



Glendale Community College

Dating Violence, Domestic Violence, Sexual Assault and Stalking Policy, Procedures, Rights and Information

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Policy, Procedures, Rights and Information**

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INTRODUCTION

This guide is intended to help explain Glendale Community College’s responsibility under Title IX and the Violence Against Women Act (VAWA). Additionally, this guide will:

- Provide you with specific resources available both on and off campus
 - Provide you with details on available supportive measures
 - Educate you on your right to an Advisor and how they can assist you throughout the process
 - Inform you of policy definitions that describe prohibited conduct
 - Inform you of possible sanctions for policy violations
 - Provide you with common questions and answers asked by parties (Complainants and Respondents)
-

IF YOU HAVE EXPERIENCED SEXUAL MISCONDUCT

If you are off campus and experiencing an emergency, you can call local police by dialing 911. You may also call the local police department's non-emergency line:

- **Glendale Police Department, Phone: 818-548-4911**

1. Go to a safe location as soon as you are able.
2. Seek immediate medical attention if you are injured, believe you may have been exposed to the risk of an STI/STD, or pregnancy.
3. Contact any of the following for assistance:

Resources at GCC:

- **Meng “May” Zhang, Title IX Coordinator**
titleix@glendale.edu
(818) 240-1000 Ext.3401
Administration Building 143
M-F, 8:30 am to 4:30 pm
- **Glendale Community College (“District”) Police Department**
Emergency: dial 4000 (from on-campus) or (818) 409-5911
M-F, 7:00 am to 7:00 pm
- **Romy Griep, LGBTQ+ Community Advocate**
rgriepmccree@glendale.edu
Offers confidential reporting space for LGBTQIA2S+ individuals
- **For Students:**
[District Health Center and Mental Health Counseling](#) (Verdugo Campus),
healthcenter@glendale.edu
(818) 551-5189
San Rafael Building, 1st Floor

M & W: 8:30 am to 6 pm/ Tu & Th: 8:30 am to 5 pm/ Fri: 8:30 am to 3:30 pm

- **For Students:**
[Mental Health Counseling](#) (Garfield Campus only)
(818) 240-1000 Ext. 5035 or 5099.
- **For Students:**
[TimelyCare](#) (Virtual Mental Health Counseling)
24 hours/7 days a week
- **For Employees:**
[Employee Assistance Program](#)
(800) 344-9752
[Website](#), Web ID: NYLGBS.
- **For Employees:**
[Cigna Life Assistance Program](#) (GCC Guild Members Only)
(800) 538-3543
- **For Employees:**
AFT Trauma Counseling (GCC Guild Members Only) Please visit [here](#)
for more information.

Community Resources:

- [Home Again Los Angeles](#) (Formerly Family Promise of the Verdugos)
Burbank, CA 91507
Admin: 818-562-7778; Shelter: 818-847-1547
Glendale: 818-396-5555; San Fernando: 818-898-1210
Email: info@HomeAgainLa.org
- [YWCA Glendale](#)
[Domestic Violence Service Center](#)
735 E. Lexington
Glendale, CA 91206
Phone: 818-242-4155; Hotline: 1-888-999-7511
Email: info@ywcagp.org

- **Peace Over Violence**
Emergency Shelter
24/7 Hotline: 213-626-3393
Admin: 213-955-9090
Los Angeles Video Phone (ASL): 213-785-2684 / 213-785-2749
- **Los Angeles LGBT Center - STOP Violence Program**
Emergency Shelter
Phone: 323-860-5806
- **Jenesse Center, Inc.** (Domestic Violence Intervention & Prevention)
Emergency Shelter
24/7 Hotline: 1-800-479-7328
Admin: 323-299-9496
- **StrengthUnited**
24-Hour Referral and Support for Crisis Intervention
San Fernando Valley: 818-886-0453
Santa Clarita Valley: 661-253-0258
- **East Los Angeles Women's Center**
24/7 Hotline: 1-800-585-6231
- **Center for the Pacific Asian Family**
24-Hour Multi-lingual Helpline: 1-800-339-3940
- **National Domestic Violence Hotline**
1-800-799-(SAFE) 7233
1-800-787-3224 (TTY)
- **RAINN- Rape/Abuse/Incest/National Network Hotline**
1-800-656-(HOPE) 4673
- **Neighborhood Legal Services of Los Angeles County**
General Legal Assistance: 1-800-433-6251
- **Los Angeles County District Attorney's Victims Assistance Program**
1-800-380-3811

- [Los Angeles County Domestic Violence Hotline](#)
24/7 Hotline: 1-800-978-3600
- [Sexual Assault Response Team \(SART\) Center](#)
Sexual assault forensic examinations may be obtained at the San Gabriel Valley Medical Center at 438 W. Las Tunas Drive, San Gabriel, CA. 91776.
1-877-209-3049
- [Rape Treatment Center Santa Monica- UCLA Health](#)
1250 16th St, Santa Monica, CA 90404
424-259-7208

