gender expression.

“Gender Expression” means a person’s gender-related appearance and behavior, whether or not stereotypically associated with the person’s assigned sex at birth (i.e. transgender).

"Sex" includes, but is not limited to, pregnancy, childbirth, or medical conditions related to pregnancy or childbirth. 'Sex' also includes, but is not limited to, a person's gender, as defined in section 422.56 of the Penal Code. Discrimination on the basis of sex or gender also includes sexual harassment.

“Sexual orientation” includes heterosexuality, homosexuality, or bisexuality.

“Nationality” includes citizenship, country of origin, and national origin.

“Race or ethnicity” includes ancestry, color, ethnic group identification, and ethnic background.

“Religion” includes all aspects of religious belief, observance, and practice and includes agnosticism and atheism.

“Retaliation” includes an adverse action taken in response to the filing of a charge of unlawful discrimination or sexual harassment.

“Disability” includes but is not limited to mental and physical disability as defined by the Americans with Disabilities Act of 1990.

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

(1) Having any mental or psychological disorder or condition, such as organic brain syndrome, emotional or mental illness, or specific learning disabilities that limits a major life activity.

For purposes of this policy and 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) Having any other mental or psychological disorder or condition not described in (1) that requires special education or related services.

(3) Having a record of a mental or psychological disorder or condition not described in (1) or (2) which is known to the District.

(4) Being regarded or treated by the District as having, or having had, any mental condition that makes achievement of a major life activity difficult.

(5) 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 (1) or (2).

(6) "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 policy and procedures:

(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 (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 (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 (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.

2.7P

UNLAWFUL DISCRIMINATION AND SEXUAL HARASSMENT 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

CATEGORY 3 REVISION: JUNE 10, 2014

CATEGORY 2 REVISION: OCTOBER 14, 2014

CATEGORY 2 REVISION: OCTOBER 11, 2016

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

California Const., Article I, §1

Civil Code § 47

Ed. Code, §§ 76234 and 87740, 34 C.F.R. § 99.31(a)

Cal. Code Regs., Title. 5, §§ 59020, 59300 et seq., 59302, 59311, 59324, 59326, 59327, 59328, 59332, 59334, 59336, 59338, 59339, 59340, 59342

Authority: 20 U.S.C. §§ 1681 et seq.

34 C.F.R. § 106

34 C.F.R. § 106.8(b)

Ed. Code, § 66281.5

Ed. Code, §§ 212.5, 66262.5

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, Title IX, Office for Civil Rights, January 19, 2001

Reference: *Cohen v. San Bernardino Valley College* (1995) 883 F.Supp. 1407, 1412-1414, affd. in part and revd. in part on other grounds, (1996) 92 F.3d 968

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 including sexual harassment complaints filed pursuant to this procedure and for coordinating their investigation. The Vice President of Human Resources serves as the District's Title IX Coordinator. 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, or when it is otherwise appropriate to delegate the investigation to a third party.

Administrators, faculty, classified staff, students and members of the public should direct all complaints of alleged unlawful discrimination or sexual harassment to the Vice President of Human Resources.

CONFIDENTIALITY

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

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.

Persons who are participating in a District investigative or disciplinary process that is related to a charge of discrimination may be 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.

Disciplinary action taken against employees is 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.

FILING A COMPLAINT

A complaint may be filed with the Vice President of Human Resources by an individual, including a student, 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 or by an individual who learns of such alleged discrimination or harassment in his or her official capacity as an administrator or faculty member. A complaint may be filed by a third party on behalf of the person discriminated against or harassed so long as the alleged victim consents in writing to having the third party act on his/her behalf (if the alleged victim is a minor, then the parent or guardian must consent).

The Vice President of Human Resources will explain both informal and formal options for addressing the issue and the individual's rights and responsibilities under both options.

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.

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.

INFORMAL/FORMAL COMPLAINT PROCESS

The purpose of the informal resolution process is to allow an individual who believes he/she has been unlawfully discriminated against including sexually harassed to resolve the issue through a mediation process rather than the formal complaint process. The informal or formal process may be invoked when the complainant, or the third party representative, chooses, for whatever reason, not to communicate directly with the individual whose conduct is offensive, or, if such communication is unsuccessful, and the complainant does not wish to file a formal complaint.

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 verbal or written complaint, but informal resolution efforts do not extend the time limitations for filing a formal complaint. To the extent practicable, unlawful discrimination including sexual harassment complaints filed under the informal process shall be investigated, within a maximum of ninety (90) calendar days of receipt.

If a formal complaint is filed, a new investigation must be completed within 90 days unless it is voluntarily rescinded by a complainant as a result of a successful informal resolution. After a formal complaint is filed, a complete investigation is required 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 calendar day period for rendering the administrative determination.

For both formal and informal complaints, the Vice President of Human Resources will:

- 1) Assure the complainant that he/she will not be required to confront or resolve problems directly with the person accused of unlawful discrimination.
- 2) Advise the complainant that he/she may file a nonemployment-based complaint or employment-based complaints that are disability related with the Office for Civil Rights (OCR) of the U.S. Department of Education where such complaint is within that agency's jurisdiction
- 3) If the complaint is employment-related, advise the complainant that the complaint may be filed with the Department of Fair Employment and Housing

(DFEH) or the U.S. Equal Employment Opportunity Commission (EEOC) where such complaint is within the agency's jurisdiction.

