



SANTA ROSA
JUNIOR COLLEGE



2025 Annual Security Report and Fire Safety Report

**Jeane Clery Disclosure of Campus Security Policies & Campus Crime
Statistics Act (20 U.S.C. § 1092(F))**

CRIME STATISTICS 2022-2024

Prepared By: SONOMA COUNTY JUNIOR COLLEGE DISTRICT POLICE

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Office of the President

Dear Santa Rosa Junior College Community,

We are committed to fostering a safe and secure learning environment for all students, faculty, staff, and visitors. Safety is a shared responsibility, achieved through collaboration and cooperation across all departments and the entire college community.

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Jeanne Clery Act), the Sonoma County Junior College District (District), is pleased to present the 2025 Annual Security Report (ASR). The statistics in this report reflect incidents that have occurred on properties owned or controlled by the District and those from municipal police agencies for public property immediately adjacent to campus and non-campus facilities. This report provides information on:

- Key District policies related to safety and security
- Personal safety and crime prevention tips
- How to report suspicious activity and crimes
- Crime statistics for the past three calendar years on our sites

This report reflects our ongoing commitment to maintaining a safe and productive environment where everyone can thrive.

About Sonoma County Junior College District

The Sonoma County Junior College District, more commonly known as Santa Rosa Junior College, is a public two-year community college established in 1918. The District is one of California's oldest community colleges and holds the distinction of being a Hispanic Serving Institution (HSI) and a legacy institution in Sonoma County. The District serves approximately 32,500 students across two campuses (Santa Rosa and Petaluma) and three sites (Public Safety Training Center, Shone Farm, and Roseland). The District covers 1600 square miles primarily in Sonoma County with small segments covering Marin and Mendocino counties.

We encourage you to review the information provided and familiarize yourself with the resources available to promote personal safety and report crimes. Your continued vigilance and support are essential in maintaining a safe campus environment.

We appreciate your cooperation and efforts in contributing to a safe and secure community.

In community,

A handwritten signature in blue ink, appearing to read "Angélica Garcia", is positioned above the printed name.

Dr. Angélica Garcia
Superintendent / President

PREPARING THE ANNUAL SECURITY REPORT

The [Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act](#), also known as the Clery Act, requires institutions of higher education to comply with certain campus and security-related requirements as a condition of participating in the federal student financial aid programs authorized by Title IV of the Higher Education Act. The Clery Act requires publication of an Annual Security Report for each campus of an eligible institution. With the addition of the Polly O'Meara Doyle Hall residential facilities at Santa Rosa Junior College, this report now includes a Fire Safety Report.

The Annual Security Report is coordinated and compiled by the Sonoma County Junior College District Police Department ("District Police").

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the college community obtained from the following sources: District Police, local law enforcement agencies with jurisdiction on or within each campus or site, and non-police Campus Security Authorities (CSAs) of each institution (as defined by federal law). For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. A written request for statistical information is made on an annual basis to all CSAs, and local law enforcement agencies.

The report contains information regarding campus safety and security including topics such as: campus law enforcement authority; crime reporting policies; fire safety policies and procedures (for the Santa Rosa campus only); campus alerts (Timely Warnings and Emergency Notifications); programs to prevent dating violence, domestic violence, sexual assault and stalking; the procedures each institution will follow when one of these crimes is reported; and other matters of importance related to security on campus. The report also contains information about crime statistics for the three most recent calendar years concerning reported crimes that occurred on a District campus or sites; in on-campus Student Housing Facilities (for Santa Rosa campus only); in non-campus buildings or property owned or controlled by Sonoma County Junior College District or a recognized student organization; and on public property within, or immediately adjacent to and accessible from, the campus. The report also contains fire statistics for any fires occurring in an on-campus student housing facility during the three most recent calendar years (for Santa Rosa only).

The statistics in this report provide a summary of crimes at Sonoma County Junior College District between January 1, 2022 and December 31, 2024.

All current students and employees receive the annual notice of publication of the Annual Security Report in a Districtwide email. Prospective students and employees are also informed about the availability of the report. The full electronic text of the report can be found at <https://police.santarosa.edu/clery-annual-report>. 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.

The statistics contained in this report are violations of state and local drug, liquor, and weapons laws occurring within the Clery geography where arrests or referrals for discipline were made, and Clery Act reportable crimes and hate crimes.

COMPILING CRIME STATISTICS

District Police collects 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 District business, to include public property immediately adjacent to campuses and facilities. These law enforcement agencies provide Clery Act 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.

District Police is aware that crimes may go unreported to law enforcement and encourages employees, to report any crimes that they may have become aware of in their daily contact with students to the District Police. By collecting reports of crimes from sources other than what is reported to the police, the District can obtain a more accurate count of crimes on campus and affiliated locations. A crime is considered “reported” when a witness, a victim, a third party, or the offender, regardless of that person’s affiliation, brings the crime to law enforcement or a campus security authority. In turn, the District discloses crimes and alleged criminal incidents in the statistical portion of this report regardless of whether the police have investigated the crimes and whether a finding of guilt or responsibility has been assigned.

Campus security authorities (CSA’s) are designated employees who have significant responsibility for students and student activities. CSA’s are required to report any Clery-reportable crime that has been reported to them to District Police. It is not necessary that a reported crime be investigated, or be determined to be true. CSA’s must report to District Police any Clery Act reportable crime that is reported to them.

Student organization recognition does not extend beyond the District, and student organizations are not recognized to engage in activity off-campus. The District does not have any off or on campus fraternity or sorority houses.

As reports of crimes are submitted to District Police, employees who have received extensive Clery Act training review the information reported to determine if the crime meets any of the requirements for the various Clery crimes and how many crimes may have occurred in the reported incident. One incident may have multiple crimes or multiple counts of the same crime included in the statistics. Additionally, the location of the crime is evaluated to determine which geography may apply. If there is no crime that meets the Clery Act crime definitions or if the crime did not occur on any of the District’s identified geographic areas, the crime is not counted.

Reports to the District Police can be made confidentially and anonymously with the exception of Title IX-related reports, 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 their website at, www.police.santarosa.edu, in Student Health Services, and in various student and staff publications throughout the District.

CRIME STATISTICS FOR THE SANTA ROSA CAMPUS (1501 Mendocino Ave. Santa Rosa, CA 95401)

SANTA ROSA CAMPUS												
Crime Statistics Category	Campus Residential			Campus Total			Non-Campus			Public Property		
	2022	2023	2024	2022	2023	2024	2022	2023	2024	2022	2023	2024
Murder/Non-Negligent Manslaughter	N/A	0	0	0	0	0	0	0	0	0	0	0
Negligent-Manslaughter	N/A	0	0	0	0	0	0	0	0	0	0	0
Rape	N/A	4	1	0	4	1	0	0	0	0	0	0
Fondling	N/A	0	0	2	0	0	0	0	0	0	0	0
Incest	N/A	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	N/A	0	0	0	0	0	0	0	0	0	0	0
Robbery	N/A	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assaults	N/A	0	4	2	4	5	0	0	0	0	0	0
Burglary	N/A	0	0	2	3	1	0	0	0	0	0	0
Motor Vehicle Theft	N/A	0	0	1	1	1	0	0	0	0	0	0
Arson	N/A	0	0	2	0	0	0	0	0	0	0	0
Domestic Violence	N/A	3	1	2	3	2	0	0	0	0	0	0
Dating Violence	N/A	2	1	0	2	2	0	0	0	0	0	0
Stalking	N/A	0	0	0	0	0	0	0	0	0	0	0

(Note: Polly O'Meara Hall student housing opened in August 2023)

ARRESTS FOR DRUGS, LIQUOR AND WEAPON LAW VIOLATIONS												
SANTA ROSA CAMPUS												
Arrest	Campus Residential			Campus Total			Non-Campus			Public Property		
Category	2022	2023	2024	2022	2023	2024	2022	2023	2024	2022	2023	2024
Drugs	N/A	0	0	0	6	7	0	0	0	0	0	0
Liquor	N/A	0	0	0	2	2	0	0	0	0	0	0
Weapons	N/A	0	0	4	3	3	0	0	0	0	0	0

STUDENT DISCIPLINE REFERRALS FOR DRUGS, LIQUOR AND WEAPONS LAW VIOLATIONS												
SANTA ROSA CAMPUS												
Referrals	Campus Residential			Campus Total			Non-Campus			Public Property		
Category	2022	2023	2024	2022	2023	2024	2022	2023	2024	2022	2023	2024
Drugs	N/A	0	0	0	0	0	0	0	0	0	0	0
Liquor	N/A	0	0	0	0	0	0	0	0	0	0	0
Weapons	N/A	0	0	0	0	0	0	0	0	0	0	0

CRIME STATISTICS FOR PETALUMA CAMPUS (680 Sonoma Mountain Pkwy, Petaluma, CA 94954)

PETALUMA CAMPUS									
Crime Statistics Category	On Campus			Non-Campus			Public Property		
	2022	2023	2024	2022	2023	2024	2022	2023	2024
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	1	0
Burglary	0	0	1	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, LIQUOR AND WEAPON LAW VIOLATIONS PETALUMA CAMPUS									
Arrest	On Campus			Non-Campus			Public Property		
Category	2022	2023	2024	2022	2023	2024	2022	2023	2024
Drugs	0	0	1	0	0	0	0	0	0
Liquor	0	0	0	0	0	0	0	0	0
Weapons	0	0	1	0	0	0	0	0	0

STUDENT DISCIPLINE REFERRALS FOR DRUGS, LIQUOR AND WEAPONS LAW VIOLATIONS PETALUMA CAMPUS									
Referrals	On Campus			Non-Campus			Public Property		
Category	2022	2023	2024	2022	2023	2024	2022	2023	2024
Drugs	0	0	0	0	0	0	0	0	0
Liquor	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 (5743 Skylane Boulevard Windsor, CA 95492)

PUBLIC SAFETY TRAINING CENTER									
Crime Statistics Category	On Campus			Non-Campus			Public Property		
	2022	2023	2024	2022	2023	2024	2022	2023	2024
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, LIQUOR AND WEAPON LAW VIOLATIONS									
PUBLIC SAFETY TRAINING CENTER									
Arrest	On Campus			Non-Campus			Public Property		
Category	2022	2023	2024	2022	2023	2024	2022	2023	2024
Drugs	0	0	0	0	0	0	0	0	0
Liquor	0	0	0	0	0	0	0	0	0
Weapons	0	0	0	0	0	0	0	0	0

STUDENT DISCIPLINE REFERRALS FOR DRUGS, LIQUOR AND WEAPONS LAW VIOLATIONS									
PUBLIC SAFETY TRAINING CENTER									
Referrals	On Campus			Non-Campus			Public Property		
Category	2022	2023	2024	2022	2023	2024	2022	2023	2024
Drugs	0	0	0	0	0	0	0	0	0
Liquor	0	0	0	0	0	0	0	0	0
Weapons	0	0	0	0	0	0	0	0	0

CRIME STATISTICS FOR SHONE FARM (7450 Steve Olson Lane, Forestville, CA 95436)

SHONE FARM									
Crime Statistics Category	On Campus			Non-Campus			Public Property		
	2022	2023	2024	2022	2023	2024	2022	2023	2024
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, LIQUOR AND WEAPON LAW VIOLATIONS									
SHONE FARM									
Arrest	On Campus			Non-Campus			Public Property		
Category	2022	2023	2024	2022	2023	2024	2022	2023	2024
Drugs	0	0	0	0	0	0	0	0	0
Liquor	0	0	0	0	0	0	0	0	0
Weapons	0	0	0	0	0	0	0	0	0

STUDENT DISCIPLINE REFERRALS FOR DRUGS, LIQUOR AND WEAPONS LAW VIOLATIONS									
SHONE FARM									
Referrals	On Campus			Non-Campus			Public Property		
Category	2022	2023	2024	2022	2023	2024	2022	2023	2024
Drugs	0	0	0	0	0	0	0	0	0
Liquor	0	0	0	0	0	0	0	0	0
Weapons	0	0	0	0	0	0	0	0	0

CRIME STATISTICS FOR SRJC ROSELAND (950 S Wright Road, Santa Rosa, CA 95407)

SRJC ROSELAND									
Crime Statistics Category	On Campus			Non-Campus			Public Property		
	2022	2023	2024	2022	2023	2024	2022	2023	2024
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	1	0	0	0	0	0	0	0	0

ARRESTS FOR DRUGS, LIQUOR AND WEAPON LAW VIOLATIONS									
SRJC ROSELAND									
Arrest	On Campus			Non-Campus			Public Property		
Category	2022	2023	2024	2022	2023	2024	2022	2023	2024
Drugs	0	0	0	0	0	0	0	0	0
Liquor	0	0	0	0	0	0	0	0	0
Weapons	0	0	0	0	0	0	0	0	0

STUDENT DISCIPLINE REFERRALS FOR DRUGS, LIQUOR AND WEAPONS LAW VIOLATIONS									
SRJC ROSELAND									
Referrals	On Campus			Non-Campus			Public Property		
Category	2022	2023	2024	2022	2023	2024	2022	2023	2024
Drugs	0	0	0	0	0	0	0	0	0
Liquor	0	0	0	0	0	0	0	0	0
Weapons	0	0	0	0	0	0	0	0	0

HATE CRIMES

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Hate crimes includes any offense in the following group: murder and non-negligent manslaughter, sexual assault including rape, fondling, incest and statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property.

Bias is a preformed negative opinion or attitude toward a group of persons based on their national origin, immigration status, religion, age, gender, gender identity, gender expression, race, ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status.

Hate crime reporting is considered for all Clery geography including on District campuses or sites, Polly O'Meara Doyle Hall, non-campus buildings or property, and public property.

- In 2022, one hate crime was reported for on-campus geography related to intimidation motivated by race.
- In 2023, there were no hate crimes reported.

- In 2024, there were no hate crimes reported.

UNFOUNDED CRIMES

If a crime is reported as occurring in the Clery geographical area, and the reported crime is investigated by sworn or commissioned law enforcement authorities and found to be false or baseless, the crime is "unfounded." Institutions must report the total number of criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have determined to be unfounded.

Institutions must report the total number of criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have been unfounded.

- The total number of unfounded crimes for the 2024 calendar year at this campus is 0.
- The total number of unfounded crimes for the 2023 calendar year at this campus is 0.
- The total number of unfounded crimes for the 2022 calendar year at this campus is 0.

CLERY ACT REPORTABLE CRIME DEFINITIONS

The following definitions are to be used for reporting the crimes listed in the Clery Act, in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Program. The definitions for murder, rape, robbery, aggravated assault, burglary, motor vehicle theft, weapons: carrying, possessing, etc., law violations, drug abuse violations and liquor law violations are from the "Summary Reporting System (SRS) User Manual" from the FBI's UCR Program. The definitions of fondling, incest and statutory rape are excerpted from the "National Incident-Based Reporting System (NIBRS) User Manual" from the FBI's UCR Program. The definitions of larceny-theft (except motor vehicle theft), simple assault, intimidation and destruction/damage/vandalism of property are from the "Hate Crime Data Collection Guidelines and Training Manual" from the FBI's UCR Program.

Crime Definitions:

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

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

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 felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Criminal Homicide—Manslaughter by Negligence: The killing of another person through gross negligence.

Criminal Homicide—Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Dating Violence – 243(e)1 PC: When a battery is committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant's child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship.

Domestic Violence – 273.5 PC: (a) Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to six thousand dollars (\$6,000), or by both that fine and imprisonment. (b) Subdivision (a) shall apply if the victim is or was one or more of the following: (1) The offender's spouse or former spouse. (2) The offender's cohabitant or former cohabitant. (3) The offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship, as defined in paragraph (10) of subdivision (f) of Section 243. (4) The mother or father of the offender's child. (c) Holding oneself out to be the husband or wife of the person with whom one is cohabiting is not necessary to constitute cohabitation as the term is used in this section. (d) As used in this section, "traumatic condition" means a condition of the body, such as a wound, or external or internal injury, including, but not limited to, injury as a result of strangulation or suffocation, whether of a minor or serious nature, caused by a physical force. For purposes of this section, "strangulation" and "suffocation" include impeding the normal breathing or circulation of the blood of a person by applying pressure on the throat or neck.

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.

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.

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.