4. Medical Attention: Evidence collection should be completed within approximately 120 hours of an assault, but fluids, hair samples and DNA can be collected for a long time thereafter. Even if you have washed or bathed, evidence can often still be obtained. After 120 hours, it may still be helpful to have medical attention, even if you are not trying to obtain evidence of an assault. Sexual assault nurse examiners are trained in the collection of forensic evidence and can check for injuries and exposure to sexually transmitted infections and diseases. If you are still wearing any clothes worn during the incident, wear them to the hospital, but bring a change of clothes, as the hospital will keep the clothes you are wearing as evidence. If you have changed clothes, bring the ones you were wearing during the incident to the hospital in a clean paper (not plastic) bag or a wrapped in a clean bedsheet. Leave sheets/towels at the scene of the incident. Police will collect them. Typically, police will be called to the hospital to take custody of the forensic kit, but it is up to you whether you wish to speak with them or file a criminal complaint.

Choose how to proceed. You have options. You can: (1) do nothing until you are ready, (2) pursue resolution by Glendale Community College (“District”), and/or (3) initiate criminal proceedings, and/or 4) initiate a civil process against the perpetrator. You may pursue whichever combination of options is best for you. If you pursue resolution by the District, your options can include a formal response, informal resolution, and/or supportive measures. If you wish to have an incident investigated and resolved by the District, you should contact the Title IX Coordinator. The District’s procedures will be explained and are summarized below. Those who wish incidents to be handled criminally should contact the police and have the right to be assisted by the District in doing so.

CONFIDENTIALITY

To make informed choices, all parties should be aware of confidentiality and privacy considerations, as well as institutional mandatory reporting requirements.

Confidential Reporting: If a Complainant wishes to keep the details of an incident confidential, they could speak with campus mental health counselors and/or health service providers (students only), TimelyCare counselors (students only), employee assistance program counselors and other employee resources providers. Campus counselors are available to help by appointment. Their service is free of charge. In addition, the District has designated the following as employees who can be consulted confidentially by students and employees. Local resources such as crisis centers are also confidential and have no duty to report disclosed information to the District.

Confidential Resources:

- [District Health Center and Mental Health Counseling](#) (for Students)
- [TimelyCare](#) (for Students)
- [Employee Assistance Program](#) (for Employees)
- [Cigna Life Assistance Program](#) (for Employees who are members of the GCC Guild)
- [AFT Trauma Counseling](#) (for Employees who are members of the GCC Guild)
- Romy Griep, LGBTQ+ Community Advocate, rgriepmccree@glendale.edu (for Students and Employees)
- Off-campus (non-Employees and not affiliated with the District):
 - Licensed professional counselors and other medical providers
 - Local rape crisis counselors
 - Domestic violence resources
 - Local or state assistance agencies
 - Clergy/Chaplains
 - Attorneys

Required Reporting: All employees not designated as confidential above are required to report. This means they are required to share information that you have disclosed to them with the Title IX Coordinator, though that does not obligate you to any formal involvement. The Title IX Coordinator will simply reach out to you to offer supportive measures and the opportunity to file a formal complaint.

Officials with Authority or OWAs: The District's Police Department, Title IX Coordinator, Deputy Title IX Coordinator, Chief Human Resources Officer, Dean of Student Affairs, Dean of Student Services, Program Manager of Health Services, Program Director of the

Professional Development Center, and Administrative Dean of Workforce Development, Continuing and Community Education of the Garfield Campus have been designated as Officials with Authority to institute supportive measures and provide notice to the Title IX Coordinator. Giving an OWA notice of an incident will result in the offering of supportive measures and options for formal and informal resolution. If a formal complaint is filed with an OWA or the Title IX Coordinator, such incidents will be investigated and resolved in a prompt and equitable manner under the District's resolution procedures, which are discussed later within this brochure.

You may request that the Title IX Coordinator provide you with supportive measures and resources without initiating a formal resolution process. If you wish to pursue a formal resolution process, the Title IX Coordinator will be unable to honor any request for confidentiality. The Respondent must be provided sufficient information, including the identity of the Complainant, to allow them to appropriately respond.

If the District decides it is obligated to pursue formal resolution based on the notice you have given, the Title IX Coordinator can initiate a complaint. You are not obligated to participate in the resolution process as Complainant, or you could participate as a witness, instead. Regardless of whether you participate, you will have all the rights to which a Complainant is entitled, if you want them. The ability of the District to enforce its policies may be limited if you decide not to participate at all.

Duties with respect to minors (those under age 18) may require reporting to state agencies and/or local law enforcement. As a result, confidentiality cannot be guaranteed.

SEXUAL MISCONDUCT: RISK REDUCTION FOR INTIMATE PARTNER VIOLENCE, STALKING, SEXUAL HARASSMENT, AND SEXUAL ASSAULT

While victim-blaming is never appropriate and the District fully recognizes that only those who commit sexual misconduct are responsible for their actions, the District provides the suggestions that follow to help members of the campus community reduce their risk of being victimized and their risk of committing sex offenses.