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

In employment related cases, if the complainant files with the Department of Fair Employment and Housing or with the U.S. Equal Employment Opportunity Commission, 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 or the U.S. Equal Employment Opportunity Commission.

FILING OF FORMAL WRITTEN COMPLAINT

If a complainant decides to file a formal unlawful discrimination complaint with the District, he or she may file the complaint verbally, in letter or email format, or on a form prescribed by the State Chancellor's Office. These approved forms are available from the Human Resources Department and also at the Chancellor's Office website.

Verbal or written complaints are to be filed with the Vice President of Human Resources or mailed directly to the State Chancellor's Office, see contact information at the end of this procedure.

If a complaint of unlawful discrimination is presented in another format, such as a verbal complaint, the District may request that the complainant complete a form. If there is a delay in obtaining a completed form, or the complainant refuses to transfer the information or otherwise complete the form but wishes to pursue the formal complaint process, the District may attach a letter to the form and open a formal investigation.

Once a complaint is filed 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 in a manner that is appropriate under the circumstances. The District will also advise the accused that the process will remain confidential, 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.

INVESTIGATION OF A FORMAL COMPLAINT

Once a formal complaint has been filed, it will be reviewed by the Vice President of Human Resources or designee to determine if the complaint meets the following requirements:

- (1) If the complaint is not filed in writing, every effort should be made to have the complaint put in writing to obtain the complainant's signature. However, where a complainant has indicated that he or she wishes to pursue the formal complaint process, a complaint will not be rejected solely based on the failure to file the complaint on the prescribed form.
- (2) The complaint must allege unlawful discrimination prohibited under Title 5.
- (3) The complaint shall be filed by one who alleges that he or she has personally suffered unlawful discrimination or by a third party on behalf of the person allegedly discriminated against so long as the alleged victim of the discrimination consents in writing to having the third party act on his/her behalf (if the alleged victim is a minor, then the parent or guardian must consent) 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 calendar days of the date the alleged unlawful discrimination occurred, except that this period will be extended by no more than 90 calendar days following the expiration of that 180 calendar days if the complainant first obtained knowledge of the facts of the alleged violation after the expiration of 180 calendar days.
- (6) The investigator will be impartial and will make reasonable efforts to interview individuals who have relevant knowledge regarding the complaint, including, but not limited to, the complainant, the person who was the subject of the discrimination, if different, the person accused of discrimination, anyone who witnessed the reported discrimination and other individuals identified as having relevant information. The investigator will also review any records, notes, memoranda, correspondence or statements relevant to the discrimination. The investigator will be trained regarding how to appropriately conduct investigations of unlawful discrimination or sexual harassment.

If a complaint is determined to not meet the requirements of Title V, it will be immediately returned to the complainant with a written explanation of why an investigation will not be initiated under the California Code of Regulations. The notice shall specify why the

complaint is defective. A copy of the notice to the complainant will also be sent to the State Chancellor's Office.

RETALIATION

It is unlawful to retaliate against someone who files an unlawful discrimination complaint, who refers a matter for investigation of a complaint, who participates in an investigation of a complaint, who represents or serves as an advocate for an alleged victim or alleged offender, or who otherwise furthers the principles of this unlawful discrimination policy.

If an individual believes he/she has been subject to such retaliation, 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(s) 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) calendar days of receipt. If circumstances beyond the control of the District prevent the completion of an investigation within 90 calendar days, the Vice President of Human Resources will notify the State Chancellor's Office and the complainant (see "Extensions" below). Upon completion of the investigation, the Vice President of Human Resources will forward a copy of the investigative report to the State Chancellor's Office.

Upon completion of the investigation (not to exceed 90 days) a written notification shall be provided to the complainant and/or target of the alleged unlawful discrimination, including sexual harassment, explaining the District's investigative process, a summary of the factual information gathered, its determination as to whether unlawful discrimination, including sexual harassment, occurred, the reasons for its decisions, and any appeal procedures. If unlawful discrimination, including sexual harassment, is found to have occurred, the written notification will also include any remedial and corrective actions that have been or will be taken to address the unlawful discrimination or sexual harassment and prevent any retaliation or recurrence.

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 and analysis of the relevant evidence (documents, data, or witness testimony) on which the determination rests.
- (3) A finding as to whether probable cause exists to believe that discrimination in violation of District policy occurred with respect to each complaint allegation.
- (4) Any other information deemed appropriate by the District.

Upon completion of the investigation, a summary of the investigative report shall be forwarded to the complainant within the allowable 90-day timeframe for investigating the complaint.

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

- (1) The determination of the Vice President of Human Resources 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.

The District will keep these documents on file for a period of at least three years after closing the case, and make them available to the State Chancellor upon request.

The District recognizes the importance of and is therefore committed to completing investigations and resolving complaints as quickly as possible, consistent with the requirements for a thorough investigation.

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. All appeals must be written and signed. 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/her appeal rights as follows:

(1) First level of appeal: the complainant has the right to file a written and signed appeal to the District's Board of Trustees within 15 calendar 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 on the matter within 45 calendar days after receiving the written and signed appeal. Should the Board of Trustees elect to take no action within 45 calendar days, the original decision in 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 a written and signed appeal with the California Community College Chancellor's Office in any case not involving employment related discrimination within 30 calendar 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 calendar days.