Larceny-Theft (Except Motor Vehicle Theft): The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

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
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including driving under the influence and drunkenness.

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

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.

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

Sexual Battery - 243.4 PC: Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery.

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

A. *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 their age or because of their temporary or permanent mental incapacity.

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

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

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.

Weapons: Carrying, Possessing, Etc.: 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.

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 District Student Code of Conduct need not be reported to the District 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 District Student Code of Conduct need not be reported to the District 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

Crime statistics are classified and counted pursuant to the Clery Act statute and applicable guidelines. They fall into four geography classifications:

1. **On-Campus Geography:** Any building or property owned or controlled by an institution within the same reasonably continuous geographic area and used by the institution in direction support of, in a manner related to, the institution's educational purposes; and any building or property that is within or reasonably continuous to the area identified in the first part 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).
2. **On-Campus Student Housing:** On campus geography also includes on-campus student housing facilities. These housing facilities include housing and parking facilities that are physically attached to, and accessed directly from, the student housing facilities.

All structures that include residential housing units for students are classified as On-Campus Student Housing. Numerous locations in and around the residential communities are excluded from the student housing designation, however, since they are not attached to residential facilities and/or do not exclusively service residential students. These areas include parking lots, meeting rooms, swimming pools, outdoor common areas and fields, administrative offices, and District storage facilities. For a complete list of excluded locations, please contact District Police at: (707) 527-1000.

3. **Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that are within the campus or site, or immediately adjacent to, and accessible from, the campus. For SCJCD, this is the perimeter of campus or site from the sidewalk or boundary closest to campus, the public road for that sidewalk or boundary, and the sidewalk or boundary across the street.

Public property is limited to the areas surrounding campus to the south, east, and north. The area to the southwest is separated by a physical barrier. To the south and the north, the sidewalk/street/sidewalk definition will apply where there is a second sidewalk. Where no second sidewalk is otherwise present, only sidewalk/street will be considered.

4. **Non-Campus Geography:** 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.

When considering the classification of space that the District owns or controls in association with instruction, student travel, or other student activities, SCJCD includes any locations that meet all three of the following conditions:

1. Non-campus geography will include any space for which SCJCD has a written use agreement for the delivery of instructional or academic activities that is used for more than one occasion in the course of the scheduled instruction (per class).
2. Non-campus geography will include any space for which SCJCD has a written use agreement for administrative or other operational use in support of the District's educational mission where students may frequently visit.
3. Non-campus geography will include any space for which SCJCD has a written use agreement, used in an overnight trip of one or more nights that includes students, when the contracted facility is used more than one-time over a two-year period.

For the 2024 crime statistics, the following locations are considered non-campus geography:

Location Name	Address
Alchemia Novato	1052 1st St, Novato, CA 94945
Alchemia Petaluma	111 Kentucky St, Petaluma, CA 94952
Alchemia San Rafael	1135 Mission Ave, San Rafael, CA 94901
Alchemia Santa Rosa	394 Tesconi Ct, Santa Rosa, CA 95401
AMER MED RESP	930 S A St, Santa Rosa, CA 95404
Becoming Independent - Santa Rosa	1455 Corporate Center Pkwy, Santa Rosa, CA 95407
Burbank Heights	7777 Bodega Ave, Sebastopol, CA 95472
Cambria Hotel	5990 Labath Ave, Rohnert Park, CA 94928
Cardinal Newman High School	4320 Old Redwood Hwy, Santa Rosa, CA 95403
Cesar Chavez Learning Academy - Room 34	2480 Sebastopol Rd, Santa Rosa, CA 95407
Charles Street	42 Charles St. Cotati, CA 94931
Cloverdale High School	509 N Cloverdale Blvd, Cloverdale, CA 95425
COA - Mendocino Avenue	490 Mendocino Avenue, Santa Rosa, CA 95404
COA - Santa Rosa	2500 Patio Ct., Santa Rosa, CA 95404
Cogir Sonoma	800 Oregon St, Sonoma, CA 95476
Cotati Community Center	216 E. School St. Cotati, California 94931
FAHA Center	197 W Verano Ave, Sonoma, CA 95476
Goldent Gate Transit	1011 Andersen Drive; San Rafael, California
Gone for Good	5100 Fulton Dr Fairfield, CA 94534
Goodwill Industries	651 Yolanda Ave, Santa Rosa, CA 95404
Hampton Inn and Suites	8937 Brooks Rd South, Windsor, CA 95492
Healdsburg Community Center	1557 Healdsburg Ave, Healdsburg, CA 95448
Healdsburg High School	1024 Prince Ave, Healdsburg, CA 95448
Humane Society of Sonoma County	5345 Highway 12 West, Santa Rosa, CA 95407
JFCS Skyview Marin	70 Skyview Terrace, Bldg. B, San Rafael, CA 94903

JUVENILE HALL	7425 Rancho Los Guilicos Rd. Dept A Santa Rosa, CA 95409
Kellgren Senior Apartments	855 Wood Sorrel Dr, Petaluma, CA 94954
Labor Center	1700 B Corby Avenue, Santa Rosa, CA 95407
Lake Sonoma Visitor Center	Skaggs Springs Rd, Geyserville, CA 95441
Lucchesi Center	320 N McDowell Blvd, Petaluma, CA 94954
Main Adult Detention Facility - Sonoma County Jail	2777 Ventura Ave, Santa Rosa, CA 95403
Marin Community Day Program	7120 Redwood Blvd., Novato, CA
Marin Humane	171 Bel Marin Keys Blvd, Novato, CA 94949
McDowell Elementary School	421 S McDowell Blvd, Petaluma, CA 94954
Meadow View School	2665 Dutton Meadow, Santa Rosa, CA 95407
Monroe Elementary School	2567 Marlow Rd, Santa Rosa, CA 95403
North Bay Industries	649 Martin Ave, Rohnert Park, CA 94928
Oakmont Village	6637 Oakmont Drive, Santa Rosa, CA 95409
Oaks of the Hebron - Rohnert Park	6590 Commerce Blvd. #7, Rohnert Park, CA 94928
Oaks of the Hebron Sebastopol	5105 Hessel Avenue, Sebastopol, CA 95472
Old Adobe Development Services	1301 Rand Street, Petaluma, CA 94954
Orchard View High School	700 Watertrough Road, Sebastopol, A 95472
Person Senior Wing	2060 College Avenue, Santa Rosa, CA 95401
Petaluma Community Center	320 North McDowell Boulevard, Petaluma, CA 94954
Petaluma People Services	1500 Petaluma Blvd S, Petaluma, CA 94952
Petaluma Senior Center	211 Novak Dr, Petaluma, CA 94954
Rancho Cotate High School	5450 Snyder Ln, Rohnert Park, CA 94928
Rohnert Park Senior Center	6800 Hunter Dr A, Rohnert Park, CA 94928
Russian River Community Center	15010 Armstrong Woods Rd, Guerneville, CA 95446
Sebastopol Senior Center	167 N High St, Sebastopol, CA 95472
Semester in Barcelona	Carrer de Casp, 37, 1º2ª, Eixample, 08010 Barcelona, Spain
Semester in Florence	Piazza dei Peruzzi, 1, 50122 Firenze FI, Italy
Sonoma County Fairgrounds Golf Course	1350 Bennett Valley Rd, Santa Rosa, CA 95404
Sonoma Day Services	264 1st St E, Sonoma, CA 95476
Sonoma Valley High School	20000 Broadway, Sonoma, CA 95476
Technology High School	550 Bonnie Ave, Rohnert Park, CA 94928
Union Hall	840 E St., Eureka, CA 95501
Vintage House	264 1st St East, Sonoma, CA 95476
Windsor High School	8695 Windsor Road, Windsor, CA 95492
Wine Bev Services	500 Technology Way, CA 94558

All areas designated non-campus geography include any land, property, or structure that must reasonably be used to access the applicable location. This designation could include parking lots, pathways, stairwells, or lobbies of otherwise unrelated facilities. District Police maintains a list of all facilities that have been evaluated for classification as non-campus geography, including justification for the exclusion. For more information, please contact District Police at: (707) 527-1000.

DISTRICT POLICE / LAW ENFORCEMENT AUTHORITY

The Sonoma County Junior College 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 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 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.

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.

Daily Crime Log: The District Police Department maintains a Crime 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>.

REPORTING CRIMES AND OTHER EMERGENCIES

Criminal activity and other emergencies that occur on campus should be reported to the District Police Department immediately. District police officers respond to all reports of crime, public safety related events, fire and medical emergencies on District properties.

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. Individuals should report criminal offenses to District Police by calling (707) 527-1000 for assessment to determine if a Timely Warning Notice is warranted and for inclusion in the annual statistical disclosure. SCJCD encourages accurate and prompt reporting of all crimes to District Police (or local police) when the victim of a crime elects to, or is unable to, make such a report.

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 police agency and the dispatcher will refer you to the agency with primary jurisdiction over your incident.

Emergencies on-campus: For all police, fire, and medical emergencies call 707-527-1000 from any phone on campus. 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 Petaluma Campus, 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 707-527-1000. 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 District, 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.

If you are the victim of a crime and do not want to pursue action within the Sonoma County Junior College District or the criminal justice system, you may still want to consider making a confidential report. With your permission, a District police officer can file a report on the details of the incident without revealing your identity (except to the applicable District Title IX Coordinator in the event of a reported sex offense or sexual harassment). The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to enhance the future safety of yourself and others. With such information, the District

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can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the Clery annual crime statistics for the institution.

Members of the community are helpful when they immediately report crimes or emergencies to District Police or the following preferred receivers of reports for purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notices, when deemed necessary:

- Vice President, Finance & Administrative Services (707) 527-4413
- Vice President, Academic Affairs (707) 527-4615
- Vice President, Student Services (707) 524-1647
- Vice President, Human Resources (707) 521-6901
- Senior Dean of Students (707) 527-4573
- Title IX Coordinator (707) 527-4822

SCJCD does not employ any pastoral counselors. However, SCJCD does employ professional mental health counselors. Licensed professional counselors, health services providers, and their staff are required by law to maintain near or completely confidentiality with limited exceptions. Nurses, nurse practitioners, and physicians are mandated reporters and by law must report suspected or known injury because of violence, abuse, or assault to law enforcement.

District Police does not monitor or record criminal activity by students at non-campus locations of student organizations officially recognized by the institution, as no officially recognized student organizations have any non-campus housing facilities.

TIMELY WARNING & EMERGENCY NOTIFICATIONS

Timely warnings are issued 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 ongoing threat to the campus communities. It is intended to provide employees with timely information about Clery reportable crimes occurring within the defined Clery Geography, and to comply with the Timely Warning requirements of the Jeanne Clery Act.

As required by the Clery Act, the District will keep its District communities informed by providing a timely warning when appropriate.

Upon receipt of a Campus Security Authority (CSA) report of a Clery crime on Clery Geography the Chief of Police or designee, will 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 or designee to represent a serious or ongoing threat to students, employees, or visitors and disseminate “timely warning” crime alert information as soon as possible.

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

Each reported incident must be analyzed on a case-by-case basis. All known factors shall be

considered in the analysis to determine whether a timely warning should be issued. No single factor governs the decision regarding the issuance of a timely warning. The District will not circumvent a case-by-case analysis by issuing a blanket rule that timely warnings will be issued for all reports of any given Clery reportable crime. Requests from an outside law enforcement agency to refrain from issuing a timely warning is insufficient grounds on its own for not issuing or delaying the issuing of a timely warning, unless the Chief of Police concurs that by issuing a timely warning, an identified risk can be articulated that would compromise the law enforcement efforts of the outside agency investigating the crime to gather evidence and/or apprehend suspect(s).

The case-by-case analysis will involve reviewing relevant factors including, but not limited to, the following, if known:

- The timing of the report: shortly after the occurrence of the crime vs. days or weeks after the occurrence of the crime
- Physical injury to the victim
- Use of weapons
- Forced entry used and/or tools used in commission of the crime
- A suspect arrested or incapacitated by injury
- A suspect that is identified or otherwise can be located by law enforcement
- A suspect that is out of the area
- A victim who fears for their safety from the suspect
- A clear modus operandi and/or pre-planning indicated
- Multiple suspect(s) involved
- A pattern of similar crimes established
- The possible risk of compromising law enforcement efforts, such as to gather evidence and/or apprehend suspect(s), if a warning was issued

Contents of a Timely Warning: When a timely warning is issued it shall be entitled "Timely Warning Crime Bulletin" and contain the following:

- A statement that reads, "This Timely Warning Bulletin is being issued in compliance with the Jeanne Clery Act and the purpose is to provide preventative information to the Campus community to aid members from becoming the victim of a similar crime."
- Identify the Clery reportable crime that occurred (i.e., rape, burglary, motor vehicle theft, arson, etc.)
- The date, time, and location the crime occurred
- The date the Timely Warning Bulletin is issued
- Description of the suspect when deemed appropriate, and if there is sufficient detail. Only include a description of the suspect when the descriptors provided by the reporting party could reasonably lead to conclusive identification of the perpetrator(s)
- At least three preventative tips or points of information specifically related to the circumstances of the crime which occurred that could help others from becoming the victim of a similar crime
- The phone number of District Police and a statement encouraging community members to report all information about crimes to District Police
- If appropriate, the phone number of support services

The Timely Warning will not include, under any circumstances, the name of the victim, or information so specific (i.e., specific address or dorm room number or floor) that would or likely could identify the victim of the crimes of Sexual Violence, Rape, Dating Violence, Domestic Violence, or Stalking. Timely Warning Bulletins shall use gender-inclusive and culturally appropriate language and avoid victim blaming and bias language.

Methods of Distribution: SRJC Alert, powered by Rave Mobile Safety, is an emergency mass notification system that provides institutions with a web-based SMS platform that communicates 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.

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.

EMERGENCY NOTIFICATION POLICY

Any member of the District community with information believed to constitute a significant emergency or a dangerous situation that poses an imminent or immediate threat shall report the information to District Police or by calling “911”. Examples include, but are not limited to, the following types of incidents:

- Severe weather warning (e.g., flash flooding, tsunami, hurricane, etc.)
- Environmental emergency within a facility on a District site (e.g., hazardous chemical spill, fire, earthquake, building collapse)
- Criminal activity with an imminent threat to District community (e.g., active shooter, murder, fleeing suspect with a weapon)
- Public Health Emergency (e.g., measles outbreak, swine flu outbreak, etc.)

Once District Police has received the report, the Chief of Police or designee will, without delay and taking into account the safety of the community, confer with any appropriate public official (e.g., fire chief, health department) and any District officials responsible for managing the on-campus emergency, if available, to confirm both: 1) a legitimate emergency or dangerous situation exists impacting campus or site within the Clery geography; and 2) the emergency or dangerous situation poses an immediate or imminent threat to members of the on-campus community. This confirmation process may include, but is not limited to, visual observation,

officer investigation, the assistance of key District administrators, local or District first responders, and/or official government reporting through agencies such as the National Weather Service and the Sonoma County Emergency Operations Center. If both factors are not met, no emergency notification is required. If it is determined that both factors are met, then an emergency notification as described below shall be issued. The content of the message will be developed based on a careful but swift analysis of the most critical facts. If an emergency notification is issued, a timely warning is not required for the same incident.

Contents of an Emergency Notification: The emergency notification shall contain the following information:

- A statement as to what the emergency or dangerous situation is, in specific terms (e.g., chemical spill, active shooter, building fire)
- A statement providing direction as to what actions the receiver of the message should take to ensure their own safety
- A statement as to where and when additional information may be obtained

The Chief of Police or designee, will provide updates to the emergency notification with pertinent updates or direction to persons for their safety when new information becomes available. Updates will be provided in regular intervals until the emergency has been mitigated or no longer poses an imminent threat, e.g., fire is out, and building has re-opened.

Methods of Distribution: Emergency Notifications will be distributed as quickly as possible in a manner that will likely reach the segment(s) of the District community threatened by the emergency. Segmentation will be considered by the Chief of Police or designee by evaluating which persons are likely to be at risk based on the circumstances at the time and notifying those persons. Segmentation should not be considered if making this determination would delay issuing the emergency notification. The Chief of Police or designee, will determine if notification to the larger community is appropriate. Distribution methods, including distribution to the larger community, vary depending on the nature of the emergency.