REDUCING THE RISK OF VICTIMIZATION

- ✓ Make any limits and/or boundaries you may have known as early as possible.
- ✓ Tell a sexual aggressor "no," as clearly and firmly as possible.
- ✓ Remove yourself, if possible, from an aggressor's physical presence.
- ✓ Reach out for help, either from someone who is physically nearby or by calling someone. Bystanders around you may be waiting for a signal that you need help.

✓ Take affirmative responsibility for your alcohol and/or drug consumption, understanding that alcohol and drugs can increase your vulnerability to sexual victimization.

✓ Look out for your friends and ask them to look out for you. Respect them, and ask them to respect you, but be willing to challenge each other about high-risk choices.

REDUCE THE RISK OF BEING ACCUSED OF SEX MISCONDUCT

✓ Show your potential partner respect if you are in a position of initiating sexual behavior.

✓ If they say “no,” accept it and don’t push. If you want a yes, ask for it, and don't proceed without clear permission.

✓ Communicate your intentions to your potential sexual partner clearly and give that person a chance to share their intentions and/or boundaries with you.

✓ Respect personal boundaries. If you are unsure what’s okay in any interaction, ask.

✓ Avoid ambiguity. Just ask. Don’t make assumptions about Affirmative Consent, about whether someone is attracted to you, how far you can go with that person, or if the individual is physically and mentally able to give Affirmative Consent. If you have questions or are unclear, you *don’t* have Affirmative Consent.

✓ Don’t take advantage of the fact that someone may be under the influence of drugs or alcohol, even if that person chose to become that way. Their loss of control does not put you in control.

✓ Be on the lookout for mixed messages. That should be a clear indication to stop and talk about what your potential partner wants or doesn’t want to happen. They may be undecided about how far to go with you, or you may have misread a previous signal.

✓ Respect the timeline for sexual behaviors with which others are comfortable and understand that everyone is entitled to change their minds.

✓ Recognize that even if you don’t think you are intimidating in any way, your potential partner may be intimidated by or fearful of you, perhaps because of your sex, physical size, or a position of power or authority you may hold.

- ✓ Do not assume that someone's silence or passivity is an indication of Affirmative Consent. Pay attention to both verbal and non-verbal signals to avoid misreading intentions.
- ✓ Understand that Affirmative Consent to one type of sexual behavior does not automatically grant you consent to other types of sexual behaviors. If you are unsure, stop and ask.
- ✓ If your partner indicates a need to stop, or withdraws Affirmative Consent, respect them. Immediately.
- ✓ If you've had Affirmative Consent with your partner previously, still check in with them. Just because something was okay with them before doesn't mean it will be okay in the future.

A BRIEF SUMMARY OF TITLE IX'S RECENT HISTORY

In 2011, the Obama-era Department of Education (ED) perceived that colleges needed to be more victim-centered in addressing sexual violence and should have more transparent and accessible policies and procedures for addressing complaints. At the instigation of then Vice President Joe Biden, ED issued a set of guidelines for colleges under Title IX in what is known as the Dear Colleague Letter. That letter resulted in investigation-centered approaches that were trauma-informed, confidential, and relatively informal.

Almost immediately, accused students and employees began to sue colleges for violations of their due process rights. By 2017, ED under the Trump administration took a different perspective and withdrew the 2011 Dear Colleague Letter while also announcing that new Title IX regulations were needed to better safeguard the due process rights of accused individuals. The regulatory process took two years, with new regulations published in May 2020 that took effect on August 14, 2020.

The 2020 Title IX regulations required all colleges to revise or rewrite their policies and procedures for addressing sex offenses, including sexual harassment, sexual assault, domestic violence, dating violence, and stalking. The District has worked diligently to ensure that its newly revised [policies and procedures](#) are now compliant with these regulations. This was not an easy process. The regulations include fifteen pages of new requirements, and more than 2,000 pages of explanation of the provisions within those fifteen pages. They are complex and legalistic. While the District's policies are not all that different than before 2020 – the same types of offenses are still against District policy – the procedures for resolution of complaints are substantially changed.

To summarize:

- Title IX protects students and employees who are impacted by sexual harassment, sexual assault, domestic violence, dating violence, and stalking. When these behaviors occur, and a formal complaint is made, the District is obligated to address and remedy the complaint to ensure that no one is denied effective access to the District's education program or activities.
- Colleges have jurisdiction requirements that they must follow to determine whether a complaint falls within Title IX or is to be addressed within other District policies and procedures.
- Complainants are well-protected by the regulations in terms of Supportive Measures that are offered by institutions to try to address the impact of sex offenses.
- Complainants and Respondents are each entitled to an Advisor of their choosing (who can be an attorney) throughout the resolution process, and the District can provide a non-attorney Advisor to each party, if needed.
- The regulations have created options for informal resolution that were not available before 2020.
- To protect Respondents' due process rights, institutions are required to use a formal grievance process for certain types of allegations. That formal process includes an Investigation, a live hearing, questioning of the parties through their Advisors, a determination by an objective Decision-maker, and an appeal.

WHEN DOES TITLE IX APPLY?