The complainant's appeal to the State Chancellor's Office must be accompanied either by a copy of the Board of Trustees' decision or by evidence showing the date the complainant filed a written 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 calendar days from that date. In any case involving employment discrimination, the complainant has the right to file a complaint with the Department of Fair Employment and Housing (DFEH) where the case is within the jurisdiction of that agency.

The Title 5 process provides no corresponding appeal rights to any other parties aside from the complainants.

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 calendar days of receiving a complaint that does not involve employment discrimination, the District will either:

- 1) Forward the following to the State Chancellor's Office:
 - a) 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 calendar days
 - b) A copy of the notice of appeal rights the District sent the complainant
 - c) Any other information the State Chancellor's Office may require, or
- 2) Notify the State Chancellor's Office that the complainant has not filed a written and signed appeal with the Board of Trustees and that the District has closed its file.

The District will keep these documents on file for a period of at least three years after closing the case, and in any case involving employment discrimination, make them available to the State Chancellor's Office upon request.

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 State Chancellor grant an extension of the deadline. Where an extension is deemed necessary by the District, it must be requested from the State Chancellor regardless of whether or not the case involves employment discrimination. The request will be submitted no later than 10 calendar 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 will be advised that he or she 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 calendar day deadline the 150-day deadline is automatically extended by an equal amount of time.

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. 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 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. This includes the District website.

DOCUMENT RETENTION

Unlawful discrimination records that are part of an employee's employment records may be classified as Class-1 Permanent records and retained indefinitely or microfilmed in accordance with Title 5. Unlawful discrimination records of a student that are deemed worthy of preservation but not classified as Class-1 Permanent may be classified as Class-2 Optional records or as Class-3 Disposable records. Class-2 Optional records shall be retained until reclassified as Class-3 Disposable Records. Class-3 Disposable Records shall be retained for a period of three years after being classified as Class-3 Disposable records.

Records related to a student discrimination complaint will be deemed worthy of preservation if, at the end of three years after the case is closed, a complaint on similar grounds has been filed against the same employee. In such cases, the records shall continue

to be classified as Class 2 records and shall not be reclassified as Class-3 Disposable Records until complaints against that particular employee have been resolved.

Academic Freedom

When investigating unlawful discrimination complaints containing issues of academic freedom, the District will consult with a faculty member appointed by the Academic Senate with respect to contemporary practices and standards for course content and delivery. The Board recognizes that the probing of opinions and an exploration of ideas may cause some students discomfort but does not necessarily constitute unlawful discrimination, including sexual harassment.

AGENCY CONTACT INFORMATION

Gene Durand
Vice President of Human Resources and Title IX Coordinator
Santa Rosa Junior College
Mailing Address:
1501 Mendocino Avenue
Santa Rosa, CA 95401
Physical Address:
350 Elliott Ave
Santa Rosa, CA 95401
Phone Number:
(707) 527-4954

State Chancellor's Office
Legal Affairs Division
Chancellor's Office
California Community Colleges
1102 Q Street
Sacramento, CA 95811
(916) 445-8752

U.S. DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS
United Nations Plaza
San Francisco, CA 94102
(415) 486-5555
ocr.sanfrancisco@ed.gov

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

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

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

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.

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

REVISED: MARCH 13, 2012

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 8.2.2 (Student Grievance/Complaint)
- District Procedure 8.2.2P (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

Discrimination or Sexual Harassment

All Employees & Students - Contact the Vice President of Human Resources

- 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.

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

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).

Formerly Policy 4.22. Ref: see Policy 4.14 as approved by the Board 6-10-03

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

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>.

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

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

7.13

DISTRICT POLICE

ADOPT: APRIL 8, 1985

REVISED: APRIL 10, 2001

REVISED: DECEMBER 9, 2008

REVIEWED/NO CHANGE: JANUARY 10, 2012

ED CODE: 72330, 72332, 72331, 67380-85:

"KRISTEN SMART - CAMPUS SAFETY ACT of 1998"

FEDERAL PUBLIC LAW: 201 P.L. 101-542 AS

AMENDED BY P.L. 102-26, "CRIME AWARENESS
AND CAMPUS SECURITY ACT of 1990" - KNOWN AS

"THE CLERY ACT"

PENAL CODE 830.32

It shall be the policy of the Sonoma County Junior College District to maintain a District Police Department, under the direction of the Vice-President of Business Services, to manage police and parking services on or about District properties and to act as a liaison between the College and other law enforcement agencies.

In meeting this responsibility, the Board of Trustees has created a District Police Department with sworn police officers who adhere to the State California Commission on Peace Officer Standards and Training (P.O.S.T.) requirements.

The mission of the District Police Department is to serve and protect persons and property on or about the campuses and property of the Sonoma County Junior College District. The responsibilities associated with this mission are many. They include enforcement of District Policy and Procedures, city ordinances, federal and state law; maintaining the peace and order of the District; protecting property and personal safety, training of District employees and students in areas such as crime prevention and personal safety, and generally assisting in all service situations in a polite and courteous manner. The District Police Department adheres to the philosophy of standard community oriented policing techniques and problem solving. The District Police Department also adheres to all Federal and State mandates, such as the Kristen Smart Act and the Student Right to Know Act.

The Chief of Police shall be responsible for the day-to-day operations of the District Police Department. Under the direction of the Chief of Police, Police Officers will: enforce traffic and parking regulations, Federal, State and local laws; patrol District properties to maintain security and order; perform investigative work; perform crime and fire prevention inspections; provide District employees with training in areas such as crime prevention and personal safety; provide supervision and training to the Department's police cadets, and perform related work as required.