The Senior Director of Marketing, Communications & Public Affairs is responsible for notification to local media.

SECURITY, SAFETY AND FACILITY ACCESS

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 District 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 conducts Evening Safety Strolls in the fall semester to identify safety issues including but not limited to, trip hazards, lighting issues, broken equipment, fire hazards, needed landscaping, etc. shrubbery, trees and other vegetation are routinely trimmed and artificial lighting maintained with safety issues in mind.

The District Facilities Advisory Committee (DFAC) also meets monthly during the academic year to advise the District on matters relating to campus parking plans and issues, review facilities-

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related suggestions and reports, facilities-related risk management, and the development and implementation of the Facilities Master Plan and other facilities-related projects and works to provide a sustainable, safe, and effective working and learning environment for everyone.

The District community is encouraged to report unsafe conditions, safety concerns, or exterior lighting issues. For hazards related to a basic repair (such as a burnt-out light, a broken lock, a broken window, a broken door, etc.) to Facilities Operations via the District's TOPdesk platform at: <https://srjc.topdesk.net/> or calling 707-527-4231. To report a potential workplace safety hazard or an area that needs to be evaluated for safety concerns employees should contact their supervisor or Risk Management by submitting an online Hazard and Safety Reporting Form via the District's TopDesk system at <https://srjc.topdesk.net/> or emailing riskmanagement@santarosa.edu.

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 District 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.

Access to student housing facilities at Shone Farm and Polly O'Meara Doyle Hall is limited to residents, their guests and appropriate staff. Residents are issued a key to access their assigned housing unit. Residents are responsible for ensuring they only allow access to their apartment to roommates or authorized guests. Residents should report concerns about unknown persons to District Police if the individual is exhibiting suspicious or dangerous behavior.

TITLE IX

The Sonoma County Junior College District prohibits dating violence, domestic violence, sexual assault, and stalking and reaffirms its commitment to equal opportunity in educational programs, employment, and access to institutional programs and activities. Students, staff, administrators, and faculty are entitled to an educational and working environment free from these behaviors. Toward that end, the District issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, when it is reported to a District official.

Title IX of the Educational Amendments of 1972 [20 U.S.C. § 1681] is a federal civil rights law that states:

No person in the United States shall, on the basis of sex, be excluded from participation in, denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

As a recipient of federal financial assistance, the District is subject to the requirements of Title IX. This means the District must provide a prompt and equitable response to any report made to the Title IX Coordinator or District employee with authority to institute corrective measures. Federal and state legislation, Supreme Court decisions, and guidance from the U.S. Department of Education have broadened the scope of Title IX to include:

- Discrimination and harassment based on sex, gender, gender identity or gender expression, and sexual orientation

- Sexual harassment
- Sexual assault
- Dating and domestic violence
- Stalking

Members of the Sonoma County Junior College District community and visitors have the right to be free from sexual violence. All members of the District community are expected to conduct themselves in a manner that does not infringe upon the rights of others. When an allegation of misconduct is brought to an appropriate employee's attention and a respondent is found to have violated any sexual misconduct district policy, serious sanctions will be used to reasonably ensure that such actions are never repeated. The following is intended to define community expectations and to establish a mechanism for determining when those expectations have been violated. All people who participate in programs and activities of the District have the right to do so under safe conditions without physical or psychological threat. Toward that end, the District, provides policies and resources to minimize the risk of sexual assault to all individuals who use its facilities. (See Board Policy 3433, and Administrative Procedures 3433 and 3434.

Sexual Assault and Other Assaults on Campus and in Campus Programs: Any sexual assault or physical abuse or domestic violence, including, but not limited to rape as defined by California law, whether committed by an employee, student, or member of the public, that occurs on District property, including off-campus grounds or facilities maintained by the District, or upon grounds or facilities maintained by affiliated student organizations, is a violation of District policies and procedures, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures consistent with state and federal law, and respective collective bargaining agreements.

- **“Sexual assault”** includes but is not limited to, rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat of sexual assault.
- **“Dating Violence”** means 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 a romantic or intimate relationship will be determined based on the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.
- **“Domestic violence”** includes felony or misdemeanor crimes of violence committed by:
 - a current or former spouse of the victim;
 - a person with whom the victim shares a child in common;
 - a person who is cohabitating with or has cohabitated with the victim as a spouse;
 - a person similarly situated to a spouse of the victim under California law; or
 - any other person against an adult or youth victim who is protected from that person’s acts under California law.
- **“Stalking”** means engaging in a course of conduct or repeated conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress.
- **“Affirmative consent”** means affirmative, conscious, and voluntary agreement to engage in sexual activity. If affirmative consent is withdrawn, the sexual activity must immediately stop. It is the responsibility of each person involved in sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest

or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent. Consent must be given without coercion, provocation, force, threats or intimidation. Consent cannot be given when a person is incapacitated or when his or her understanding is affected by a mental or physical impairment.

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

The District provides confidential and trained assistance to individuals reporting a sexual assault. Primary assistance is provided through Sexual Assault Prevention training. The District's Student Health Services and Student Psychological Services offer both immediate and ongoing response to students, including confidential crisis counseling. Referrals are made for survivors to the appropriate agencies equipped to handle the ramifications of sexual assault /battery, STD testing, and pregnancy testing. The student may request changes in their academic schedule or in that of an alleged assailant, after the student has made a report of an assault, and the District will grant any reasonable request for such change.

Reporting Sexual Assault

If you become the victim of a sexual assault:

- Get to a safe place as soon as possible. Your immediate safety is first!
- Call 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.
 - If the crime occurred in another police jurisdiction the Sonoma County Junior College District, the District Police department will help facilitate contact with the law enforcement agency that has jurisdiction where the crime occurred. Contacting police does not require that you pursue prosecution.
- Preserving 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.
- Get medical attention immediately. This will determine and treat any physical injuries you might have sustained during the assault; determine the risk of sexually transmitted diseases or pregnancy and provide preventative treatment options; and gather evidence that could aid in criminal prosecution of the perpetrator.
- Call a sexual assault advocate (Verity 707-545-7270) or a friend, family member, or someone

you trust for support.

REMEMBER: Sexual assault is never your fault!

The District strongly encourages all members of the campus community who believe they are victims of sexual assault to immediately report the incident to the District Police Department or the police agency of jurisdiction where the crime occurred. Timely reporting to the police is an important factor in successful investigation and prosecution of sexual assault cases. Victims are not required to pursue prosecution just because they report the crime to a police agency. The reporting of sexual assault to the police agency may prevent others from being victims and safeguard your rights for future prosecution. District Police officers have received specific training to thoroughly investigate these types of crimes and officers provide assistance to victims of sexual assault to include facilitating medical and counseling services, evidence collection, explaining options for a forensic exam, providing a sexual assault advocate resource (Verity Crisis Center, 707-545-7270) to assist and accompany you during any forensic exam, and referrals to numerous on and off campus resources for support and assistance.

Victims in Sonoma County who do not wish to contact police or are undecided are encouraged to call and speak with a sexual assault advocate from the Verity Crisis Center as soon as possible. Verity maintains a 24-hour crisis line (707-545-7270), and advocates will maintain confidentiality for the victim, explain options available, provide resource referrals, and emotional support.

If the crime occurs outside of Sonoma County victims may also call the 24-hour National Sexual Assault Hotline, operated by RAINN, at 1-800-656-4673. You will be automatically connected to the closest rape crisis center. Rape crisis centers are on call 24-hours a day waiting to help you.

All employees should report all incidents of sexual assault that occur on campus, at District sanctioned events, or on any property owned or utilized by the District, to the Title IX Coordinator at 707-527-4822 or email at titleix@santarosa.edu. Reports may also be filed online at: <https://titleix.santarosa.edu/>.

All students or employees who allege they are the victims of a domestic violence, dating violence, sexual assault, or stalking on District property shall be provided with information regarding options and assistance available to them. Information shall be available from the Title IX Coordinator or designee, who shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the Title IX Coordinator or designee is authorized to release such information. Situations that fall under the auspices of mandated reporting shall be addressed according to appropriate laws and regulations. In instances involving District employees, District Police and the Title IX Coordinator shall work with Human Resources as appropriate. The Title IX Coordinator or designee shall provide all alleged victims of domestic violence, dating violence, sexual assault, or stalking with the following:

- A copy of the Board Policy (BP) and Administrative Procedure (AP) regarding domestic violence, dating violence, sexual assault, or stalking.
- A list of District personnel who should be notified and procedures for such notification, if the alleged victim consents.
- Information about the importance of preserving evidence and the identification and location of witnesses;
- Available services, and the District employees available to provide those services if requested. Services and those responsible for providing or arranging them include:
 - transportation to a hospital if necessary via emergency services - 911 or District

- police;
- counseling provided by the District's psychologist in the Counseling department;
- referral to Verity (for sexual assault) at 707-545-7270 and YWCA at 707-546-1234 (domestic violence issues) for off campus resources;
- a list of other appropriate campus and off-campus resources and referrals into the community (available via publication and website).
- The victim's option to:
 - notify proper law enforcement authorities, including District and local police;
 - be assisted by District authorities in notifying law enforcement authorities if the victim so chooses; and to decline to notify such authorities;
 - the rights of the victims and the institution's responsibilities regarding orders of protection, no contact orders, or similar lawful orders issued by a court;
 - information about how the District will protect the confidentiality of victims; and
 - Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations. If requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to District police or local law enforcement
- A description of each of the following procedures:
 - criminal prosecution;
 - civil prosecution (i.e., lawsuit);
 - District disciplinary procedures, both student and employee;
 - modification of class schedules;
 - tutoring, if necessary.

Persons who believe that they are victims of sexual assault, including witnesses thereto, that do not wish to report the information to District Police but wish to report the information to a District employee may report and discuss the matter with one of the following District employees:

- Title IX Coordinator at 707-527-4822
- A SRJC Therapist in Student Psychological Services at 707-527-4445
- Student Health Services Professional Staff (a doctor or nurse) at 707-527-4445

The District will investigate complaints alleging sexual assault under the procedures for sexual harassment investigations described in AP 3434 Responding to Harassment Based on Sex under Title IX, regardless of whether a complaint is filed with local law enforcement.

On-Campus Support Resources	
Sonoma County Junior College District Police Department	707-527-1000
Title IX Coordinator	707-527-4822
Student Psychological Services	707-527-4445
Student Health Services	707-527-4445
Human Resources	707-527-4954
Dean of Students	707-527-4573

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	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
Cotati Police Department	707-792-4614
Sonoma Police Department	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
Suter 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

Sonoma County Legal Services Foundation	(707) 546-2924
Chrysalis Counseling Services	(707) 545-1670
WOMAN, Inc.	(415) 864-4777

Sexual Assault Prevention Programs: The District provides numerous personal safety and crime prevention seminars, to include sexual assault awareness and prevention, for students and employees and additionally to individual departments, organizations, clubs, classrooms, and other programs upon request. The District Police Department works closely with the Title IX Coordinator, 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 Services 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.

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, within Sonoma County, or laws regarding sex offender registration, please visit our District Police

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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.

PROHIBITION OF DISCRIMINATION AND HARASSMENT

The Sonoma County Junior College District has adopted a formal policy on prohibition of harassment and discrimination and harassment complaint procedures. (See Board Policy 3430 and Administrative Procedure 3435)

All forms of harassment are contrary to basic standards of conduct between individuals. State and federal law and this policy prohibit harassment, and the District will not tolerate harassment. The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of unlawful harassment, including that which is based on any of the following statuses: race, religious creed, color, national origin, ethnicity, ancestry, immigration status, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status, or because they are perceived to have one or more of the foregoing characteristics.

The District seeks to foster an environment in which all employees, students, unpaid interns, and volunteers feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of harassment or for participating in a harassment investigation. Such conduct is illegal and constitutes a violation of this policy. The District will investigate all allegations of retaliation swiftly and thoroughly. If the District determines that someone has retaliated, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

The District recognizes that sex discrimination, including sexual harassment and violence, harms all students, undermines students' physical safety, impedes students' ability to learn, and can reinforce social inequality throughout a student's lifetime.

The District has a responsibility to make reasonable efforts to respond effectively when sexual harassment is reported to, or observed by, District employees.

Any student, employee, unpaid intern, or volunteer who believes that they have been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3435 (Discrimination and Harassment Complaints and Investigations). The District requires supervisors to report all incidents of harassment and retaliation that come to their attention.

DRUG, ALCOHOL, AND TOBACCO / DRUG FREE CAMPUS

The Sonoma County Junior College District has adopted a formal policy on drugs, alcohol, and tobacco. (See District Board Policy 7.4.2)

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
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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 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 or sites, 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 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 or employees 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 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 a formal policy on weapons on campus within the student conduct code. (See Board Policy 8.2.8 and Administrative Procedure 8.2.8P)

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 a formal policy on workplace violence. (See District Board Policy 4.14c and Administrative Procedure 4.14cP)

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.

2024 CAMPUS HOUSING FIRE SAFETY REPORT

Per federal law, Sonoma County Junior College District is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Therefore, if you encounter

a live fire in one of these facilities, you should immediately get to a safe place, then contact District Police at 707-527-1000 to investigate and document the incident for disclosure in the District's annual fire statistics.

Shone Farm: The Sonoma County Junior College District maintains very limited student housing facilities on the SRJC Shone Farm in Forestville, CA. The SRJC Shone Farm is comprised of 365 acres; including vineyards, forest, pastureland, multi-use land, and a sustainable horticulture garden. The farm serves primarily as an outdoor laboratory site for agriculture and natural resource classes. The student residents are provided dormitory-type rooms in multi-use buildings, not dedicated residence halls, at Shone Farm.

The Sonoma County Junior College District Police Department maintain a fire log that records any fire that occurred in an on-campus student housing facility at Shone Farm 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.

Polly O'Meara Doyle Hall: For the student housing building (opened in Fall 2023), Polly O'Meara Doyle Hall that is located on the Santa Rosa campus with 352 beds for enrolled students, is owned by NCCD – Santa Rosa Properties, a not-for-profit organization, and has a contract in place with Servitas Management Group (SMG) to provide management services. SMG maintain a fire log that records any fire that occurred in an on-campus student housing facility at Polly O'Meara Doyle Hall 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. In the event that a member of the residential staff responds to the scene of a fire at Polly O'Meara Doyle Hall, Servitas Management Group staff will document the incident and report to District Police.

Location	Reportable Fire(s)	Cause of fire	Number of deaths related to fire	Value of property damaged caused by fire
Polly O'Meara Doyle Hall	0	N/A	N/A	N/A
Polly O'Meara Doyle Hall	0	N/A	N/A	N/A
Shone Farm	0	N/A	N/A	N/A

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 at Shone Farm 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.

Mandatory Supervised Fire Drills: During this reporting period there were two mandatory supervised fire drills involving the campus housing community. The drill(s) were conducted on October 16, 2024, at Shone Farm and April 14, 2024 and November 18, 2024 at Polly O’Meara Doyle Hall.

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. 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. 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, hair dryers/curlers, personal computers, and televisions, etc.) and medium sized appliances (electric coffee pots and small refrigerators, etc.) are permitted to be used in the student residences.

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 approved by the District 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.

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

In accordance with the Higher Education Opportunity Act, the Sonoma County Junior College District must develop and implement certain procedures to be followed when residential students are determined to be missing for 24 hours. (See Board Policy and Administrative Procedure 3503) Students residing in campus housing will be informed annually that each student has the option to identify a person designated as a confidential missing person contact to be notified by the District no later than 24 hours after the time the student is determined to be missing by the designated District officials authorized to make that determination (specifically, District Police) or the local law enforcement agency in the jurisdiction from which the student went missing. When students are informed of their option to provide a confidential contact, they are advised that their contact information will be registered confidentially, and this information will be accessible only to authorized campus officials and law enforcement and that it may not be disclosed outside of a missing person investigation.

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 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 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 using 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 Vice President, Finance and Administrative Services/Assistant Superintendent and 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 District utilizes the SRJC Alert system to send cell phone text messaging and emails to 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. 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 Emergency Operations Plan for the District is available in the following location(s):

- District Police Department (2032 Armory Dr, Santa Rosa, CA 9540)

The Emergency Preparedness and Response Guide can be found online at: <https://emergency-management.santarosa.edu/>

In addition to the Emergency Preparedness and Response Guide, the District Police Department has created, distributed, and posted the following Emergency Procedures posters throughout the District.