Title IX only applies when the District has jurisdiction over the complaint. This happens when the Complainant is participating in (or attempting to participate) in the District's education program or activities, AND the Respondent is a student or employee of the District, AND the behavior occurred within the District's control in the United States (meaning not on private property, outside the scope of the education programs or activities, etc.).

If it is unclear whether Title IX applies to your situation, contact the Title IX Coordinator for additional assistance. If Title IX does not apply to your situation, the conduct may still be addressable under other District policies. For such complaints involving students, contact [Student Affairs](#). For such complaints involving employees, contact [Human Resources](#).

A BRIEF SUMMARY OF VAWA

The Violence Against Women Act §304. VAWA was originally enacted in 1994 to address concerns with violent crimes and violence against women. The goals of VAWA are to prevent violent crimes, respond to the needs of crime victims, learn more about crime, and change public attitudes through a collaborative effort made by a variety of organizations and systems. In 2013, President Obama signed the Violence Against Women Reauthorization Act, which, among many provisions, amended sections of the 1990 Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

To summarize, the major relevant provisions of VAWA are:

- A requirement for institutions to maintain statistics about the number of incidents of dating violence, domestic violence, sexual assault, and stalking that meet the specific definition of those terms
- Requirement for institutions to provide primary prevention programs to incoming students and new employees that must include: a statement that the institution prohibits the crimes of dating and domestic violence, sexual assault, and stalking; the definition of consent in reference to sexual activity; a description of safe and positive options for bystander intervention; information on risk reduction; and information on the institution's policies and procedures after a sex offense occurs; and an obligation to describe all of these within the District's [Annual Security Report](#)
- A requirement to provide ongoing prevention and awareness campaigns for students and employees and to describe these in the annual security report
- A requirement to describe each type of disciplinary proceeding used by the institution; the steps, anticipated timelines, and decision-making process for each type of disciplinary proceeding that includes how to file a disciplinary complaint, and how the institution determines which type of proceeding to use based on the circumstances of an allegation of dating violence, domestic violence, sexual assault, or stalking
- A requirement for institutions to describe the range of protective (supportive) measures that the institution may offer
- A requirement for institutions to provide a prompt, fair, and impartial disciplinary proceeding in which: officials are appropriately trained and do not have a conflict of interest or bias for or against any party; the Complainant and Respondent have equal opportunities to have others present, including an Advisor of their choice; the Complainant and Respondent receive simultaneous notification, in writing, of the results of the hearing and any available appeal procedures; the procedures completed in a reasonable prompt timeframe; the Complainant and Respondent are

given timely notice of meetings at which one or the other or both may be present; and the Complainant and the Respondent and their Advisors are given timely and equal access to information that will be used during formal and informal disciplinary meetings and hearings

There are a lot of similarities between Title IX and VAWA compliance. Ultimately, both ensure Complainants and Respondents have a full understanding of their rights, the institution's responsibilities, and transparency with navigating the institution's process for resolving reported sex offenses.

POLICY TERMINOLOGY AND SEX OFFENSE DEFINITIONS

There is certain terminology used in both AJU's Policy and Procedures on Prohibition of Sex Discrimination that are important for you to know. Additionally, members of the Title IX team will use these terms in their written and verbal communication. Below is a chart of the most common terminology used and its definition.

<i>Term</i>	<i>Definition</i>
<i>Actual Knowledge</i>	Notice of sexual harassment or allegations of sexual harassment to the District's Title IX Coordinator or any official of the District who has the authority to institute corrective measure on behalf of the District.
<i>Complainant</i>	An individual who alleges he/she/they is the victim of conduct that could constitute sexual harassment.
<i>Formal Complaint</i>	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, he/she/they will not become a Party to the complaint.

<i>Respondent</i>	An individual reported to be the perpetrator of conduct that could constitute sexual harassment.
<i>Supportive Measures</i>	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.
<i>Advisor</i>	An individual chosen by a Party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct questioning for the party at the hearing, if any
<i>Confidential Resource</i>	An employee who is not a required reporter of notice of harassment, discrimination, and/or retaliation
<i>Decision-Maker</i>	The person who will oversee the live hearing and make a determination of responsibility. The District may have one Decision-Maker determine whether the Respondent is responsible for discrimination violation of the District's Title IX policies and procedures and another Decision-Maker determines the appropriate level of disciplinary sanctions for the conduct.
<i>Investigator</i>	The person or persons designated by the District to gather facts about an alleged violation of the policy, assess relevance and credibility, synthesize the evidence, and compile this information into an investigation report of relevant evidence and a file of directly related evidence.

Required Reporter	An employee of the District who is obligated by policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Title IX Coordinator
Notice	When an employee, student, or third-party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.
Official with Authority (OWA)	An employee of the District explicitly vested with the responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of the District
Parties	The Complainant(s) and Respondent(s), collectively

The District's Board Policies and Administrative Regulations- 3433 Prohibition of Sexual Harassment Under Title IX, 3434 Responding to Sexual Harassment Under Title IX, and 3540 Sexual and Other Assaults on Campus are intended to define expectations for appropriate conduct and outline Resolution Processes to address conduct that does not meet these expectations. You can review the District's full Board Policies and Administrative Regulations [here](#).