The District Police Department is responsible for patrolling the District properties, responding to calls for service, investigating crimes, apprehending and aiding in the prosecution of those who commit crimes on District properties. The District Police Department shall maintain a working relationship with other law enforcement agencies in the county and also with the District Attorney's Office.

The Board of Trustees has also established a uniformed student patrol under the supervision of the District Police Chief to provide additional campus security as part of an educational program.

The District Police Department shall recruit, hire, and train students from the Administration of Justice Program to work as uniformed student police cadets. Their primary function shall be to provide visible uniformed coverage on District properties.

In meeting this responsibility, the Board of Trustees has created a District Police Department with sworn police officers who adhere to the State California Commission on Peace Officer Standards and Training (P.O.S.T.) requirements

7.13.1

CAMPUS CRIME REPORTING
AND CAMPUS SECURITY ACT

ADOPT: MARCH 10, 1992

REVISED: APRIL 10, 2001

REVISED: DECEMBER 9, 2008

REVIEWED/NO CHANGE: JANUARY 10, 2012

Ed Code: 72330

PENAL CODE: 830.32

FEDERAL PUBLIC LAW: 201 P.L. 101-542 AS AMENDED BY

P.L. 102-26, THE "CRIME AWARENESS

AND CAMPUS SECURITY ACT OF 1990"

KNOWN AS THE "CLERY ACT"

The Sonoma County Junior College District Board of Trustees understands the need to maintain an environment as safe as possible for students, employees and the public.

In meeting this responsibility, the Board of Trustees has created a District police department with sworn police officers who adhere to the State of California Commission on Peace Officer Standards and Training (P.O.S.T.) requirements.

The District Police Department provides timely notices, issues an annual security report, keeps current public crime logs, and compiles, maintains and reports crime statistics in accordance with applicable state and Federal laws including the Campus Security Act of 1990, known as the "Jeanne Clery Act."

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

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

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.

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.

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.

7.4.2

DRUGS, TOBACCO, ALCOHOL

ADOPT: APRIL 8, 1985

REVISED: DECEMBER 13, 1994

REVISED: APRIL 10, 2001

RENUMBERED: MAY 12, 2009

CATEGORY 2 REVISION: MARCH 11, 2014

Policy 6.8.4-Drug Free Workplace

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 District employees.

8.2.8

STUDENT CONDUCT AND DISCIPLINE DUE PROCESS

ADOPT: APRIL 8, 1985

REVISED: NOVEMBER 14, 1995

REVIEWED: NOVEMBER 14, 2000

REVIEWED: MAY 13, 2008

REVIEWED/NO CHANGE: JANUARY 10, 2012

CATEGORY 3 REVISION: FEBRUARY 10, 2015

PENAL CODE: 245, 415, 502, 626.2

ED CODE: 76033, 67361

HEALTH & SAFETY CODE: 11014.5, 11053, 11054

BUSINESS & PROFESSIONAL CODE: 4240

TITLE IX

DISTRICT POLICY: 2.7, 3.11

The Sonoma County Junior College District supports a safe, productive learning environment to foster intellectual curiosity, integrity and accomplishment as defined in the District Mission and Goals.

The District holds that students shall conduct themselves in a manner which reflects their awareness of common standards of decency and the rights of others. Interference with the District's mission, objectives, or community life shall be cause for disciplinary action.

A student is defined as a person who is currently enrolled as a student in a credit or noncredit class or in community service offerings of the District; engaged in District activities in preparation for enrollment; or enrolled as a student or preparing for enrollment at the time of an alleged violation of the Standards of Conduct.

In some circumstances these standards of conduct may apply to conduct that occurs off campus when the Conduct Dean determines there is reasonable association with the District. In cases involving sexual misconduct, the jurisdiction will be determined by the Title IX Officer/Vice President, Human Resources.

Students shall be subject to District discipline only for good cause which shall include, but not be limited to, the following categories of misconduct that occurs at any time, in any format with a member of the District community, or at a District-approved activity or sponsored event.

ACTS OF MISCONDUCT

A. Dishonesty, such as cheating, plagiarism, or knowingly furnishing false information to the District.

- B. Forgery, alterations, or misuse of District documents, records, or identification.
- C. Use of any electronic listening or recording device in any classroom without the prior consent of the instructor, except as necessary to provide reasonable auxiliary aids and academic accommodations to a student with a disability.
- D. Making a video recording, audio recording, taking photographs, or streaming audio/video of any person in a location where the person has a reasonable expectation of privacy, without that person's knowledge and express consent.
- E. Sale, preparation, or distribution for any commercial purpose course lecture notes or video or audio recordings of any course, unless authorized by the authoring faculty or District representative in advance. The unauthorized sale or commercial distribution of course notes or recordings by a student is a violation of this policy whether or not it was the student or someone else who prepared the notes or recordings.
- F. Obstruction or disruption of teaching, research, administration, disciplinary procedures, District activities, or other activities authorized by the District including its public service functions, or of other authorized activities.
- G. Solicitation or acceptance of money or other item of value as an inducement, encouragement, or reward for intercollegiate participation or false declarations regarding eligibility for participation in intercollegiate athletics.
- H. Sexual misconduct including but not limited to lewd or indecent behavior, sexual assault, sexual battery, sexual harassment, or threat of sexual misconduct as defined by law or policy of the District.
- I. Participation in hazing or any method of initiation or pre-initiation into a campus organization or other activity engaged in by the organization or members of the organization at any time that causes, or is likely to cause, physical injury or personal degradation or disgrace resulting in psychological harm to any student or other person.
- J. Harassment, bullying, or discriminatory behavior defined as conduct that is objectively severe, pervasive, and offensive, and that so substantially impairs a person's access to District programs or activities that the person is effectively denied equal access to the District's resources and opportunities.