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 escapar 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.

¡Defiéndase!

- 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, llamar 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!

Exteriores:

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

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.

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 cuesta 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

Sonoma County Junior College District Policy
Chapter 3: General Institution
BP 3433 Prohibition of Sexual Harassment under Title IX
References:

Title IX of the Education Amendments Act of 1972;
34 Code of Federal Regulations Part 106

All forms of sexual harassment are contrary to basic standards of conduct between individuals. State and federal law and this policy prohibit sexual harassment and the District will not tolerate sexual harassment. The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation including acts of sexual violence.

The District seeks to foster an environment in which all employees, students, applicants for employment, and applicants for admission feel free to report incidents of sexual harassment in violation of this policy and Title IX, without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of sexual harassment in violation of this policy and Title IX or for participating, or refusing to participate, in a sexual harassment investigation. The District will investigate all allegations of Title IX retaliation swiftly and thoroughly. If the District determines that someone has retaliated, it will take reasonable steps within its power to stop such conduct. Individuals who engage in Title IX retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Any employee, student, applicant for employment, or applicant for admission who believes they have been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3434 Responding to Harassment Based on Sex under Title IX. The District requires supervisors to report all incidents of harassment and retaliation that come to their attention.

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities, and compensation.

To this end, the Superintendent/President shall ensure that the institution undertakes education and training activities to counter sexual harassment and to prevent, minimize, or eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The Superintendent/President shall establish procedures that define sexual harassment on
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campus. The Superintendent/President shall further establish procedures for employees, students, and other members of the campus community that provide for the investigation and resolution of complaints regarding sexual harassment in violation of this policy, and procedures to resolve complaints of sexual harassment in violation of this policy. State and federal law and this policy prohibit retaliatory acts against all participants by the District, its employees, students, and agents.

The District will publish and publicize this policy and related written procedures (including the procedure for making complaints) to administrators, faculty, staff, students, applicants for employment, and applicants for admission, particularly when they are new to the institution. The District will make this policy and related written procedures (including the procedures for making complaints) available in all administrative offices and will post them on the District's website.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination, in accordance with existing District policies, administrative procedures, and collective bargaining agreements. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion. Volunteers or unpaid interns who violate this policy and related procedures may be subject to disciplinary measure up to and including termination from the volunteer assignment, internship, or other unpaid work experience program.

Adopted: July 14, 2015 (*BP 2.15*)

Revised: May 14, 2024

(Replaces former SCJCD BP 2.15)



AP 3433 Prohibition of Sexual Harassment under Title IX

References:

Title 5 Sections 59320 et seq.;
 Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e;
 Title IX Education Amendments of 1972

The District is committed to providing an academic and work environment free of unlawful sex harassment under Title IX. This procedure defines sexual harassment on campus.

This procedure and the related policy protects students and employees, in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, a District controlled vehicle, or at a class or training program sponsored by the District at another location.

Definitions

Sexual Harassment under Title IX: Conduct that satisfies one or more of the following:

- A District employee conditions the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (*quid pro quo* harassment);
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity;
- Sexual assault, including the following:
 - **Sex Offenses:** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
 - **Rape** (except Statutory Rape): The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their temporary or permanent mental or physical incapacity. There is carnal knowledge if there is the slightest penetration of the genital or anal opening of the body of another person.
 - **Sexual Assault with an Object:** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything the offender uses other than the offender's genitalia, e.g., a finger, bottle, handgun, stick.
 - **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 their age or because of their temporary or permanent mental or physical incapacity.
 - **Sex Offenses, Non-Forcible Unlawful, Non-Forcible Sexual Intercourse.**

- **Incest:** Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape – Non-Forcible:** Sexual intercourse with a person who is under the statutory age of consent. There is no force or coercion used in Statutory Rape; the act is not an attack.
- **Dating violence:** Violence against a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a relationship will be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- **Domestic Violence:** Violence committed:
 - By a current or former spouse or intimate partner of the victim;
 - By a person with whom the victim shares a child in common;
 - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of California; or
 - By any other person against an adult or youth victim protected from that person's acts under the domestic or family violence laws of California.
- **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

Adopted: July 14, 2015 (*BP 2.15P*)

Revised: April 4, 2024

(Replaces former SCJCD AP 2.15P)



AP 3434 Responding to Harassment Based on Sex under Title IX

References:

Education Code Sections 67380 et seq.;
 34 Code of Federal Regulations Parts 106.1 et seq.;
 20 U.S. Code Sections 1681 et seq.

Introduction

The District encourages members of the District community to report sexual harassment. This procedure only applies to conduct defined as sexual harassment under Title IX and applicable federal regulations and that meets Title IX jurisdictional requirements. The District will respond to sexual harassment and sexual misconduct that falls outside that definition and outside the jurisdiction of the Title IX federal regulations using California law and applicable District policies and procedures. In implementing these procedures discussed below, the District will also provide supportive measures, training, and resources in compliance with California law, unless they are preempted by the Title IX regulations.

Title IX Coordinator

Questions concerning Title IX may be referred to the designated Title IX Coordinator or Deputy Title IX Coordinator(s) whose contact information is listed on the Santa Rosa Junior College website at <https://titleix.santarosa.edu/>.

The Title IX Coordinator is required to respond to reports of sexual harassment or misconduct. The Title IX Coordinator will handle information received with the utmost discretion and will share information with others on a need-to-know basis. For example, the Title IX Coordinator may need to address public safety concerns on campus, comply with state and federal legal requirements, or share information to implement supportive measures.

A report of sexual harassment to the Title IX Coordinator does not necessarily lead to a full investigation, as discussed more fully below. However, the Title IX Coordinator will make an assessment to determine if there is a safety risk to the campus. If the Title IX Coordinator finds there is a continued risk, the Title IX Coordinator will file the formal complaint without the Complainant's consent or cooperation.

Title IX Harassment Complaints, Investigations, and Hearings

These Title IX sexual harassment procedures and the related policy protect students, employees, applicants for employment, and applicants for admission.

The investigation and adjudication of alleged sexual harassment under this procedure is not an adversarial process between the Complainant, the Respondent, and the witnesses, but rather a process for the District to comply with its obligations under existing law. The Complainant does not have the burden to prove, nor does the Respondent have the burden to disprove, the underlying allegation or allegations of misconduct.

Jurisdictional Requirements – Application of Procedures

These procedures apply if the conduct meets the following three jurisdictional requirements:

- The conduct took place in the United States.
- The conduct took place in a District “education program or activity.” This includes locations, events, or circumstances over which the District exercised substantial control over both the Respondent and the context in which the harassment occurred, including on-campus and off-campus property and buildings the District owns or controls or student organizations officially recognized by the District own or control.
- The conduct meets the definition of Title IX “sexual harassment.”

Definitions

Advisor: Throughout the grievance process, both the Complainant and Respondent have a right to an Advisor of their choice. If a Party does not have an Advisor at the time of the hearing, the District must provide the Party an Advisor of the District’s choice, free of charge. The District may establish restrictions regarding the extent to which the Advisor may participate in the proceedings as long as the restrictions apply equally to both Parties.

Parties have the right to consult with an attorney, at their own expense, at any stage of the Complaint process if they wish to do so. An attorney may serve as an advisor.

Complainant: A Complainant is an individual who alleges they are victim of conduct that could constitute sexual harassment.

Consent: Consent means affirmative, conscious, and voluntary agreement to engage in sexual activity. Both Parties must give affirmative consent to sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that they have the affirmative consent of the other or others to engage in the sexual activity. Lack of protest, lack of resistance, or silence does not indicate consent. Affirmative consent must be ongoing throughout a sexual activity and one can revoke their consent at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, is not an indicator of consent.

The Respondent’s belief that the Complainant consented will not provide a valid defense unless the belief was actual and reasonable, based on the facts and circumstances the Respondent knew, or reasonably should have known, at the time of the incident. A Respondent’s belief is not a valid defense where:

- The Respondent’s belief arose from the Respondent’s own intoxication or recklessness;
- The Respondent did not take reasonable steps to ascertain whether the Complainant affirmatively consented; or
- The Respondent knew or a reasonable person should have known that the Complainant was unable to consent because the Complainant was incapacitated, in that the Complainant was:
 - asleep or unconscious;
 - unable to understand the fact, nature, or extent of the sexual activity due to the influence of drugs, alcohol, or medication; or
 - unable to communicate due to a mental or physical condition.

Decision-Maker: The person who will oversee the live hearing and make a determination of responsibility.

The Decision-Maker cannot be the Title IX Coordinator or the investigator.

Formal Complaint: A written complaint signed by the Complainant or Title IX Coordinator, alleging sexual harassment and requesting an investigation. If the Title IX Coordinator signs the formal complaint, they will not become a Party to the complaint.

Parties: As used in this procedure, this means the Complainant and Respondent.

Respondent: A Respondent is an individual reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual Harassment under Title IX: Conduct that satisfies one or more of the following:

- A District employee conditions the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (*quid pro quo* harassment);
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity;
- Sexual assault, including the following:
 - **Sex Offenses:** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
 - **Rape** (except Statutory Rape): The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their temporary or permanent mental or physical incapacity. There is carnal knowledge if there is the slightest penetration of the genital or anal opening of the body of another person.
 - **Sexual Assault with an Object:** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything the offender uses other than the offender's genitalia, e.g., a finger, bottle, handgun, stick.
 - **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 their age or because of their temporary or permanent mental or physical incapacity.
 - **Sex Offenses, Non-Forcible Unlawful, Non-Forcible Sexual Intercourse:**
 - **Incest:** Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - **Statutory Rape – Non-Forcible:** Sexual intercourse with a person who is under the statutory age of consent. There is no force or coercion used in Statutory Rape; the act is not an attack.
 - **Dating violence:** Violence against a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a relationship will be determined based on a consideration of the following factors: the

length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

- **Domestic Violence:** Violence committed:
 - By a current or former spouse or intimate partner of the victim;
 - By a person with whom the victim shares a child in common;
 - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of California; or
 - By any other person against an adult or youth victim protected from that person's acts under the domestic or family violence laws of California.
- **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

Reporting Options

Any individual may report sexual harassment to the District's Title IX Coordinator or designee.

The District strongly encourages prompt reporting of sexual harassment. Prompt reporting allows for the collection and preservation of evidence, including physical evidence, digital media, and witness statements. A delay may limit the District's ability to effectively investigate and respond.

Because individuals may be deterred from reporting incidents of sexual harassment if alcohol, drugs, or other violations of District or campus rules were involved, the District will inform individuals that the primary concern is for student and employee safety and that use of alcohol or drugs never makes a Complainant at fault for sexual harassment. An individual who participates as a Complainant or witness in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the District's student conduct policy at or near the time of the incident, unless the District determines that the violation was egregious, including, but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic dishonesty.

Individuals have the opportunity to decide whether they want to pursue a formal Title IX complaint. Reporting sexual harassment to the Title IX Coordinator or designee does not automatically initiate an investigation under these procedures. A report allows the District to provide a wide variety of support and resources to impacted individuals and to prevent the reoccurrence of the conduct. A Complainant or the Title IX Coordinator filing a formal complaint will initiate an investigation.

If there are parallel criminal and Title IX investigations, the District will cooperate with the external law enforcement agency and will coordinate to ensure that the Title IX process does not hinder legal process or proceedings.

The District will document reports of sexual harassment in compliance with the Clery Act, a federal law requiring data collection of crime within the campus geography. Under the Clery Act, the District does not document personal information; the District reports the type of conduct, and the time, date, and location. (Also see BP/AP 3540 Sexual and Other Assaults on Campus.)

District Employees and Officials with Authority

District Officials with Authority are not confidential resources and are required to report allegations

of sexual harassment to the Title IX Coordinator or designee promptly. All other employees are encouraged to report allegations to the Title IX Coordinator or designee but are not required to do so.

The District has designated the following employees as Officials with Authority:

1. Any member of the District Management Team
2. Department Chairs and Coordinators
3. District Police employees
4. Student Housing Management
5. Advisors and coaches to student organizations, athletic teams, and/or clubs, and
6. Any employee traveling with students for educational or extracurricular purposes.

Officials with Authority are required to report all relevant information they know about sexual harassment including the name of the Respondent, the Complainant, any other witnesses, and the date, time, and location of the alleged incident.

Intake and Processing of Report

Receipt of Report

After receiving a report of sexual harassment, the Title IX Coordinator or designee will contact the Complainant and reporting party to explain rights under this policy and procedure and invite the Complainant to an in-person meeting. The Title IX Coordinator or designee will discuss supportive measures with the Parties.

Timeframe for Reporting

To promote timely and effective review, the District strongly encourages individuals to report sexual harassment as soon as possible because a delay in reporting may affect the ability to collect relevant evidence and may affect remedies the District can offer.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered free of charge to the Complainant or the Respondent regardless of whether a formal complaint has been filed. The District will provide the Complainant and Respondent with written notice of options for, available assistance in, and how to request available supportive measures. The District will provide such measures to Complainant and Respondent as appropriate and as reasonably available to restore or preserve equal access to the District's education program or activities. These measures are designed to protect the safety of all Parties, protect the District's educational environment, or deter sexual harassment. The District will provide supportive measures on a confidential basis and will not disclose that the District is providing supportive measures except to those with a need to know to enable the District to provide the service. Supportive measures may include changes to academic, living, transportation, and working situation or protective measures such as counseling, extensions of deadlines, other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the Parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

When requested by a Complainant or otherwise determined to be appropriate, the District shall issue a no-contact directive prohibiting the Respondent from contacting the Complainant during

the pendency of the investigation. The District shall not issue a mutual no-contact directive automatically, but instead shall consider the specific circumstances of each report of sexual harassment to determine whether a mutual no-contact directive is necessary or justifiable to protect a Party's safety or well-being, or to respond to interference with an investigation. If the District issues any no-contact directive, the District shall provide the Parties with an explanation of the terms of the directive, including the circumstances, if any, under which violation could be subject to disciplinary action. If the District issues a mutual no-contact directive, the District shall also provide the Parties with a written justification for the directive.

Sexual Assault and Domestic Violence Counselors

For further information about services provided by sexual assault and domestic violence counselors, see AP 3540 Sexual and Other Assaults on Campus and in Campus Programs.

Removal of Respondent Pending Final Determination

Upon receiving a report regarding sexual harassment, the Title IX Coordinator or designee will make an immediate assessment concerning the health and safety of the Complainant and campus community as a whole. The District has the right to order emergency removal of a Respondent, or if the Respondent is an employee, place the employee on administrative leave.

Emergency Removal

The District may remove a non-employee Respondent from the District's education program or activity on an emergency basis after it conducts an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.

The District may not use emergency removal to address a Respondent's threat of obstructing the sexual harassment investigation or destroying relevant evidence. Emergency removal is only available to address health or safety risks against individuals arising out of sexual harassment allegations, not to address other forms of misconduct that a Respondent might commit pending the processing of a complaint.

The District's Title IX Coordinator or designee will conduct the individualized safety and risk analysis.

If the Title IX Coordinator or designee determines emergency removal is appropriate, they or designee will provide the person the District is removing from campus on an emergency basis with a notice and opportunity to attend a meeting and challenge the basis of their removal. The Title IX Coordinator or designee will determine whether the emergency removal from campus order is warranted after considering information provided by the Respondent challenging the emergency removal.

Administrative Leave

The District may place a non-student employee Respondent on administrative leave during the pendency of a grievance process described in the formal complaint process below. The District will follow any relevant policies, procedures, collective bargaining agreements, or state law in placing an employee on administrative leave.

Formal Complaint Grievance Process

Notice to Parties

Upon receipt of a formal complaint, the Title IX Coordinator or designee will provide the following notice in writing, to the Parties:

- Notice of the District's Title IX grievance process;
- Notice of the allegations of alleged sexual harassment with sufficient details known at the time and with sufficient time to prepare a response before any initial interview;
- Statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- Notice that the Parties may have Advisor of their choice, who may be, but is not required to be, an attorney;
- Notice that the Parties may inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence whether obtained from a Party or other source;
- Inform the Parties of any provision in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process; and
- For student Parties, notice regarding appropriate counseling resources the District has developed and maintains.