Sex offenses, including sexual harassment, sexual assault, domestic violence, dating violence, and/or stalking are violations of the District's Board Policy and Administrative Regulation 5500 Standards of Student Conduct and the aforementioned policies on the prohibition of and response to sexual harassment and sexual assault. A number of federal laws and regulations, including Title IX, VAWA, and the Clery Act, mandate how institutions of higher education must respond to sex offenses. Many types of sex offenses also constitute violations of California law.

Members of the campus community, guests, and visitors have a right to be free from sex offenses and to be protected by the District's policies regardless of sex, sexual orientation, gender identity, or gender expression. All members of the campus community must conduct themselves in a way that does not infringe upon the rights of others. When

individuals are found to have violated a policy, the District will impose serious sanctions, as noted in the Sanctions section of this document.

SEX OFFENSE DEFINITIONS

The following are the definitions of sex offenses prohibited by the District's policies:

SEXUAL HARASSMENT:

Sexual Harassment, as an umbrella category includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking and is defined as:

- Unwelcome conduct on the basis of sex or that is sexual in nature that satisfies one or more of the following:

QUID PRO QUO:

- an employee of the District,
- conditioning, whether implicitly or explicitly, the provision of an aid, benefit, or service of the District,
- on an individual's participation in unwelcome sexual conduct.

SEXUAL HARASSMENT (HOSTILE ENVIRONMENT):

- 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, defined as:

- any sexual act directed against another person
- without the consent of the Complainant,
- including instances in which the Complainant is incapable of giving consent.
- Includes rape, sodomy, sexual assault with an object, fondling, incest, statutory rape.

DATING VIOLENCE, defined as:

- violence,
- on the basis of sex,
- committed by a person,
- who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.

- The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the person involved in the relationship. For the purposes of this definition-
 - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - Dating violence does not include acts covered under the definition of domestic violence.

DOMESTIC VIOLENCE, defined as:

- Violence,
- On the basis of sex,
- Committed by a current or former spouse or intimate partner of the Complainant,
- By a person with whom the Complainant shares a child in common, or
- By a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
- By a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of your state, or
- By any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of your state.

STALKING, defined as:

- Engaging in a course of conduct,
- On the basis of sex,
- Directed at a specific person, that would
 - Cause a reasonable person to fear for the person's safety, or the safety of others; or
 - Suffer substantial emotional distress.

CONSENT: Knowing, voluntary, and clear permission by word or action to engage in sexual activity.

In all sexual encounters, it is important that you obtain consent. Each of us is responsible for obtaining consent and has a right to choose whether to give consent or not give consent. Consent is:

- Informed, knowing, and voluntary (freely given)
- Active (not passive)

- Affirmative, clear words or actions that create mutually understandable permission regarding the conditions of sexual or intimate activity
- Not something that can be given by someone who is known to be, or who should be known to be, mentally or physically incapacitated
- Not something that can be obtained by use of physical force, compelling threats, intimidating behavior, or coercion

If consent is withdrawn, sexual activity must stop reasonably immediately. Any party can place conditions on their willingness to consent, and those conditions must be respected.

People may experience the same interactions differently; therefore, each party is responsible for making sure that their potential partner has provided ongoing, clear consent to engage in any sexual activity or contact.

Consent to some forms of sexual activity (e.g., kissing, fondling, etc.) should not be construed as consent for other kinds of sexual activities (e.g., intercourse).

To legally give consent in California, individuals must be at least 18 years old.

FORCE: The use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., “Have sex with me or I’ll hit you,” which elicits the response, “Okay, don’t hit me, I’ll do what you want.”).

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

COERCION: Unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes it clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

INCAPACITATION: This is defined as a state in which individuals are unable to make rational, reasonable decisions because they lack the capacity to understand the “who, what, when, where, why, or how” of a situation or interaction. Individuals cannot sexually consent if they are unable to understand what is happening, or if they are disoriented,

helpless, asleep, or unconscious for any reason. That applies even if it is because they voluntarily consumed alcohol or drugs. Unless consent is “knowing,” it is not valid. Individuals engaging in sexual activity who know or should have known that the other party is incapacitated are engaging in sexual misconduct.

The fact that a Respondent was intoxicated and therefore did not realize that the Complainant was incapacitated does not excuse sexual assault.

RESOLUTION PROCESSES

The District’s full grievance process for sex offenses defined above and in accordance with the regulations can be accessed [here](#), in the District’s Administrative Regulation [3434 Responding to Harassment Based on Sex Under Title IX](#).

The District treats Complainants and Respondents equitably by providing remedies to a Complainant when a determination of responsibility for sex offenses has been made against the Respondent and by following a grievance process that complies with the Title IX regulations and VAWA.