Harassment includes, but is not limited to, conduct that is motivated on the basis of a person's race, color, national or ethnic origin, citizenship, sex, religion, age, sexual orientation, gender identity, pregnancy, marital status, ancestry, service in the uniformed services, physical or mental disability, medical condition, or perceived membership in any of the classifications.

- K. Stalking behavior in which a student repeatedly engages in a course of conduct directed at another person and makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her family; where the threat is reasonably determined by the District to seriously alarm, torment, or terrorize the person; and where the threat is additionally determined by the District to serve no legitimate purpose.
- L. Physical, verbal, written, or image based abuse of any person, or conduct which threatens or endangers the health or safety of any such person.
- M. Assault, battery, or any threat of force or violence upon a person.
- N. Possession or use of any deadly weapon, replica weapon, explosive, or other destructive device on District Property including, but not limited to firearm, dirk, dagger, ice pick, knife, or any other object used as a weapon.
- O. Willful misconduct resulting in injury or death to a person or which results in cutting, defacing, or other damage to any District or personal property.
- P. Committing, attempting, or being an accomplice to robbery or extortion on District property or at a District activity.
- Q. Theft of or damage to property of the District or of a member of the District community or campus visitor. This includes abuse of District computers and other District electronic resources such as computer and electronic communications facilities, systems, and services. Abuses include, but are not limited to, unauthorized entry, use, transfer, or tampering with the communications of others; interference with the work of others and with the operation of computer and electronic communications facilities, systems, and services.
- R. Willful or persistent smoking or use of electronic or vapor smoking device in any area on District property where smoking has been prohibited by law or by regulation of the Board of Trustees of Sonoma County Junior College District.
- S. Unauthorized entry to, possession of, receipt of, or use of any District services, equipment, resources, or properties, including the District or College name or logo. Unauthorized possession, duplication, or use of keys or entry devices to any District facilities.
- T. Violation of District regulations maintained by the Office of Student Affairs concerning student organizations, or the time, place and manner of public expression, including participation in a disturbance of the peace or unlawful assembly.
- U. Engaging in expression which is libelous or slanderous or which so incites others as to create a clear and present danger of the commission of unlawful acts on District premises or at District-sponsored or supervised functions, or the violation of lawful District administrative procedures, or the substantial disruption of the orderly operation of the District.

V. Unlawful possession, use, sale, offering to sell, or furnishing, or being under the influence of, any controlled substance, alcoholic beverage, or intoxicant or poison or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia.

W. Continued disruptive behavior, failure to comply with directions of District 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 District personnel requiring inordinate drains on staff time, resources and supervision.

X. Failure to identify oneself to, or comply with the directions of a District official acting in the performance of their duties or resisting or obstructing such District official in the performance of or the attempt to perform their duties.

Y. Failure to observe precautions the District deems necessary to ensure the safety of the student or others.

Written Notice

For the purpose of this policy and procedures, and unless otherwise specified, “written notice” means notice that is served by U. S. mail and email at the student’s most recent addresses on file in the District’s Admissions and Records Office and shall be deemed received by the student two (2) working days after deposit in the mail or received immediately by the student upon email delivery.

8.2.8P

STUDENT CONDUCT AND DISCIPLINE DUE PROCESS

ADOPT: FEBRUARY 10, 2015

ED CODE: 66017, 66300, 66301, 67362, 70902, 72122, 76030 et seq., 76033, 78907, 87708

PENAL CODE: 415.5, 502, 626.2, 626.4

DISTRICT POLICY 3.11, 2.7

TITLE IX

The intention of the Student Discipline and Due Process Procedure is to resolve alleged violations of the standards of conduct in a fair, honest manner that honors the needs and protects the safety of the District community.

These procedures provide a prompt and equitable means to address violations of the Santa Rosa Junior College Student Standards of Conduct in accordance with the due process rights guaranteed to students. These procedures do not substitute for criminal or civil proceedings that may be separately initiated.

These procedures are not intended to infringe in any way on the rights of students to engage in protected free expression.

The Superintendent/President delegates general authority for the implementation of this Administrative Procedure to the Dean, Student Conduct or designee. The Dean of Student Services, Petaluma Campus shall be the Conduct Dean for student conduct matters at the Petaluma Campus.

I. REPORTING MISCONDUCT

A. Any member of the college community may make a complaint against a student with allegations of misconduct. Acts of academic dishonesty such as cheating or plagiarism shall be reported to the Dean, Student Services for incidents at the Petaluma campus, and the Dean, Student Affairs and Engagement Programs for all other locations. Acts of sexual harassment shall be reported to the District Title IX Officer/Vice President, Human Resources. All other misconduct shall be reported to the Conduct Dean.

B. Misconduct in the instructional setting may be addressed and resolved by the instructor. The instructor shall privately inform the student of the misconduct, either face to face or by email, with a warning and statement of expected behavior in an effort to redirect the student. The student, at this point, has the right to respond to the instructor's allegations. If the misconduct is severe, or continues after warning, a report shall be sent to the Department Chair and the Conduct Dean.