If, in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that are not included in the notice provided above, the Title IX Coordinator or designee will provide notice in writing of the additional allegations to the Parties.

Dismissal of Formal Complaint

The District must investigate the allegations in a formal complaint. However, the District must dismiss the formal complaint and will not process the complaint under these procedures if any of the following three circumstances exist:

- If the conduct alleged in the formal complaint would not constitute Title IX sexual harassment as defined in this procedure;
- If the conduct alleged did not occur in the District's education program or activity;
- If the conduct alleged did not occur against a person in the United States.

The District has discretion to dismiss a formal complaint or any allegation under the following circumstances:

- If at any time during the investigation or hearing: a Complainant notifies the Title IX Coordinator or designee in writing that the Complainant would like to withdraw the formal complaint or any allegations;
- If the Respondent is no longer enrolled or employed by the District; or
- If there are specific circumstances that prevent the District from gathering evidence sufficient to reach a determination regarding responsibility as to the formal complaint or allegations.

If the District dismissed the formal complaint or any allegations, the Title IX Coordinator or designee shall simultaneously provide the Parties with written notice of the dismissal and reason. The District will also notify the Parties of their right to appeal.

The District may commence proceedings under other policies and procedures after dismissing a formal complaint.

Consolidation of Formal Complaints

The District may, but is not required to, consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Equitable Treatment of the Parties

The District's determination of responsibility is a neutral, fact-finding process. The District will treat Complainants and Respondents equitably. The procedures will apply equally to both Parties. The District will not discipline a Respondent unless it determines the Respondent was responsible for sexual harassment at the conclusion of the grievance process.

Statement of Presumption of Non-Responsibility

The investigation is a neutral, fact-finding process. The District presumes all reports are in good faith. Further, the District presumes the Respondent is not responsible for the

alleged conduct. The District makes its determination regarding responsibility at the conclusion of the grievance process.

Bias or Conflict of Interest

The District's Title IX Coordinator, investigator, Decision-Maker, or any person designated by the District to facilitate an informal resolution process, will not have potential or actual bias or conflict of interest in the investigatory, hearing, sanctioning, or appeal process or bias for or against Complainants or Respondents generally. Actual bias is an articulated prejudice in favor of or against one Party or position; it is not generalized concern about the personal or professional backgrounds, positions, beliefs, or interests of the Decision-Maker in the process. The District will ensure that the Title IX Coordinator, investigator, Decision-Maker, and facilitator receive training on:

- The definition of sexual harassment in this procedure;
- The scope of the District's education program or activity;
- How to conduct an investigation;
- The grievance process including conducting hearings, appeals, and informal resolution processes; and
- How to serve impartially, including avoiding: prejudgment of the facts at issue, conflicts of interest, and bias.

Timeline for Completion

The District will undertake its grievance process promptly and as swiftly as possible. The District will complete the investigation and its determination regarding responsibility or the informal resolution process within 180 calendar days.

When appropriate, the Title IX Coordinator or designee may determine that good cause exists to extend the 180-calendar day period to conduct a fair and complete investigation, to accommodate an investigation by law enforcement, to accommodate the unavailability of witnesses or delays by the Parties, to account for District breaks or vacations, or due to the complexity of the investigation. The District will provide notice of this extension to the Complainant and Respondent in writing and include the reason for the delay and anticipated timing of completion.

A Party may request an extension from the Title IX Coordinator or designee in writing by explaining the reason for the delay and the length of the continuance requested. The Title IX Coordinator will notify the Parties and document the grant or denial of a request for extension or delay as part of the case recordkeeping. The District shall grant a student Party's reasonable request for an extension of a deadline related to a Complaint during periods of examinations or school closures.

Role of Advisor

The role of the Advisor is to provide support and assistance in understanding and navigating the investigation process.

The Advisor may not testify in or obstruct an interview or disrupt the process. The Title IX Coordinator has the right to determine what constitutes appropriate behavior of an Advisor and take reasonable steps to ensure compliance with this procedure.

A Party does not have a right to self-representation at the hearing; an Advisor must conduct any cross-examination. The District must provide an Advisor of its choice, free of charge to any Party without an Advisor in order to conduct cross-examination. If an Advisor fails to appear at the hearing, the District will provide an Advisor to appear on behalf of the non-appearing Advisor. To limit the number of individuals with confidential information about the issues, each Party may identify one Advisor.

Use of Privileged Information

The District's formal complaint procedure does not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally-recognized privilege (e.g., attorney-client privilege, doctor-patient privilege, spousal privilege, etc.), unless the person holding the privilege provides voluntary, written consent to waive the privilege.

Student Complainant Requests for Confidentiality

If a student Complainant requests confidentiality when reporting sexual harassment, which could preclude a meaningful investigation or potential discipline of the Respondent, if found responsible, or that no investigation or disciplinary action be pursued to address alleged sexual harassment, the District shall take the request seriously, while at the same time considering its responsibility to provide a safe and nondiscriminatory environment for all students, including for the Complainant. The District shall normally grant the request when possible. In determining whether to disclose a Complainant's identity or proceed to an investigation over the objection of the Complainant, the District may consider whether any of the following apply:

- There are multiple or prior reports of sexual misconduct against the Respondent;
- The Respondent reportedly used a weapon, physical restraints, or engaged in battery;
- The Respondent is a faculty or staff member with oversight of students;
- There is a power imbalance between the Complainant and Respondent;

- The Complainant believes that the Complainant will be less safe if the Complainant's name is disclosed or an investigation is conducted; and
- The District is able to conduct a thorough investigation and obtain relevant evidence in the absence of the Complainant's cooperation.

If the District determines that it can honor the student-Complainant's request for confidentiality, it shall still take reasonable steps to respond to the Complaint, consistent with the request, to limit the effects of the alleged sexual harassment and prevent its recurrence without initiating an investigation or revealing the identity of the Complainant. The District shall also take immediate steps to provide for the safety of the Complainant while keeping the Complainant's identity confidential as appropriate. The District shall notify the Complainant that the request for confidentiality will limit the steps the District will take to respond to the report of sexual harassment.

If the District determines that it must disclose the student-Complainant's identity to the Respondent or proceed with a Formal Complaint, it shall inform the Complainant prior to making this disclosure or initiating the investigation. The District shall also take immediate steps to provide for the safety of the Complainant where appropriate. In the event the Complainant requests that the District inform the Respondent that the Complainant asked the District not to investigate or seek discipline, the District shall honor this request.

Investigations

The Title IX Coordinator is responsible to oversee investigations to ensure timely resolution and compliance with Title IX and this procedure.

Both Parties have the right to have an Advisor present at every meeting described in this section.

Trained Investigators

The District will investigate Title IX formal complaints fairly and objectively. Individuals serving as investigators under this procedure will have adequate training on what constitutes sexual harassment, how the District's grievance procedures operate, and trauma-informed investigation techniques. The District will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence and complies with this procedure.

Burden of Gathering Evidence

The District, not the Parties, has the responsibility to gather information and interview witnesses. As part of the District's burden of gathering evidence, the District's investigator will create an investigative report that fairly summarizes relevant evidence, whether it is inculpatory or exculpatory. The investigator shall not make findings or determinations of law or fact.

Student Complainants should be aware that any evidence available but not disclosed during the investigation might not be considered at a subsequent hearing, if a hearing is required under this procedure.

Evidence of Past Sexual History

An investigator or Decision-Maker shall not consider the past sexual history of the Complainant except in the limited circumstances described below:

- The investigator or Decision-Maker shall not consider the Complainant's prior sexual history unless such questions or evidence is offered to prove that someone other than the Respondent committed the alleged conduct; or
- The investigator or Decision-Maker shall not consider the Complainant's prior sexual behavior unless the questions or evidence concern specific incidents of the
- Complaint's prior sexual behavior with respect to the Respondent and are offered to prove consent.
 - Where the investigator or Decision-Maker allows consideration of questions or evidence about a dating relationship or prior or subsequent consensual sexual relations between the Complainant and the Respondent pursuant to this circumstance, the mere fact that the Complainant and Respondent engaged in other consensual sexual relations with one another is never sufficient, by itself, to establish that the conduct in question was consensual.

Before allowing the consideration of any evidence proffered pursuant to this section, the investigator or Decision-Maker shall provide a written explanation to the Parties as to why consideration of the evidence is consistent with this procedure.

Notice of Investigative Interview

The District will provide written notice of the date, time, location, participants, and purpose of all investigative interviews to a Party whose participation is invited or expected, with sufficient time for the Party to prepare to participate.

Evidence Review

Both Parties have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a Party or other source.

Prior to the investigator preparing an investigative report, the District will make available to each Party and the Party's Advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The Parties will have at least ten days to submit a written response. The investigator must consider this written response prior to completing the investigative report.

Investigative Report

The results of the investigation of a formal complaint will be set forth in a written report that will include at least all of the following information:

- A description of the circumstances giving rise to the formal complaint;
- A description of the procedural steps taken during the investigation, including all individuals contacted and interviewed;
- A summary of the testimony of each witness the investigator interviewed;
- An analysis of relevant evidence collected during the investigation, including a list of relevant documents;
- A table of contents if the report exceeds ten pages; and
- Any other information deemed appropriate by the District.

The investigator will not make a determination regarding responsibility.

The investigator may redact information not directly related to the allegations or privileged information. However, the investigator will keep a log of information they do not produce to the Parties. The investigator will provide this log only to the Title IX Coordinator or designee. The Title IX Coordinator or designee will not disclose the log to the Parties but will maintain the log in the Title IX Coordinator's or designee's file, in the event it later becomes relevant.

At least ten days prior to a hearing, the District will send the investigative report to each Party and their Advisors, if any, the investigative report in an electronic format or a hard copy, for review and written response. The Parties will have at least ten days to submit a written response.

Hearing

After completing an investigation and prior to completing a determination regarding responsibility, the District will hold a live hearing to provide the Complainant and Respondent an opportunity to respond to the evidence gathered before a Decision-Maker. Neither Party may choose to waive the right to a live hearing, but the Parties can choose whether to participate in the hearing or answer some or all cross-examination questions.

Notice

If the District proceeds to a hearing, the District will provide all Parties written notice of the date, time, location, participants, and purpose of the hearing with sufficient time for the Party to prepare to participate.

Hearing Format

The District may provide a live hearing with all Parties physically present in the same geographic location or, at the District's discretion if either Party or a witness requests, the District may provide any or all Parties, witnesses, and other participants the ability to appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other in real time.

The District will make the information reviewed during the Evidence Review available at the hearing for reference and consultation. The District will not restrict the ability of either Party to discuss the allegations under investigation or to gather and present relevant evidence.

The District will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the Parties for inspection and review.

The Decision-Maker shall provide an explanation of the meaning of the preponderance of the evidence standard, and affirm that it shall apply to adjudications under this procedure. The preponderance of the evidence standard is met if the District determines that it is more likely than not that the alleged misconduct occurred, based on the facts available at the time of the decision.

Decision-Maker

The Decision-Maker will be free from conflict of interest or bias, including bias for or against Complainants or Respondents.

The Decision-Maker may ask the Parties and the witnesses questions during the hearing. The Decision-Maker must objectively evaluate all relevant evidence both inculpatory and exculpatory and must independently reach a determination regarding responsibility without giving deference to the investigative report. The Decision-Maker must receive training on issues of relevance, how to

apply the rape-shield protections for Complainants, and any technology to be used at the hearing.

Presenting Witnesses

The District will provide the Complainant and Respondent an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Witnesses, like Parties, are not required to participate in the live hearing process.

Only relevant evidence will be admissible during the hearing. Relevant evidence means evidence, including evidence relevant to the credibility of a Party or witness, having any tendency in reason to prove or disprove any disputed fact material to the allegations under investigation.

Generally, the Parties may not introduce evidence, including witness testimony, at the hearing that the Party did not identify during the investigation and that was available at the time of the investigation. However, the Decision-Maker has discretion to accept for good cause, or exclude, such new evidence offered at the hearing.

Cross-Examination

The District shall permit each Party's Advisor to ask the other Party and any witness relevant questions, including questions challenging credibility. The Party's Advisor must conduct cross-examination directly, orally, and in real time. A Party may never personally conduct cross-examination. The other Party shall have an opportunity to object to a question posed. The District may limit such objections to written form, and neither the Decision-Maker nor the District are obligated to respond, other than to include any objection in the record. The Decision-Maker shall have the authority and obligation to discard or rephrase any question that the Decision-Maker deems to be irrelevant. In making these determinations, the Decision-Maker is not bound by, but may take guidance from, the formal rules of evidence.

Before a Complainant, Respondent, or witness answers a question, the Decision-Maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Decision-Maker need not provide a lengthy or complicated explanation in support of a relevance determination.

If a Party or witness disagrees with a relevance determination, that individual has the choice of either (1) abiding by the Decision-Maker's determination and answering the question or (2) refusing to answer the question.

If a Party or witness does not submit to cross-examination at the live hearing, the Decision-Maker may admit any statement of that Party or witness in reaching a determination regarding responsibility. The Decision-Maker will give the statements whatever weight the Decision-Maker determines appropriate, bearing in mind that the statements have not been tested by cross-examination. In doing so, the Decision-Maker should consider, and if possible determine, whether the witness or Party made the statement and what the statement proves.

The Decision-Maker cannot draw an inference about the determination of responsibility based solely on a Party's or witness's absence from the live hearing or refusal to submit to cross-examination or to answer any question.

The Decision-Maker may also ask any Party or witness questions. If a Party or witness refuses to respond to a Decision-Maker's questions, the Decision-Maker is not precluded from relying on that

Party or witness' statements.

Determinations of Responsibility

When the Decision-Maker makes a determination of responsibility or non-responsibility, the Decision-Maker will issue a written determination regarding responsibility, no later than 20 business days after the date that the hearing ends.

When making a determination regarding responsibility, a Decision-Maker will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence. A

Decision-Maker may not make credibility determinations based on an individual's status as a Complainant, Respondent, or witness. In evaluating the evidence, the Decision-Maker will use the preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the District will decide whether it is more likely than not that sexual harassment occurred.

The written determination will include:

- Identification of the allegations potentially constituting Title IX sexual harassment as defined in these procedures;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including who conducted the investigation and gave notifications to the Parties. The determination will also state when, where, and the date the investigator interviewed the Parties and witnesses, conducted site visits, the methods used to gather other evidence. The procedural section should also discuss the dates and how the Parties were provided the opportunity to review and inspect evidence and the date of any hearings held and who attended the hearing;
- Findings of fact supporting the determination. In making these findings, the Decision-Maker will focus on analyzing the findings of fact that support the determination of responsibility or non-responsibility;
- Conclusions regarding the application of the District's code of conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
- A statement of, and rationale for, any disciplinary sanctions the District imposes on the Respondent;
- A statement of whether the District will provide the Complainant with remedies designed to restore or preserve equal access to the District's education program or activity;
- The District need not disclose to the Respondent remedies that do not affect him/her/them as part of the written determination. The District can inform the Respondent that it will provide remedies to the Complainant. However, the District will inform the Complainant of the sanctions against the Respondent;
- The District's procedures and permissible bases for the Complainant and Respondent to appeal.

The District will provide the written determination to the Parties simultaneously. The determination regarding responsibility becomes final either on the date that the District provides the Parties with the written determination of the result of the appeal, if the Parties file an appeal, or if the Parties do not file an appeal, the date on which an appeal would no longer be timely.

Disciplinary Sanctions and Remedies

The District must have completed the grievance procedures (investigation, hearing, and any appeal, if applicable) before the imposing disciplinary sanctions or any other actions that are not supportive measures against a Respondent. If the Decision-Maker determines the Respondent was responsible for conduct that constitutes sexual harassment, the District will take disciplinary action against the Respondent and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense.

Remedies for the Complainant might include, but are not limited to:

- Providing an escort to ensure that the Complainant can move safely between classes and activities;
- Ensuring that the Complainant and Respondent do not attend the same classes or work in the same work area;
- Providing counseling services or a referral to counseling services;
- Providing medical services or a referral to medical services;
- Providing academic support services, such as tutoring;
- Arranging for a Complainant, if a student, to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant's academic record; and
- Reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant's discipline.