Here is an overview of the major steps in the process:

STEP ONE: INTAKE

The Title IX Coordinator may assist the Complainant with understanding the policy and procedures, their options, and accessing resources. Assuming the Complainant chooses to file a complaint and move forward with a formal or informal resolution process, the next step is an Initial Assessment. If there is an anonymous report, third-party report, or an unidentified Complainant, the Title IX Coordinator will attempt to: (1) take appropriate action to determine who was impacted and/or involved in the reported behavior to offer them supportive measures and resources and explain their process options, and (2) take reasonable action to stop the behavior, remedy its effects on individuals and the campus community, and prevent it from recurring in the future.

All resolutions will be conducted by officials who receive annual training on issues related to sexual harassment, which includes domestic violence, dating violence, sexual assault, and stalking. The Title IX Coordinator, Investigators, Decision-Makers, and any person who facilitates an Informal Resolution process are required to be trained on: the definitions of sexual harassment; the scope of the District’s education program or activity; how to conduct an investigation and grievance process that includes hearings, appeals, and informal resolution processes, as applicable; and serving impartially, including by

avoiding prejudgment of the facts at issue, identifying conflicts of interest, and bias.

Additionally, Decision-Makers must receive training on any technology used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant. Any materials used for training the Title IX team will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment. You can view the training materials provided to the Title IX team [here](#).

The District's resolution process is confidential. The institution will protect the confidentiality of parties throughout the resolution process, consistent with the provisions of state and federal law. Title IX-related resolutions are not typically subject to publicly available open records requests (e.g., FOIA) provisions. Any required release of information about a resolution will be accomplished without the inclusion of identifying information about the Complainant. Information about the Respondent will only be released to the extent permitted by law.

STEP TWO: INITIAL ASSESSMENT

An initial assessment of the allegations is made by the Title IX Coordinator to determine appropriate jurisdiction and applicable policies/procedures. Under the federal Title IX regulations, the Title IX Coordinator is required to dismiss any formal complaint if one or more of the following is true:

- The alleged conduct would not constitute sexual harassment as defined within the District's policy on prohibition of sexual harassment, even if proved
- The alleged conduct did not occur in the District's education program or activity
- The alleged conduct did not occur against a person in the United States
- The Complainant is not participating or attempting to participate in the District's education program or activities at the time of filing the complaint.

Additionally, the Title IX Coordinator *may* dismiss any formal complaint if one or more of the following is true:

- At any time during the investigation or hearing a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein
- The Respondent is no longer enrolled or employed by the District

- Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein

Upon a dismissal required or permitted under the federal Title IX regulations, the Title IX Coordinator will promptly send written notice of the dismissal and the rationale to the parties simultaneously. The parties (meaning the Complainant and Respondent) will have an opportunity to appeal this decision by following the appeal procedures located [here](#).

If a dismissal occurs, the Title IX Coordinator may refer or reinstate the allegations for resolution under an alternative campus process, if appropriate.

The District recognizes that incidents which fall outside of the narrow scope of the Title IX regulations may also negatively impact access to the institution's education programs or activities and are counter to the mission and values of the institution. Therefore, the District has also adopted Board Policy and Administrative Regulations 3430 Prohibition of Harassment, and 3435 Discrimination and Harassment Complaints and Investigations to address other sex offenses that may fall outside the protections of Title IX. These policies could be found [here](#). The District's jurisdiction under these policies includes: 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.

STEP THREE: CHOOSE AN ADVISOR (if you have not already)

The Parties are each entitled to an Advisor of their choice to accompany them to any and all meetings pertaining to the Complaint. An Advisor can be anyone, including but not limited to an attorney, friend, roommate, or parent. Advisors can be extremely helpful in assisting parties with navigating the Title IX resolution process, especially when it comes to the hearing. The District is required to have a live hearing as part of its formal grievance process. At the live hearing, the Decision-Maker must permit each party's Advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. If a party does not have an Advisor, the District will provide an Advisor, without fee or charge, from a pool of trained Advisors. The District-appointed Advisors are not attorneys.

For representation, Respondents may wish to contact organizations such as:

- FACE (<http://www.facecampusequality.org>)
- SAVE (<http://www.saveservices.org>).

Complainants may wish to contact organizations such as:

- The Victim Rights Law Center (<http://www.victimrights.org>),
- The National Center for Victims of Crime (<http://www.victimsofcrime.org>, which maintains the Crime Victim's Bar Association).
- The Time's Up Legal Defense Fund (<https://nwlc.org/times-up-legal-defense-fund/>)

Victim Advocates

Complainants may want to choose an advocate as their Advisor, or to have access to an advocate for support. Advocates are individuals who may or may not be employed by an institution for the purpose of providing confidential support and resources independent of or in conjunction with a sex- or gender-based discrimination or misconduct resolution process. Advocates are typically trained to provide crisis response services and connection to law enforcement, legal, health, and other emergency services. Advocates are often involved in assisting with the provision of supportive measures for Complainants such as academic adjustments, employment adjustments, housing relocation, and coordination of medical or mental health services.