C. Any member of the college community including District Police officers, administrators, students, faculty and staff may report misconduct in a non-instructional setting to the Conduct Dean.

D. Any misconduct that is deemed dangerous or criminal shall be reported to District Police immediately and then the Conduct Dean.

II. INVESTIGATION AND ADMINISTRATIVE HEARING PROCESS

A. Upon receiving the conduct referral, the Conduct Dean will investigate the allegations. If the Dean finds there are grounds for charges, a written Statement of Charges shall be provided to the student that will include a statement of the misconduct, the identified conduct violation charges, and the time, date, and place of the Administrative Hearing. The student shall be asked to provide a written response to the Statement of Charges to the Conduct Dean no later than two (2) working days after the student's receipt of the Statement of Charges. The Statement of Charges may be amended at any time upon providing notice to the student of such amendment.

B. Representation and Advisors

1. The student shall represent him or herself at the hearing, and may, but need not, bring a non-attorney advisor he or she chooses. The non-attorney advisor may advise the student, but may not participate. Failure by the non-attorney to comply with this requirement will result in removal from the hearing.
2. The Conduct Dean may request that the District provide an attorney at the hearing to sit in an advisory capacity and to provide legal counsel. If the District intends to have an attorney assist the Conduct Dean during the hearing, it will notify the student not less than five (5) working days prior to the date of the hearing so that the student may decide whether to obtain his or her own attorney.
3. A student may have an attorney advisor only if (1) the District will have an attorney to assist the Conduct Dean during the hearing, or (2) if criminal charges related to the alleged student misconduct are pending against the student at the time of the hearing. The student is solely responsible for securing and compensating an attorney. The student must notify the District not less than five (5) working days prior to the date of the hearing that they will be accompanied by an attorney under this paragraph.

4. Attorneys who assist the Conduct Dean or a student may be present and provide advice to their client, but beyond stating their names for identification purposes, may not participate by examining witnesses, submitting or objecting to documents, making statements, or asking questions.
5. Any person licensed to practice law is considered an attorney for purposes of the hearing.

C. The hearing shall be closed and confidential.

D. At the Administrative Hearing, the Conduct Dean shall give the student the opportunity to respond to the Statement of Charges. The Dean may conduct further investigation of the allegations and may require additional meetings with the student as part of the Administrative Hearing.

E. The Dean and the student may discuss voluntary resolution/consent to discipline as part of the Administrative Hearing if deemed appropriate by the Dean.

F. Waiver of Administrative Hearing

1. A student who fails to attend an Administrative Hearing without excusable reason shall be deemed to have waived his or her right to an Administrative Hearing. Excusable reason means inability to meet due to student's hospitalization, incarceration, or other reason beyond the student's control as determined by the Conduct Dean.
2. Following the Waiver of Administrative Hearing, the Conduct Dean will proceed to determine and provide notice to the student of the Administrative Decision.

III. DETERMINATION AND NOTICE OF ADMINISTRATIVE DECISION/RECOMMENDATION

The Conduct Dean shall issue a written notice of his or her Administrative Decision to the student including recommended sanction, within ten (10) working days of completion of the Administrative Hearing process or within ten (10) working days of the student's waiver of hearing rights. The Conduct Dean may extend the time for issuing written notice if he or she determines an extension is appropriate to support a meaningful disciplinary process. The Administrative Decision shall be based on reasonable and relevant evidence. The Conduct Dean may consider the student's disciplinary history at the District in reaching a decision or recommendation. The Administrative Decision shall include the Statement of

Charges, indication of timely written response from the student, factual findings and conclusions as to which Standards of Student Conduct were violated and any discipline sanctions to be imposed.

IV. SANCTIONS

A. Withdrawal of Consent to Remain on District Property

1. The Superintendent/President, College Chief of Police/designee, Vice President of Student Services/Assistant Superintendent, and Conduct Dean are authorized to notify any person for whom there is a reasonable belief that the person has willfully disrupted the orderly operation of the District that consent to remain on District property has been withdrawn. If the person is on District property at the time, they must promptly leave or be escorted off site.
2. Withdrawal of consent to remain on District property issued to a student shall not exceed fourteen (14) calendar days from the date upon which consent was initially withdrawn.
3. Any student whose consent to remain on District property has been withdrawn who knowingly re-enters the campus during the period in which consent has been withdrawn, except to attend a hearing with the Conduct Dean, is subject to arrest.
4. Withdrawal of consent does not preclude any other disciplinary actions under these procedures for student violation of the District's Student Conduct Standards.

B. Exclusion from Class or Activity

1. An instructor may decide to exclude a student from up to two class meetings and shall notify the Conduct Dean and Department Chair. Classwork missed during an instructor removal may not be made up, and the days of removal are considered unexcused absences.
2. Any faculty or administrative staff who are assigned to supervise a library, tutorial center, instructional laboratory, study facility, or other site of extra-curricular activities such as clubs and athletics may exclude a student for no more than two (2) days of required attendance, or if attendance is not required, for two (2) consecutive days and shall notify the Conduct Dean and supervising administrator.

C. Immediate Interim Suspension

If the Conduct Dean determines it is necessary to protect lives or property and to ensure the maintenance of order, a student may be immediately suspended from some or all classes and class-related activities, pending an opportunity for a hearing within ten (10) calendar days.