Possible disciplinary sanctions for student Respondents include written or verbal reprimand, required training or counseling, non-academic probation, suspension, and expulsion. Possible disciplinary sanctions for employee Respondents include written or verbal reprimand, oral counseling, required training, suspension, or dismissal. A Respondent employee who is covered by a collective bargaining agreement is to refer to the applicable agreement for corrective and disciplinary procedures.

Appeal of Dismissal of a Formal Complaint or of the Determination of Responsibility

A Complainant or Respondent may appeal the District's determination regarding responsibility or the dismissal of a formal complaint or any allegations. A Complainant or Respondent must submit a written appeal within five (5) business days from the date of the notice of determination regarding responsibility or from the date of the District's notice of dismissal of a formal complaint or any allegations.

Grounds for Appeal

The District will designate a Decision-Maker on Appeal who will not be the initial Decision-Maker, the Title IX Coordinator, or the investigator. In filing an appeal of the District's determination regarding responsibility or the District's dismissal of a formal complaint, the Party must state the grounds for appeal and a statement of facts supporting those grounds. The grounds for appeal are as follows:

- A procedural irregularity affected the outcome;
- New evidence was not reasonably available at the time the District's determination regarding responsibility or dismissal was made, and this new evidence could affect the outcome; or

- The District's Title IX Coordinator, investigator, or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome.

Appeal Procedure

If the Complainant or Respondent submit an appeal to the District, the District will:

- Notify the other Party in writing within five (5) business days of receiving a Party's appeal;
- Allow the non-appealing Parties at least ten (10) business days from the date of receipt of the appeal to submit a written statement in support of, or challenging, the outcome;

The appeal Decision-Maker will issue a written decision on whether to grant or deny the appeal, and the rationale for the decision, within 45 business days after the Decision-Maker on appeal receives the response to the appeal or the last day to provide a response. The District will provide the written decision simultaneously to both Parties.

The Decision-Maker on appeal may extend or otherwise modify the deadlines provided above. Either Party may seek an extension by submitting a written request to the appeal Decision-Maker explaining the need for the extension and the proposed length of the extension. The Decision-Maker will respond to the request within 48 hours in writing and will inform the Parties simultaneously whether the extension is granted.

Informal Resolution

If the District determines that a formal complaint is appropriate for informal resolution, it may provide the Parties with the opportunity to participate in an informal resolution process, including mediation, at any time prior to reaching a determination regarding responsibility.

The District will provide the Complainant and Respondent written disclosure of the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the Parties from resuming a formal complaint arising from the same allegations, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The District must obtain the Parties' voluntary, written consent to the informal resolution process. If the Parties reach an agreement, the District does not have to complete a full investigation and adjudication of a report of sexual harassment. At any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

The informal resolution process is not available to resolve allegations that an employee sexually harassed a student or any allegations of sexual assault.

Retaliation Prohibited

The District prohibits any intimidation, threats, coercion, or discrimination against any individual who made a report or complaint of sexual harassment, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation, proceeding, or hearing. Individuals who experience retaliation may file a complaint using the formal complaint process described above.

Dissemination of Policy and Procedures

The District will provide its policy and procedures related to Title IX on its website and in each handbook or catalog provided to applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining with the District. The District will also provide its policy and procedures related to Title IX to all volunteers who will regularly interact with students and each individual or entity under contract with the District to perform any service involving regular interaction with students.

When hired, employees are required to sign acknowledging that they have received the policy and procedures. The District will place the signed acknowledgment of receipt in each employee's personnel file.

Training

The District will provide a comprehensive trauma-informed training program to Title IX Coordinators, investigators, Decision-Makers, and any individual who facilitates an informal resolution process, on the definition of sexual harassment, the scope of the District's education program or activities, best practices for assessment of a sexual harassment complaint, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, how to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, bias, and implicit bias and racial inequities, both broadly and in school disciplinary processes. Any materials used to train the District's Title IX Coordinator, investigators, Decision-Makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment. Materials for this training must include statistics on the prevalence of sexual harassment and sexual violence in the educational setting, and the differing rates at which students experience sexual harassment and sexual assault in the educational setting based on their race, sexual orientation, disability, gender, and gender identity.

The District shall ensure that residential life student and nonstudent staff, or their equivalent, annually receive training on how to handle, in a trauma-informed manner, reports made to them of sexual harassment and situations in which they are aware of sexual harassment in student residential facilities.

The District will provide Officials with Authority with training regarding their obligation to report sexual harassment and instruction on how to report sexual harassment to the Title IX Coordinator.

File Retention

The District will retain on file for a period of at least seven years after closing the case copies of:

- The original report or complaint;
- Any actions taken in response to the complaint, including supportive measures;
- The investigative report including all evidence gathered and any responses from the Parties;
- The District's determination regarding responsibility;
- Audio or audiovisual recording or transcript from a hearing;
- Records of any disciplinary sanctions imposed on the Respondent;
- Records of any remedies provided to the Complainant;
- Any appeal and the result;
- Any informal resolution and the result; and

- All materials used to train Title IX Coordinators, investigators, Decision-Makers, and any person who facilitates an informal resolution process. The District will make these training materials publicly available on its website.

The District will make these documents available to the U.S. Department of Education Office for Civil Rights upon request.

Approved: July 14, 2015

Revised: April 4, 2024

(Replaces former SCJCD BP 2.15P)



Sonoma County Junior College District Policy

Chapter 3: General Institution

BP 3430 Prohibition of Harassment

References:

Education Code Sections 212.5, 44100, 66252, 66281.5, and 66262.5;
 Government Code Sections 12923, 12940, and 12950.1;
 Civil Code Section 51.9;
 Title 2 Sections 10500 et seq.;
 Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e;
 Age Discrimination in Employment Act of 1967 (ADEA);
 Americans with Disabilities Act of 1990 (ADA)

All forms of harassment are contrary to basic standards of conduct between individuals. State and federal law and this policy prohibit harassment, and the District will not tolerate harassment. The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of unlawful harassment, including that which is based on any of the following statuses: race, religious creed, color, national origin, ethnicity, ancestry, immigration status, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status, or because they are perceived to have one or more of the foregoing characteristics.

The District seeks to foster an environment in which all employees, students, unpaid interns, and volunteers feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of harassment or for participating in a harassment investigation. Such conduct is illegal and constitutes a violation of this policy. The District will investigate all allegations of retaliation swiftly and thoroughly. If the District determines that someone has retaliated, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

The District recognizes that sex discrimination, including sexual harassment and violence, harms all students, undermines students' physical safety, impedes students' ability to learn, and can reinforce social inequality throughout a student's lifetime.

The District has a responsibility to make reasonable efforts to respond effectively when sexual harassment is reported to, or observed by, District employees.

Any student, employee, unpaid intern, or volunteer who believes that they have been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3435. Discrimination and Harassment Complaints and Investigations. The District requires supervisors to report all incidents of harassment and retaliation that come to their attention.

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities and compensation.

To this end the Superintendent/President shall ensure that the institution undertakes education and training activities to counter harassment and to prevent, minimize, or eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The Superintendent/President shall establish procedures that define harassment in the District. The Superintendent/President shall further establish procedures for employees, students, unpaid interns, volunteers, and other members of the college community that provide for the investigation and resolution of complaints regarding harassment and discrimination, and procedures to resolve complaints of harassment and discrimination. State and federal law and this policy prohibit retaliatory acts by the District, its employees, students, and agents.

The District will publish and publicize this policy and related written procedures (including the procedure for making complaints) to administrators, faculty, staff, students, unpaid interns, and volunteers particularly when they are new to the institution. The District will make this policy and related written procedures (including the procedure for making complaints) available in all administrative offices and will post them on the District's website.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination in accordance with federal and state statutes, and applicable collective bargaining agreements. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion. Unpaid interns who violate this policy and related procedures may be subject to disciplinary measures up to and including termination from the internship or other unpaid work experience program.

Adopted: December 12, 1995

Reviewed: March 13, 2001

Revised: May 13, 2008

Revised: June 14, 2011

Revised: January 10, 2012

Revised: June 10, 2025 (*Replaces former SCJCD BP 2.6.1*)



Sonoma County Junior College District Policy

Chapter 3: General Institution

AP 3435 Discrimination and Harassment Complaints and Investigations

References:

Education Code Sections 212.5, 231.5, 66281.5, 66281.8, 67386, and 87623;
 Government Code Section 12950.1;
 Title 5 Sections 59320, 59324, 59326, 59328, and 59300 et seq.;
 Title 2 Sections 11023 and 11024

For sex discrimination under Title IX, Complainants must proceed under BP 3433 Prohibition of Sexual Harassment under Title IX, AP 3433 Prohibition of Sexual Harassment under Title IX, and AP 3434 Responding to Harassment Based on Sex under Title IX. Such reports should be made to the District's Title IX Coordinator. Complainants should use this procedure for other forms of discrimination and harassment.

Definitions

- **Complaint:** A verbal or written statement filed with the District that alleges harassment, discrimination, or retaliation in violation of Sonoma County Junior College District's (District) Board Policies Administrative Procedures, or in violation of federal and state laws.
- **Complainant:** An individual who initiates a complaint against another person or persons.
- **Respondent:** The individual(s) reported to have been engaged in conduct that could constitute a violation of the District's Board Policies, Administrative Procedures, federal and state laws.
- **Investigator:** The individual or entity that is responsible to conduct or oversee investigations to ensure timely resolution and compliance with the procedure.
- **Witness:** Individual who observes an event take place, or has personal knowledge about the allegations, and provides information to the investigator.
- **Sex Discrimination and Sexual Harassment under Title IX:** Are defined under Administrative Procedure (AP) 3433 Prohibition of Sexual Harassment under Title IX and AP 3434 Responding to Harassment Based on Sex under Title IX.
- **Retaliation:** The act of intimidation, coercion, threats, or discrimination for the purpose of affecting an individual who made a report or complaint, testified, assisted or participated in the investigation.
- **General Harassment:** Harassment is defined under the Administrative Procedure 3430 Prohibition of Harassment.
- **Sexual Harassment:** Sexual Harassment is defined under the Administrative Procedure 3430 Prohibition of Harassment.

Reporting and Filing Complaints

The law prohibits coworkers, supervisors, managers, and third parties with whom an employee comes into contact from engaging in harassment, discrimination, or retaliation. Any person who has suffered harassment, discrimination, or retaliation or who has learned of harassment,

discrimination, or retaliation may report harassment, discrimination, or retaliation. Complainants may have the option of filing a Complaint.

All employees who are not otherwise designated as confidential employees under this procedure, are required to report all actual or suspected sexual harassment to the Vice President of Human Resources or their designee immediately.

Confidential Reporting and Confidential Employees

An employee who is a therapist, physician, psychotherapist, member of the clergy, sexual assault counselor, domestic violence counselor, or other individual acting in a professional capacity for which confidentiality is mandated by law is exempt from having to report sexual harassment concerns to Vice President of Human Resources, or other designated employee, unless otherwise required by law.

Outreach

When an employee reports actual or suspected sexual harassment involving students to the Title IX Coordinator, Vice President, Human Resources or designee, they will assess the report of sexual harassment and provide outreach, as appropriate, to each identifiable student who is alleged to be the complainant of the reported conduct. The outreach shall include all of the following information:

- The District received a report that the student may have been a Complainant of sexual harassment;
- A statement that retaliation for filing a complaint or participating in the complaint process, or both, under this procedure is prohibited;
- Counseling resources within the District or in the community;
- Where a crime may have occurred, notice that the student has the right, but not the obligation, to report the matter to law enforcement;
- The District's complaint and investigation procedures established pursuant to this procedure;
- Potential interim measures, such as no-contact directives, housing changes, and academic schedule changes, where applicable;
- The importance of preserving evidence;
- A request for the student to meet with the Vice President, Human Resources, Title IX Coordinator or other designated employee to discuss options for responding to the report; and
- The manner in which the District responds to reports of sexual harassment and a description of potential disciplinary consequences.

The District shall consider and respond to requests for accommodations relating to prior incidents of student sexual harassment that could contribute to a hostile educational environment or otherwise interfere with a student's access to education where both individuals are, at the time of the request, subject to the District's policies.

Complaints

A Complaint is a written or verbal statement filed with the District that alleges harassment, discrimination, or retaliation in violation of the District's Board Policies, Administrative Procedures, or in violation of state or federal law. Complaints must be filed with the Vice President of Human Resources or designee unless the Party submitting the Complaint alleges discrimination,

harassment, or retaliation against the responsible district officer, in which case it should be submitted directly to the Superintendent/President.

The District may request, but shall not require the Complainant to submit a Complaint on the form prescribed by the Chancellor of the California Community Colleges. A copy of the form will be available at Title IX Office, the Office of Human Resources, the President's Office and the District website. A Complainant shall report a verbal Complaint to the Vice President of Human Resources, or designee. The Vice President of Human Resources or designee shall record the verbal Complaint in writing. The Vice President of Human Resources, or designee will take steps to ensure the writing accurately reflects the facts alleged by the Complainant.

A Complaint must meet **each of the following** criteria:

- It must allege facts with enough specificity to show that the allegations, if true, would constitute a violation of District policies or procedures prohibiting discrimination, harassment, or retaliation;
- The Complainant must file any Complaint not involving employment within one year of the date of the alleged discriminatory, harassing, or retaliatory conduct or within one year of the date on which the Complainant knew or should have known of the facts underlying the allegations of discrimination, harassment, or retaliation; and
- The Complainant must file any Complaint alleging discrimination, harassment, or retaliation in employment within three years of the date of the alleged discriminatory, harassing, or retaliatory conduct.

If the Complaint does not meet the requirements set forth above, the Vice President of Human Resources, or designee will notify the Complainant within 14 days that the complaint does not contain allegations of unlawful discrimination that are sufficient under this procedure to trigger an investigation. The Vice President of Human Resources or designee will specify why the complaint is defective.

If the defect is based on the Complainant's failure to state sufficient facts to support a claim of unlawful discrimination, the Vice President of Human Resources, or designee shall offer the Complainant an opportunity to proffer additional facts to support their claims through an intake interview, which shall be scheduled as soon as reasonably convenient for the Complainant and Vice President of Human Resources or designee.

If, after the intake interview, the Vice President, Human Resources determines that the Complainant has still not stated sufficient facts to support a claim of unlawful discrimination, the Vice President of Human Resources shall provide the Complainant with a written determination explaining the basis for dismissing the complaint within 14 days of the intake interview. The Vice President of Human Resources must also notify the Complainant of their right to appeal this determination directly to the Chancellor of the California Community Colleges within 30 days from the date of the notice of dismissal.

Oversight of Complaint Procedure: The Vice President of Human Resources is the "responsible District officer" charged with receiving complaints of discrimination or harassment and coordinating their investigation.

The investigation of complaints must be assigned by the Vice President of Human Resources to a

neutral investigator. A neutral investigator means an outside investigator or an internal investigator who is not in the chain of command of the respondent, not substantially implicated by the allegations in the complaint, and who is otherwise impartial. Neutral investigators must be properly trained to conduct such investigations.

Who May File a Complaint: Any student, employee, parent of a minor, or an individual with legal authority on behalf of a student or employee who believes the student or employee has been discriminated against or harassed by a student, employee, or third party in violation of this procedure and the related policy.

Where to File a Complaint: A student, employee, parent of a minor, or an individual with legal authority on behalf of a student or employee who believes the student or employee has been discriminated against or harassed in violation of these policy and procedures may make a Complaint orally or in writing directed to the Vice President of Human Resources, or designee. Complainants may but are not required to use the form prescribed by the Chancellor of the California Community Colleges. These forms are available from the Human Resources Office and at the California Community Colleges Chancellor's Office website.

Advisers in Student Harassment Complaints

Student Parties in Complaints involving sexual harassment are permitted to have a support person or adviser accompany /them during any stage of the Complaint process described in this procedure. Student Parties in Complaints involving sexual harassment have the right to consult with an attorney, at their own expense, at any stage of the Complaint process if they wish to do so. An attorney may serve as a support person or adviser.

Employment-Related Complaints

Complainants filing employment-related complaints shall be notified that they may file employment discrimination complaints with the U.S. Equal Employment Opportunity Commission (EEOC) or the California Civil Rights Department (CRD).

Any District employee who receives a harassment or discrimination complaint shall notify the Vice President of Human Resources or designee.