Below is a list of community-based and national advocacy services available:

Community Advocacy Services:

- **Home Again Los Angeles** (Formerly Family Promise of the Verdugos)
Burbank, CA 91507
Admin: 818-562-7778; Shelter: 818-847-1547
Glendale: 818-396-5555; San Fernando: 818-898-1210
Email: info@HomeAgainLa.org
- **YWCA Glendale**
Domestic Violence Service Center
735 E. Lexington
Glendale, CA 91206
Phone: 818-242-4155; Hotline: 1-888-999-7511
Email: info@ywcagp.org
- **Peace Over Violence**
Emergency Shelter
24/7 Hotline: 213-626-3393
Admin: 213-955-9090

Los Angeles Video Phone (ASL): 213-785-2684 / 213-785-2749

- [**Los Angeles LGBT Center - STOP Violence Program**](#)
Emergency Shelter
Phone: 323-860-5806
- [**Jenesse Center, Inc.**](#) (Domestic Violence Intervention & Prevention)
Emergency Shelter
24/7 Hotline: 1-800-479-7328
Admin: 323-299-9496
- [**StrengthUnited**](#)
24-Hour Referral and Support for Crisis Intervention
San Fernando Valley: 818-886-0453
Santa Clarita Valley: 661-253-0258
- [**East Los Angeles Women's Center**](#)
24/7 Hotline: 1-800-585-6231
- [**Center for the Pacific Asian Family**](#)
24-Hour Multi-lingual Helpline: 1-800-339-3940
- [**Neighborhood Legal Services of Los Angeles County**](#)
General Legal Assistance: 1-800-433-6251
- [**Los Angeles County District Attorney's Victims Assistance Program**](#)
1-800-380-3811
- [**Los Angeles County Domestic Violence Hotline**](#)
24/7 Hotline: 1-800-978-3600
- [**Rape Treatment Center Santa Monica- UCLA Health**](#)
1250 16th St, Santa Monica, CA 90404
424-259-7208

National Organizations Supporting Crime Victims:

- [**National Center for Injury Prevention and Control**](#)
- [**National Organization for Victim Assistance \(NOVA\)**](#)

- [National Coalition of Anti-Violence Programs \(NCAVP\)](#)
- [National Domestic Violence Hotline](#)
1-800-799-(SAFE) 7233
1-800-787-3224 (TTY)
- [RAINN- Rape/Abuse/Incest/National Network Hotline](#)
1-800-656-(HOPE) 4673

STEP FOUR: INVESTIGATION

Trained campus or external Investigators will conduct an investigation that is prompt, thorough, reliable, equitable, fair, and impartial. They will interview the parties and witnesses and prepare a report. Your Advisor can accompany you to all interviews. As part of the Investigation, Parties and their Advisors will be provided access to all relevant and directly related evidence collected and will be given an opportunity to review and comment upon it.

STEP FIVE: HEARING

The District's resolution process provides for a neutral and independent Decision-Maker. The Decision-Maker will have the opportunity to question Investigators, parties, and witnesses during a hearing. Hearings are held in person, though any party may request to participate through videoconference. The Title IX Coordinator may also decide that the entire hearing should take place through videoconference. The parties may make opening and closing statements. During the hearing, parties' Advisors will have the opportunity to question the other party and witnesses. If a party or witness chooses not to submit to questioning during the hearing, any prior statements made by that party or witness cannot be considered by the Decision-Maker.

Standard of Evidence: The District uses a Preponderance of Evidence standard of evidence. This means that the Decision-Maker considers whether, given the available Relevant, credible evidence, it is more likely than not that a violation occurred.

Past History: Questions and evidence about the Complainant's sexual predisposition cannot be asked. Questions about a Complainant's prior sexual behavior cannot be asked unless:

- Such questions and evidence are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, OR
- The questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

STEP SIX: FINAL DETERMINATION

The parties will be informed of the outcome of the District's resolution of a complaint in writing, without significant delay between the notifications to each party. This notice will include the final determination, any sanctions imposed (that the District is permitted to share according to state or federal law), a rationale for the final determination, the institution's procedures for the parties to appeal, any change to the results that occurs prior to the time that such results become final, and when the District considers those results to be final.

STEP SEVEN: APPEAL OF DETERMINATION

All parties involved in sexual harassment proceedings may appeal a decision within ten (10) business days on the basis of grounds permitted by the District's policy. All parties are included in any appeal reconsideration and have equal rights of participation. All appeals are conducted by written exchange of materials. There is only one level of appeal. That decision is final. See [Administrative Regulation 3434](#) for further details on appeal procedures.

TIMELINES FOR RESOLUTION

The District is committed to resolving complaints within a reasonably prompt timeframe. District's policy and procedures detail this timeline more specifically. The District will complete the investigation and its determination regarding responsibility or the informal resolution process within 270 calendar days. The District's process allows for the temporary delay of the grievance process or limited extensions of time frames for good cause with written notice to the Complainant and the Respondent. This notification will include specifics of the delay or extension with a reason for the action. Contact the Title IX Coordinator if you need a delay in the process, or an extension for an aspect of the process.