D. Probation or Short-term Suspension

If the Conduct Dean determines that good cause exists to impose a period of probation or short-term suspension, the Administrative Decision shall specify the length of time of the probation or suspension and the parameters of activities covered by the sanction. Probation allows for conditional continued enrollment under stated restrictions. Short-term suspension excludes a student from one or more classes and/or extra-curricular activities for a specified period of less than ten (10) days of instruction. The Conduct Dean's determination of probation or short-term suspension or lesser disciplinary action shall be final and cannot be appealed. Violations of either probation or short-term suspension may be cause for more serious disciplinary action.

E. Long-term Suspension

If the Conduct Dean determines that good cause exists to suspend the student from the District on a long-term basis, the Administrative Decision shall specify the length of the long-term suspension, which may range from exclusion from one or more classes for more than ten (10) days of instruction up to one or more terms. A long-term suspension includes exclusion from class-related activities and extra-curricular activities for a concurrent period unless otherwise indicated.

F. Restitution and/or Restorative Remedies

If the Conduct Dean determines that good causes exists to impose restitution for damages caused to District or personal property, the Conduct Dean shall determine monetary penalty as compensation for damage resulting from student misconduct. Restitution may take the form of appropriate services identified by the District. If the Conduct Dean determines that participation in restorative remedies is appropriate a restorative plan will be written in the Notice of Administrative Decision.

G. Expulsion

If the Conduct Dean recommends expulsion, he or she shall forward the matter to the Vice President of Student Services. Expulsion means permanent exclusion of the student by the Board of Trustees from all District courses, activities, and presence on District property. The Vice President of Student Services shall

determine whether to accept, modify, or reject the Conduct Dean's Administrative Decision. If the Conduct Dean's expulsion recommendation is accepted, the Vice President shall forward the recommendation to the Superintendent/President. If the Conduct Dean's Administrative Decision is rejected or modified, the student shall receive written notice of the new Administrative Decision.

V. APPEAL PROCEDURES

A. Right to Appeal

If either long-term suspension or expulsion is recommended, the student may submit a timely request for an appeal hearing unless the student waived the right to appeal by failing to participate in the Administrative Hearing process.

B. Request for Appeal Hearing

If a student who participated in the Administrative Hearing wishes to appeal an Administrative Decision imposing a long-term suspension or recommendation for expulsion, the student shall serve a written Request for Appeal Hearing with the Conduct Dean no later than 5:00 p.m. on or before the fifth working day after the student's receipt of the written Administrative Decision.

If no timely Request for an Appeal Hearing is received by the Conduct Dean, the right to an Appeal Hearing is waived by the student. If the Administrative Decision imposes a long-term suspension, the long-term suspension shall commence immediately upon the expiration of the time to request an Appeal Hearing. If the Administrative Decision recommends expulsion, the matter shall be sent to the Superintendent/President.

C. Schedule and Notice of Appeal Hearing

1. Upon receipt of a student's timely request for an Appeal Hearing, the Conduct Dean will schedule an Appeal Hearing and send written notice to the student of a Notice of Appeal Hearing and Statement of Charges.
2. The Appeal Hearing shall be held within twenty (20) working days after a written request for Appeal Hearing is received from the student. The Conduct Dean or Hearing Officer may determine an extension of the Appeal Hearing date is appropriate to support a meaningful disciplinary process. The Notice of Appeal Hearing and Statement of Charges shall advise the student of the date, time, and place of the Appeal Hearing. The written Notice of Appeal Hearing and Statement of Charges shall be sent to the student at

least five (5) working days prior to the Appeal Hearing date.

3. The Statement of Charges shall include the following:
 - a. The alleged misconduct.
 - b. The specific section (s) of the Standards of conduct that the student is accused of violating.
 - c. A brief statement of the facts supporting the Charges.
 - d. The discipline sanction (s) being considered.
4. The Administrative Decision may serve as the Statement of Charges.
5. The student may submit a written response to the Statement of Charges to the Hearing Officer by no later than 5:00 p.m. three (3) working days in advance of the date of the Appeal Hearing.

D. Impartial Appeal Hearing

1. The President/Superintendent shall assign the Appeal Hearing to an impartial District administrative Hearing Officer, such as another dean or vice president. Prior to assigning the matter, the Superintendent/President shall determine to his/her satisfaction that the assigned Hearing Officer does not have personal knowledge of or involvement in the matter and that the Hearing Officer is able to provide a timely and unbiased review and determination of the matter.
2. Prior to the commencement of the Appeal Hearing, the Hearing Officer shall be provided with a copy of the Statement of Charges and any timely written response provided by the student.
3. Formal rules of evidence shall not apply, but relevant evidence may be admitted and considered if it is the kind of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs.
4. Unless the Hearing Officer determines to proceed otherwise, the Conduct Dean and the student may make opening statements. The facts supporting the accusation shall be presented by the Conduct Dean. The student may then present his or her evidence. The Conduct Dean may present rebuttal evidence after the student completes his or her defense. If the student's disciplinary history is introduced, the student may address his or her discipline history, but shall not be permitted to call witnesses or introduce

documents to refute the conduct upon which the previous disciplinary action(s) were based or the appropriateness of the previous disciplinary action(s). The Conduct Dean and the student may call and question their own witnesses and introduce oral and written testimony relevant to the matter. Written testimony must be signed and dated, and the accuracy of the contents must be verified by the author under penalty of perjury. Notification of names of witnesses and relevance to the case shall be submitted in writing to the Conduct Dean by no later than 5:00 p.m. three (3) working days in advance of the date of the Appeal Hearing. All witnesses shall be excluded from the Appeal Hearing when not testifying. The Hearing Officer does not have the power to subpoena witnesses. The Conduct Dean and the student may make closing statements.