Filing a Timely Complaint: Since failure to report harassment and discrimination impedes the District's ability to stop the behavior, the District strongly encourages anyone who believes they are being harassed or discriminated against, to file a Complaint. The District also strongly encourages the filing of such complaints within 30 days of the alleged incident. While all complaints are taken seriously and will be investigated promptly, delay in filing impedes the District's ability to investigate and remediate.

All supervisors and managers have a mandatory duty to report incidents of harassment and discrimination, the existence of a hostile, offensive, or intimidating work environment, and acts of retaliation.

The District will investigate complaints involving acts that occur off campus if they are related to an academic or work activity or if the harassing conduct interferes with or limits a student's or employee's ability to participate in or benefit from the school's programs or activities.

Communicating that the Conduct is Unwelcome: The District further encourages students and staff to let the offending person know immediately and firmly that the conduct or behavior is unwelcome, offensive, in poor taste, or inappropriate.

Intake and Processing of the Complaint: Upon receiving notification of a harassment or discrimination complaint, the Vice President of Human Resources shall:

- Consider whether the District can undertake efforts to informally resolve the charges, including but not limited to mediation, rearrangement of work/academic schedules, obtaining apologies, providing informal counseling, training, etc.
- Advise all Parties that they need not participate in an informal resolution of the Complaint, as described above, and they have the right to end the informal resolution process at any time.
- Advise a student Complainant that they may file a Complaint with the Office for Civil Rights of the U.S. Department of Education and employee Complainants may file a Complaint with the California Civil Rights Department. All Complainants should be advised that they have a right to file a Complaint with local law enforcement, if the act complained of is also a criminal act. The District must investigate even if the Complainant files a Complaint with local law enforcement. In addition, the District should ensure that Complainants are aware of any available resources, such as counseling, health, and mental health services.
- In matters involving student sexual harassment, provide student Parties notice regarding appropriate counseling resources developed and maintained by the District.
- Take interim steps to protect a Complainant from coming into contact with an accused individual, especially if the Complainant is a victim of sexual violence. The Vice President of Human Resources or designee should notify the Complainant of their options to avoid contact with the accused individual and allow students to change academic situations as appropriate. For instance, the District may prohibit the accused individual from having any contact with the Complainant pending the results of the investigation. When taking steps to separate the Complainant and accused individual, the District shall minimize the burden on the Complainant. For example, it is not appropriate to remove Complainants from classes or housing while allowing accused individuals to remain.

Regardless of whether a Complaint has been filed under this procedure, if the District knows, or reasonably should know, about possible sexual harassment involving individuals subject to the District's policies at the time, the District shall promptly investigate to determine whether the alleged conduct more likely than not occurred, or otherwise respond if the District determines that an investigation is not required.

Student Complainant Requests for Confidentiality

If a student Complainant requests confidentiality when reporting sexual harassment, which could preclude a meaningful investigation or potential discipline of the Respondent, or that no investigation or disciplinary action be pursued to address alleged sexual harassment, the District shall take the request seriously, while at the same time considering its responsibility to provide a safe and nondiscriminatory environment for all students, including for the Complainant. The District shall normally grant the request when possible. In determining whether to disclose a Complainant's identity or proceed to an investigation over the objection of the Complainant, the District may consider whether any of the following apply:

- There are multiple or prior reports of sexual misconduct against the Respondent;
- The Respondent reportedly used a weapon, physical restraints, or engaged in battery;
- The Respondent is a faculty or staff member with oversight of students;
- There is a power imbalance between the Complainant and Respondent;

- The Complainant believes that the Complainant will be less safe if the Complainant's name is disclosed or an investigation is conducted; and
- The District is able to conduct a thorough investigation and obtain relevant evidence in the absence of the Complainant's cooperation.

If the District determines that it can honor the student Complainant's request for confidentiality, it shall still take reasonable steps to respond to the Complaint, consistent with the request, to limit the effects of the alleged sexual harassment and prevent its recurrence without initiating formal action against Respondent or revealing the identity of the Complainant. The District shall also take immediate steps to provide for the safety of the Complainant while keeping the Complainant's identity confidential as appropriate. The District shall notify the Complainant that the steps the District will take to respond to the Complaint will be limited by the Complainant's request for confidentiality.

If the District determines that it must disclose the student Complainant's identity to the Respondent or proceed with an investigation, it shall inform the Complainant prior to making this disclosure or initiating the investigation. The District shall also take immediate steps to provide for the safety of the Complainant where appropriate. In the event the Complainant requests that the District inform the Respondent that the Complainant asked the District not to investigate or seek discipline, the District shall honor this request.

Informal Process for Complaints:

Any person who has suffered from or learned of harassment, discrimination, or retaliation may file an informal or formal complaint.

The informal complaint process has several channels for reporting inappropriate or offensive behavior. The District encourages employees to report concerns promptly after the incident.

To initiate an informal complaint an employee may report the concern through the following options:

- Report the concern to the employee's supervisor
- Report the concern to an administrator or the vice president of their area
- Report the concern to the Vice President of Human Resources, or designee
- Report the concern through the District complaint reporting system

Please note the discrimination, sex discrimination, and harassment and should be reported to the Vice President of Human Resources, or designee.

The Informal Complaint Process:

1. If the concerned employee feels safe doing so, they are encouraged to resolve the concern directly with the other employee(s) involved. In so doing the employee who has the concern should describe the behavior that concerns them and their expectation for future workplace behavior.
2. If the concerned party elects not to confront the other employee(s) or is unable to resolve the issue directly with the other employee(s) involved, they should report the concern to their supervisor or area administrator. The supervisor/administrator will make reasonable efforts to resolve the issue promptly utilizing appropriate conflict resolution techniques. The supervisor should consult with Human Resources to ensure the incident is appropriately

documented. Once aware of an informal complaint, the Vice President Human Resources or designee will notify the person bringing the informal complaint of their right to file a formal complaint and the timelines of the formal complaint process.

3. All parties may choose not to participate in the informal resolution of the complaint, as described and they have the right to end the informal resolution process at any time.
4. If the supervisor/administrator is unable to resolve the issue in a satisfactory manner, they should seek assistance in the resolution from the area administrator and/or the appropriate vice president.
5. Any agreements reached as a result of the conflict resolution shall be appropriately documented, up to, and including, entering the documentation in the employee personnel file(s).
6. If the employee does not feel comfortable reporting the concern to their supervisor, they may report the concern to the area administrator, coordinator, human resources, or the vice president of the area. The employee may also file a complaint through the District complaint process.

The informal process shall not exceed thirty (30) days from receipt of the complaint. Any District employee who receives a harassment complaint shall notify the Vice President of Human Resources or designee immediately.

Investigations

The Vice President of Human Resources or designee shall:

- Provide notice to student Parties to a sexual harassment complaint that the District is conducting an investigation. The notice shall include the allegations against the Respondent and the alleged District policy violations under review. If new allegations that arise during the course of the District's investigation that could subject either student Party to new or additional discipline or corrective action, the Vice President of Human Resources or designee shall provide a supplemental notice to the student Parties.
- Authorize the investigation of the Complaint, and supervise or conduct a thorough, prompt, and impartial investigation of the Complaint, as set forth below. Where the Parties opt for informal resolution, the designated officer will determine whether further investigation is necessary to ensure resolution of the matter and utilize the investigation process outlined below as appropriate. The investigation will include interviews with the Complainant, the accused, and any other persons who may have relevant knowledge concerning the Complaint. This may include victims of similar conduct.
- Review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment, or other unlawful discriminatory conduct, giving consideration to all factual information and the totality of the circumstances, including the nature of the verbal, physical, visual or sexual conduct, and the context in which the alleged incidents occurred.

Investigation of the Complaint: The District shall promptly investigate every Complaint. No claim of workplace or academic harassment or discrimination shall remain unexamined. This includes

Complaints involving activities that occur off campus and in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, on a District bus, or at a class or training program sponsored by the District at another location. The District shall promptly investigate complaints of harassment or discrimination that occur off campus if the alleged conduct creates a hostile environment on campus. The District shall notify the Complainant that the District will commence an impartial fact-finding investigation of the allegations contained in the Complaint.

As set forth above, where the Parties opt for an informal resolution, the Vice President of Human Resources may limit the scope of the investigation, as appropriate. The District will keep the investigation confidential to the extent possible but cannot guarantee absolute confidentiality because release of some information on a "need-to-know-basis" is essential to a thorough investigation. When determining whether to maintain confidentiality, the District may weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment; the Complainant's age; whether there have been other harassment complaints about the same individual; and the accused individual's rights to receive information about the allegations if the information is maintained by the District as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S. Code Section 1232g; 34 Code Federal Regulations Part 99.15. The District will inform the Complainant if it cannot maintain confidentiality.

Investigation Steps: The District will fairly and objectively investigate harassment and discrimination complaints. Employees designated to serve as investigators under this policy shall have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how the District's grievance procedures operate. The investigator may not have any real or perceived conflicts of interest and must be able to investigate the allegations impartially using trauma-informed investigation techniques.

The investigation and adjudication of alleged misconduct under this procedure is not an adversarial process between the Complainant, the Respondent, and the witnesses, but rather a process for the District to comply with its obligations under existing law. The Complainant does not have the burden to prove, nor does the Respondent have the burden to disprove, the underlying allegation or allegations of misconduct.

Investigators will use the following steps:

- interviewing the Complainant;
- interviewing the accused individual;
- identifying and interviewing witnesses and evidence identified by each Party;
- identifying and interviewing any other witnesses, if needed;
- reminding all individuals interviewed of the District's no-retaliation policy;
- considering whether any involved person should be removed from the campus pending completion of the investigation;
- reviewing personnel/academic files of all involved Parties;
- reach a conclusion as to the allegations and any appropriate disciplinary and remedial action;
- and see that all recommended action is carried out in a timely fashion.

When the District evaluates the Complaint, it shall do so using a preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the District will decide whether it is more likely than not that discrimination or harassment has occurred. Student Complainants

should be aware that any evidence available but not disclosed during the investigation might not be considered at a subsequent hearing, if a hearing is required under this procedure.

Timeline for Completion: The District will undertake its investigation promptly and swiftly as possible. To that end, the investigator shall complete the above steps, and prepare a written report, and the District shall notify the Complainant and Respondent of the outcome within 90 days of the District receiving the Complaint. The District will toll the timeline while the Parties are engaged in good faith efforts at informal resolution.

Cooperation Expected: All employees are expected to cooperate with a District investigation into allegations of harassment or discrimination. Lack of cooperation impedes the ability of the District to investigate thoroughly and respond effectively. However, lack of cooperation by a Complainant or witnesses does not relieve the District of its obligation to investigate. The District will conduct an investigation if it is discovered that harassment is, or may be occurring, with or without the cooperation of the alleged victim and regardless of whether a Complaint is filed. No employee will be retaliated against as a result of lodging a Complaint or participating in any workplace investigation.

Written Report

The results of the investigation of a Complaint shall be set forth in a written report that will include at least all of the following information:

- A description of the circumstances giving rise to the Complaint;
- A description of the procedural steps taken during the investigation, including all individuals contacted and interviewed;
- A summary of the testimony provided by each witness with information relevant to the allegations, including the Complainant;
- An explanation of why an identified potential witness was not interviewed;
- An analysis of relevant data or other evidence collected during the course of the investigation, including a list of relevant documents;
- A specific finding as to whether each factual allegation in the Complaint occurred based on the preponderance of the evidence standard;
- A table of contents if the report exceeds ten pages and
- Any other information deemed appropriate by the District.

Confidentiality of the Process

Investigations are best conducted within a confidential climate. Therefore, the District does not reveal information about ongoing investigations except as necessary to fulfill its legal obligations. The District will keep the investigation confidential to the extent possible, but it cannot guarantee absolute confidentiality because release of some information on a “need-to-know-basis” is essential to a thorough investigation and to protect the rights of student and employee Respondents during the investigation process and any ensuing discipline.

Evidence of Past Sexual History

An investigator or hearing officer, if required by this procedure, shall not consider the past sexual history of the Complainant or Respondent except in the limited circumstances described below:

- The investigator or hearing officer shall not consider prior or subsequent sexual history between the Complainant and anyone other than the Respondent for any reason unless

directly relevant to prove that physical injuries alleged to have been inflicted by the Respondent were inflicted by another individual;

- The investigator or hearing officer shall not consider the existence of a dating relationship or prior or subsequent consensual sexual relations between the Complainant and the Respondent unless the evidence is relevant to how the Parties communicated consent in prior or subsequent consensual sexual relations;
 - Where the investigator or hearing officer allows consideration of evidence about a dating relationship or prior or subsequent consensual sexual relations between the Complainant and the Respondent pursuant to this circumstance, the mere fact that the Complainant and Respondent engaged in other consensual sexual relations with one another is never sufficient, by itself, to establish that the conduct in question was consensual.

Before allowing the consideration of any evidence proffered pursuant to this section, the investigator or hearing officer shall provide a written explanation to the Parties as to why consideration of the evidence is consistent with this procedure.

Administrative Determination

In any case not involving employment discrimination, within 90 days of receiving a Complaint, the District shall complete its investigation and forward a copy or summary of the report, and written notice to the Complainant setting forth all of the following:

- The Superintendent/President's or their designee's determination as to whether unlawful discrimination occurred with respect to each allegation in the Complaint based on a preponderance of the evidence standard and the basis for that determination including factual findings;
- In the event a discrimination allegation is substantiated, a description of actions taken, if any, to prevent similar acts of unlawful discrimination from occurring in the future;
- The proposed resolution of the Complaint;
- The Complainant's right to appeal to the District's Board of Trustees and the California Community Colleges Chancellor's Office; and
- In matters involving student sexual misconduct, the Respondent's right to appeal to the District's Board of Trustees any disciplinary sanction imposed upon the Respondent.

In any case involving employment discrimination, within 90 days of receiving a Complaint, the District shall complete its investigation and forward a copy or summary of the report and written notice to the Complainant setting forth all the following:

- The Superintendent/President's or their designee's determination as to whether discrimination occurred with respect to each allegation in the Complaint based on the preponderance of the evidence standard and the basis for that determination including factual findings;
- If a discrimination allegation is substantiated, a description of actions taken, if any, to prevent similar acts of unlawful discrimination from occurring in the future;
- The proposed resolution of the Complaint; and
- The Complainant's right to appeal to the District's Board of Trustees and to file a Complaint with the California Civil Rights Department.

The District shall also provide the Respondent the following:

- The Superintendent/President's or their designee's determination as to whether unlawful discrimination occurred with respect to each allegation in the Complaint based on the preponderance of the evidence standard and the basis for that determination including factual findings;
- The proposed resolution of the Complaint, including any disciplinary action against the Respondent; and
- In matters involving student sexual misconduct not subject to Title IX, the Respondent's right to appeal to the District's Board of Trustees any disciplinary sanction imposed upon the Respondent.

The District will toll the timelines described above while the Parties are engaged in good faith efforts at informal resolution.

In matters involving an academic employee placed on involuntary paid administrative leave, the District shall complete its investigation within 90 working days (see Article 23 of Faculty Association Collective Bargaining Agreement for further clarification) of the administrative leave commencing, unless the period of paid administrative leave is extended by agreement of the employee and District for a period not exceeding 30 additional calendar days.

Discipline for Student Sexual Misconduct Not Subject to Title IX

In a Complaint involving student sexual misconduct not subject to Title IX, if a student Respondent is subject to severe disciplinary sanctions, and the credibility of witnesses was central to the investigative findings, the District will provide an opportunity for the student Respondent to cross-examine witnesses indirectly at a live hearing, either in person or by videoconference, conducted by a neutral decision-maker other than the investigator.

In other Complaints involving sexual harassment against a student, the District shall decide whether a hearing is necessary to determine whether any sexual violence more likely than not occurred. In making this decision, the District may consider whether the Parties elected to participate in the investigation and whether each Party had the opportunity to suggest questions to be asked of the other Party and witnesses during the investigation.

The District shall appoint a neutral third party to attend the hearing solely for the purpose of asking any questions to the witnesses. The neutral third party shall not be the student Respondent, the student Respondent's representative, or any individual charged with making a final determination regarding discipline. The student Respondent may submit written questions before and during the cross-examination, including any follow-up questions. Either Party or any witness may request to answer the questions by videoconference from a remote location.

At the hearing, the other Party shall have an opportunity to note an objection to the questions posed. The District may limit such objections to written form, and neither the hearing officer nor the District are obligated to respond, other than to include any objection in the record. The hearing officer shall have the authority and obligation to discard or rephrase any question that the hearing officer deems to be repetitive, irrelevant, or harassing. In making these determinations, the hearing officer is not bound by, but may take guidance from, the formal rules of evidence.

Generally, the Parties may not introduce evidence, including witness testimony, at the hearing that the Party did not identify during the investigation and that was available at the time of the investigation. However, the hearing officer has discretion to accept for good cause, or exclude,

such new evidence offered at the hearing.

The hearing officer shall provide an explanation of the meaning of the preponderance of the evidence standard, and affirm that it shall apply to adjudications under this procedure. The preponderance of the evidence standard is met if the District determines that it is more likely than not that the alleged misconduct occurred, based on the facts available at the time of the decision.

Discipline and Corrective Action

If harassment, discrimination, or retaliation occurred in violation of the policy or procedure, the District shall take disciplinary action against the accused and any other remedial action it determines to be appropriate consistent with state and federal law. The action will be prompt, effective, and commensurate with the severity of the offense.

Possible disciplinary sanctions for student Respondents include written or verbal reprimand, required training or counseling, non-academic probation, suspension, and expulsion. Possible disciplinary sanctions for employee Respondents include written or verbal reprimand, required training or counseling, reduction in pay, demotion, suspension, or discharge or any provisions of any applicable bargaining agreements.

Remedies for the Complainant might include, but are not limited to:

- providing an escort to ensure that the Complainant can move safely between classes and activities;
- ensuring that the Complainant and alleged perpetrator do not attend the same classes or work in the same work area;
- preventing offending third parties from entering campus;
- providing counseling services or a referral to counseling services;
- providing medical services or a referral to medical services;
- providing academic support services, such as tutoring;
- arranging for a student Complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant's academic record; and
- reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant being disciplined.

If the District imposes discipline, the nature of the discipline will not be communicated to the Complainant. However, the District may disclose information about the sanction imposed on an individual who was found to have engaged in harassment when the sanction directly relates to the Complainant; for example, the District may inform the Complainant that the harasser must stay away from the Complainant.

Disciplinary actions against faculty, staff, and students will conform to all relevant statutes, regulations, personnel policies and procedures, including the provisions of any applicable collective bargaining agreement.

The District shall also take reasonable steps to protect the Complainant from further harassment, or discrimination, address the hostile environment, if one has been created, prevent its recurrence, address its affects, and protect the Complainant and witnesses from retaliation as a result of communicating with the Complaint or assisting in the investigation.

The District will ensure that Complainants and witnesses know how to report any subsequent problems and should follow-up with Complainants to determine whether any retaliation or new incidents of harassment have occurred. The District shall take reasonable steps to ensure the confidentiality of the investigation and to protect the privacy of all Parties to the extent possible without impeding the District's ability to investigate and respond effectively to the Complaint.

If the District cannot take disciplinary action against the accused individual because the Complainant refuses to participate in the investigation, it should pursue other steps to limit the effects of the alleged harassment and prevent its recurrence.

Appeals

If the District imposes discipline against a student or employee as a result of the findings in its investigation, the student or employee may appeal the decision using the procedure for appealing a disciplinary decision.

If the Complainant is not satisfied with the results of the administrative determination, they may, within 30 days, submit a written appeal to the Board of Trustees.

In a Complaint involving student sexual misconduct not subject to Title IX, a Respondent who is not satisfied with the results of the administrative determination may submit a written appeal to the District's Board of Trustees within 30 days.

The Board of Trustees's review on appeal is limited to the following issues:

- whether there was a procedural error in violation of this procedure;
- whether there was a defect in the investigation;
- whether new evidence unavailable during the investigation despite the Complainant's due diligence would substantially impact the outcome of the investigation;
- whether correct legal standards were applied; and
- whether the District's determination was an abuse of discretion.

The Board of Trustees shall review the original Complaint, the investigative report, the administrative decision, and the appeal. The Board of Trustees shall issue a final District decision in the matter within 45 days after receiving the appeal. A copy of the decision rendered by the Board of Trustees shall be forwarded to the Complainant and the Respondent. The Complainant shall also be notified of their right to appeal this decision.

If the Board of Trustees does not act within 45 days, the administrative determination shall be deemed approved on the 46th day and shall become the final decision of the District in the matter. The District shall promptly notify the Complainant and the Respondent of the Board of Trustees' action, or if the Board of Trustees took no action, that the administrative determination is deemed approved.

In any case not involving workplace discrimination, harassment, or retaliation, the Complainant shall have the right to file a written appeal with the California Community Colleges Chancellor's Office within 30 days after the Board of Trustees issued the final District decision or permitted the administrative decision to become final. Such appeals shall be processed pursuant to the provision of Title 5 Section 59350.

In any case involving employment discrimination, including workplace harassment, the Complainant may, at any time before or after the issuance of the final decision of the District, file a Complaint with the California Civil Rights Department.

In any complaint dismissed pursuant to Title 5 Section 59332, a complainant may file a written appeal with the California Community Colleges Chancellor's Office within 30 days from the date of the notice of dismissal.

Remand

The California Community Colleges Chancellor's Office may remand any matter to the District for any of the following reasons: to cure defects in the investigation or in procedural compliance; to consider new evidence not available during the investigation despite the Complainant's due diligence that would substantially impact the outcome of the investigation; or to modify or reverse a decision of the District's Board of Trustees based upon misapplication of an applicable legal standard or an abuse of discretion.

If the California Community Colleges Chancellor's Office remands a matter to the District, the District shall take necessary action and issue a decision after remand within 60 days. In any case not involving employment discrimination, the Complainant may appeal the District's amended determination to the California Community Colleges Chancellor's Office within 30 days by following the appeal procedures above.

Extension of Time

A student Complainant or Respondent may request, in writing, an extension of a deadline related to a Complaint during periods of examinations or school closures. The District shall grant a student Party's reasonable request for an extension of a deadline related to a Complaint during periods of examinations or school closures.

If the District is unable to comply with the 90-day deadline, the District may extend the time to respond by up to 45 additional days. An extension may be taken only once without permission from the California Community Colleges Chancellor's Office, and must be necessary for one of the following reasons:

- a need to interview a party or witness who has been unavailable;
- a need to review or analyze additional evidence, new allegations, or new complaints related to the matter; or
- to prepare and finalize an administrative determination.

The District shall send a written notice to the Complainant and to a Respondent who is aware of an investigation indicating the necessity of an extension, the justification for the extension, and the number of days the deadline will be extended. The District shall send this notice no later than 10 days prior to the initial time to respond.

The District may request additional extensions from the California Community Colleges Chancellor's Office after the initial 45-day extension. The District shall send a copy of the extension request to the Complainant and to a Respondent who is aware of an investigation. The Complainant and Respondent may each file a written objection with the California Community Colleges Chancellor's Office within 5 days of receipt.

The extension of time provisions described above do not apply to investigations involving an academic employee placed on involuntary paid administrative leave.

Disclosures to the California Community Colleges Chancellor's Office

Upon request of the California Community Colleges Chancellor's Office, the District shall provide copies of all documents related to a discrimination Complaint, including the following: the original Complaint, any investigative report unless subject to the attorney-client privilege, the written notice to the Complainant setting forth the results of the investigation, the final administrative decision rendered by the Board or a statement indicating the date upon which the decision became final, and a copy of the notification to the Complainant of their appeal rights, the Complainant's appeal of the District's administrative determination, any other non-privileged documents or information the Chancellor requests.

The District shall provide to the California Community Colleges Chancellor's Office an annual report with the following information: the number of employment and non-employment discrimination complaints and informal charges received in the previous academic year; the number of complaints and informal charges resolved in the previous academic year; the number of complaints of unlawful discrimination received in the previous academic year, and the number of those complaints that were sustained in whole or in part; and any other information requested by the Chancellor.

Interim and Supportive Measures

Interim measures are individualized services offered as appropriate to either or both the Complainant and Respondent in an alleged incident of sexual misconduct, prior to an investigation or while an investigation is pending.

Supportive measures are non-disciplinary, non-punitive individualized services offered free of charge to the Complainant or the Respondent regardless of whether a Complaint has been filed.

The District will provide interim or supportive measures to Parties as appropriate and as reasonably available.

Interim and supportive measures may include changes to academic, living, transportation, and working situation or protective measures such as counseling, extensions of deadlines, other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the

Parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

No-Contact Directives

When requested by a Complainant or otherwise determined to be appropriate, the District shall issue an interim no-contact directive prohibiting the Respondent from contacting the Complainant during the pendency of the investigation. The District shall not issue an interim mutual no-contact directive automatically, but instead shall consider the specific circumstances of each case to determine whether a mutual no-contact directive is necessary or justifiable to protect the noncomplaining party's safety or well-being, or to respond to interference with an investigation. If the District issues a no-contact directive after making decision of responsibility, the no-contract directive shall be unilateral and only apply against the Party found

responsible.

Upon the issuance of a mutual no-contact directive, the District shall provide the Parties with a written justification for the directive and an explanation of the terms of the directive. Upon the issuance of any no-contact directive, the District shall provide the Parties with an explanation of the terms of the directive, including the circumstances, if any, under which violation could be subject to disciplinary action.

File Retention

The District will retain on file for a period of at least five years after closing the case copies of:

- the original Complaint;
- the investigatory report;
- the summary of the report if one is prepared;
- the notice provided to the Parties of the District's administrative determination and the right to appeal;
- any appeal; and
- the District's final decision.

For any appeal to the California Community Colleges Chancellor's Office, the District shall provide all relevant, non-privileged documents upon request of the California Community Colleges Chancellor's Office.

Dissemination of Policy and Procedures

District policy and procedures related to harassment will include information that specifically addresses sexual violence. District policy and procedures will be provided to all students, all employees, all volunteers who will regularly interact with students, and each individual or entity under contract with the District to perform any service involving regular interaction with students at the District. District policy and procedures related to harassment will also be posted human resources and on the District's website.

When hired, employees are required to sign that they have received the policy and procedures, and the signed acknowledgment of receipt is placed in each employee's personnel file. In addition, these policies and procedures are incorporated into the District's course catalogs and orientation materials for new students.

Training

The District shall provide at least two hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees and at least one hour of classroom or other effective interactive training and education regarding sexual harassment to all nonsupervisory employees once every two years. All new employees must be provided with the training and education within six months of their assumption of their position.

The training and education required by this procedure shall include information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment, a review of "abusive conduct," and harassment based on gender identity, gender expression, and sexual orientation. The training and education shall also include practical examples aimed at instructing supervisors in the prevention of harassment,

discrimination, and retaliation, and shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. Supervisor's harassment training must also address potential exposure and liability for employers and individuals, supervisor's obligation to report sexual harassment, discrimination, and retaliation when they become aware of it, and appropriate remedial measures to correct harassing behavior.

Training for employees must also address the employee's obligation to report sexual harassment and instruction on how to report sexual harassment to the responsible District officer.

The District will also provide comprehensive, trauma-informed training to each employee involved in the District's sexual harassment or discrimination grievance procedure including investigating and adjudicating complaints involving sexual violence, sexual assault, domestic violence, dating violence, and stalking. This training shall include information on trauma-informed investigatory and hearing practices that help ensure an impartial and equitable process, best practices for assessment of a sexual harassment or sexual violence complaint, best practices for questioning of the complainant, respondent, and witnesses, and implicit bias and racial inequities, both broadly and in school disciplinary processes. Materials for this training shall include statistics on the prevalence of sexual harassment and sexual violence in the educational setting, and the differing rates at which students experience sexual harassment and sexual assault in the educational setting based on their race, sexual orientation, disability, gender, and gender identity.

The District shall ensure that residential life student and nonstudent staff, or their equivalent, annually receive training on how to handle, in a trauma-informed manner, reports made to them of sexual harassment or sexual violence, and situations in which they are aware of sexual harassment or sexual violence, in student residential facilities.

The District will maintain appropriate records of the training provided, including the names of the supervisory employees trained, the date of training, sign in sheets, copies of all certificates of attendance or completion issued, the type of training provided, a copy of all written or recorded training materials, and the name of the training provider. If the training is provided by webinar, the District will maintain a copy of the webinar, all written materials used by the training and all written questions submitted during the webinar, and document all written response or guidance the trainer provided during the webinar. The District will retain these records for at least two years.

The District will also provide training to students who lead student organizations. The District should provide copies of the sexual harassment policies and training to all District law enforcement unit employees regarding the grievance procedures and any other procedures used for investigating reports of sexual violence.

In years in which a substantive policy or procedural change has occurred, all District employees will attend a training update or receive a copy of the revised policies and procedures.

Participants in training programs will be required to sign a statement that they have either understood the policies and procedures, their responsibilities, and their own and the District's potential liability, or that they did not understand the policy and desire further training.

Education and Prevention for Students

In order to take proactive measures to prevent sexual harassment and violence toward students, the District will provide preventive education programs and make victim resources, including comprehensive victim services, available. The District will include such programs in their

orientation programs for new students, and in training for student athletes and coaches. These programs will include discussion of what constitutes sexual harassment and sexual violence, the District's policies and disciplinary procedures, and the consequences of violating these policies. A training program or informational services will be made available to all students at least once annually.

The education programs will also include information aimed at encouraging students to report incidents of sexual violence to the appropriate District and law enforcement authorities. Since victims or third parties may be deterred from reporting incidents if alcohol, drugs, or other violations of District or campus rules were involved, the District will inform students that the primary concern is for student safety and that use of alcohol or drugs never makes the victim at fault for sexual violence. An individual who participates as a Complainant or witness in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the District's student conduct policy at or near the time of the incident, unless the District determines that the violation was egregious, including, but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic dishonesty.

Complaint Reporting

The Superintendent/President shall provide the Board of Trustees, upon request, a report of complaints filed pursuant to this procedure.

U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS
915 Second Avenue Room 3310
Seattle, WA 98174-1099
(206) 607-1600, 800-877-8339 (TTY)
ocr.seattle@ed.gov

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)
450 Golden Gate Ave
San Francisco, CA 94102
(800) 669-4000

CALIFORNIA CIVIL RIGHTS DEPARTMENT (CRD)
651 Bannan Street, Suite 200
Sacramento, CA 95811
800-884-1684, 800-700-2320 (TTY)

Approved: No date

Reviewed: May 9, 1995

Reviewed: November 11, 1997

Revised: March 13, 2001

Revised: December 10, 2002

Revised: June 10, 2008

Revised: May 10, 2011

Revised: June 10, 2014

Revised: October 14, 2014

Revised: October 11, 2016

Revised: May 15, 2025 (*Replaces former SCJCD 2.7P*)

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."

7.4.2

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.



Sonoma County Junior College District Policy

Chapter 3: General Institution

BP 3503 Missing Student Notification

Reference:

34 Code of Federal Regulations Part 668.46 subdivision (h)

The Superintendent/President is authorized to enact procedures as appropriate and permitted by law to follow with regard to the notification of missing students who reside in on-campus housing facilities.

See Administrative Procedure 3503 Missing Student Notification.

Adopted: May 14, 2024

**Sonoma County Junior College District Policy****Chapter 3: General Institution****AP 3503 Missing Student Notification****Reference:**

34 Code of Federal Regulations Part 668.46 subdivision (h)

If a member of the campus community has reason to believe that a student who resides in on-campus housing is missing, they should immediately notify the Sonoma County Junior College District Police Department at (707) 527-1000 and the Vice President of Student Services or designee. The Sonoma County Junior College District Police Department will generate a missing person report and initiate an investigation.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by the District in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the District will notify that individual no later than 24 hours after the student is determined to be missing. A student who wishes to identify a confidential contact can do so by notifying Student Housing Management. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement in the course of the investigation.

After investigating a missing person report, should the District determine that the student has been missing for 24 hours, the District will notify Sonoma County Junior College District Police Department unless Sonoma County Junior College District Police Department was the agency that determined the student was missing, and the student's emergency contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, the District will notify the student's parent or legal guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.

Also see Board Policy 3503 Missing Student Notification.

Approved: April 4, 2024