5. A student who fails to appear for the Appeal Hearing at the designated time and place shall be deemed to have waived his or her right to an Appeal Hearing and the discipline sanctions included in the Statement of Charges shall be imposed.
6. The student shall represent him or herself at the Appeal Hearing with the same stipulations regarding attorney and non-attorney advisors as outlined under the Administrative Hearing Process.
7. The Appeal Hearing shall be closed and confidential.
8. The Appeal Hearing shall be audio or stenography recorded by the District and shall be the only recording made unless the Hearing Officer authorizes additional recordings. No witness who refuses to be recorded shall be permitted to give testimony. Recordings shall remain in the custody of the District at all times, unless released to a professional transcribing service. The student may request a copy of the recording at his or her own cost.

E. Preparation of Decision

1. Within thirty (30) working days following the conclusion of the Appeal Hearing, the Hearing Officer shall prepare and send to the Superintendent/President a written Advisory Decision and a complete copy of the record of the Hearing. In matters under the jurisdiction of Title IX, the timeline shall be adjusted to meet the 60 working days guideline for completion of the appeal. The Advisory Decision shall be based upon the preponderance of evidence relevant to the charges adduced at the Hearing. The Advisory Decision shall include factual findings, conclusions as to whether any sections(s) of the standards of Student Conduct were violated, and a recommendation of the disciplinary action to be imposed, if any. The

Advisory Decision shall be based only on the record of the hearing.

2. The “record of the hearing” shall include the Statement of Charges (as amended, if applicable), the student’s written response, if any, the oral and documentary evidence adduced at the Hearing, the recording made during the Hearing, and the District’s record of previous disciplinary issues related to the student, if any.

VI. SUPERINTENDENT/PRESIDENT’S REVIEW

A. President’s Review When Student Waived Procedures

If the Conduct Dean recommends expulsion and the student waives his or her right to proceed by failing to attend the Administrative Hearing or by failing to make a timely request for an appeal hearing, the Superintendent/President shall determine whether to accept, modify, or reject the Dean’s Administrative Decision.

B. President’s Review of Appeal Hearing

1. Within thirty (30) working days of receipt of the Hearing Officer’s Advisory Decision and record of the Appeal Hearing, or sooner if required to meet Title IX guidelines, the Superintendent/President shall review the Advisory Decision and the record of the Appeal Hearing and shall determine whether to accept, modify or reject the Advisory Decision. If the Superintendent/President determines to modify or reject the Hearing Officer’s Advisory Decision, he or she shall prepare a new written decision which contains specific factual findings and conclusions based on the record of the Appeal Hearing.
2. A decision of the Superintendent/President to uphold the Conduct Dean’s suspension of a student shall be final and written notice of the final Administrative Decision shall be sent to the student.
3. If the Superintendent/President determines that expulsion is appropriate, the recommendation for expulsion shall be made in writing to the Board of Trustees and written notice sent to the student.

VII. BOARD OF TRUSTEES REVIEW – EXPULSION

A. Consideration of Expulsion Recommendation

The Board of Trustees shall consider any recommendation from the Superintendent/President for expulsion at the next regularly scheduled meeting of

the Board occurring at least 10 working days after receipt of the recommendation or at a special meeting held within 20 working days after receipt of the recommendation. The Board's review may be extended beyond these periods if the Superintendent/President determines that an extension is appropriate to support a meaningful disciplinary process. The Board's consideration consists of a review of the record of Appeal Hearing and the Advisory Decision from the Appeal Hearing (if applicable), or the President's written decision and/or recommendation. The Board review does not provide another evidentiary hearing for the student on the matter.

B. Board of Trustees Review

The student shall be given written notice of the date, time, and place of the Board's meeting at least five (5) working days in advance of the meeting.

The Board shall consider an expulsion recommendation in closed session unless the student or his or her parent, guardian, or conservator, if the student is a minor or conserved, requests an open session.

C. Board Decision

The Board may accept or reject the expulsion recommendation of the Superintendent/President after a review of the Appeal Hearing record or after reviewing the Conduct Dean's Administrative Decision when the student waived his or her right to an Appeal Hearing. If the Board rejects the expulsion recommendation, the Board shall prepare a new written decision which includes factual findings, Standards of Conduct that were violated, and disciplinary action, if any. The decision of the Board shall be based only on the record of the Appeal Hearing or the Dean's Administrative Decision, and the District's record of previous disciplinary issues related to the student, if any.

The Board's decision regarding expulsion is final. The Board's action shall be a public record of the District in accordance with laws related to student records.

Written notice of the Board's final decision shall be sent to the student as soon as practicable after the Board meeting.

VIII. SPECIAL CIRCUMSTANCES

The District may notify the parent(s)/guardian(s) of minor students, or conservators of students known to be under conservatorship for educational decisions of proposed disciplinary action against the minor or conserved student when the disclosure to the parent/guardian/conservator is permitted under the Family Educational Rights and Privacy Act.