INFORMAL RESOLUTION PROCESS

To initiate an Informal Resolution process, a Complainant must sign a formal complaint first. After submission of the formal complaint, the Title IX Coordinator will provide additional information if an informal resolution is an option. Parties who wish to initiate an informal resolution process should contact the Title IX Coordinator.

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

All parties must agree, in writing, to initiate an informal resolution process. The parties may agree as a condition of engaging in informal resolution that statements made or evidence shared during the informal resolution process will not be considered in the formal grievance process unless all parties consent.

It is not necessary to pursue informal resolution first to pursue a formal grievance process, and any party participating in informal resolution can stop the process at any time and begin or resume the formal grievance process.

There are three main types of Informal Resolution:

- 1) **Supportive Resolution.** When the Title IX Coordinator can resolve the matter informally by providing Supportive Measures (only) to remedy the situation.
- 2) **Alternative Resolution.** When the parties agree to resolve the matter through an alternative resolution mechanism as described below, usually before a formal investigation takes place. Please see information below.
- 3) **Accepted Responsibility.** When the Respondent accepts responsibility for violating a policy and desires to accept the sanction(s) and end the resolution process.

Alternative Resolution Approaches

Alternative Resolution is an informal approach, including mediation, restorative practices, facilitated dialogue, etc. by which the parties reach a mutually agreed upon resolution of an allegation. All parties must consent to the use of an Alternative Resolution approach.

The Title IX Coordinator may look at the following factors to assess whether Alternative Resolution is appropriate, or which form of Alternative Resolution may be most successful for the parties:

- The parties' amenability to Alternative Resolution
- Likelihood of potential resolution, considering any power dynamics between the parties
- The parties' motivation to participate
- Civility of the parties
- Results of a violence risk assessment/ongoing risk analysis
- Disciplinary history
- Whether an emergency removal is needed
- Skill of the alternative resolution facilitator with this type of allegation
- Complaint complexity
- Emotional investment/capability of the parties

- Rationality of the parties
- Goals of the parties
- Adequate resources to invest in alternative resolution (time, staff, etc.)

The ultimate determination of whether Alternative Resolution is available or successful is to be made by the Title IX Coordinator. The Title IX Coordinator is authorized to negotiate a resolution that is acceptable to all parties, and/or to accept a resolution that is proposed by the parties, usually through their Advisors. Alternative Resolution agreements are not subject to appeal once agreed upon by all parties.

Respondent Accepts Responsibility for Alleged Violations

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the resolution process. If the Respondent indicates an intent to accept responsibility for all of the alleged misconduct, the formal process will be paused, and the Title IX Coordinator will determine whether Informal Resolution can be used according to the criteria above.

If Informal Resolution is applicable, the Title IX Coordinator will determine whether all parties and the District are able to agree on responsibility, sanctions, and/or remedies. If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of the District's policy and implements agreed-upon sanctions and/or remedies, in coordination with other appropriate administrator(s), as necessary.

This result is not subject to appeal once all parties indicate their written assent to all agreed upon terms of resolution. When the parties cannot agree on all terms of resolution, the formal grievance process will resume at the same point where it was paused.

When a resolution is accomplished, the appropriate sanction or responsive actions are promptly implemented to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

SANCTIONS AND REMEDIES

There are several factors considered when determining a sanction. Sanctions are imposed and enforced when the Respondent has been found in violation of the District's policies. Some considerations for sanctioning include:

- The nature, severity of and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation

- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Decision-Maker(s)

Sanctions are typically implemented as soon as feasible, either upon the outcome of any appeal of determination or the expiration of the window to appeal when an appeal has not been requested.

Examples of Student Sanctions are:

- *Written or Verbal Reprimand:* An admonition to the student to cease and desist from conduct determined to violate the Standards of Student Conduct. Written reprimands may become part of a student's permanent record at the District. A record of the fact that a verbal reprimand has been given may become part of a student's record at the District for a period of up to one year.
- *Required Counseling:* A mandate to meet with and engage in either District-sponsored or external counseling to better comprehend the misconduct and its effects.
- *Withdrawal of Consent to Remain on Campus:* Withdrawal of consent by the Glendale Community College Police Department for any person to remain on campus in accordance with California Penal Code Section 626.4, where the College Police has reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus.
- *Suspension:* Separation of a student from the District for a specified period of time, after which the student may be eligible for readmission to the District under specified conditions. Suspension may include both short-term and long-term suspensions.
 - i. Short-term Suspension – Exclusion of the student by the District for good cause from one or more classes for a period of up to ten consecutive days of instruction.
 - ii. Long-term Suspension – Exclusion of the student by the District for good cause from one or more classes for the remainder of the school term, or from all classes and activities of the District for one or more terms.
- *Expulsion:* Exclusion of the student by the Board of Trustees from all education programs and activities in the District for one or more terms. Expulsion typically means the permanent dismissal or separation of a student from the District for

good cause when other means of correction fail to result in acceptable conduct, or when the presence of the student causes a continuing danger to the health and safety of the campus community.

- *Other Actions:* In addition to or in place of the above sanctions, the District may assign any other sanctions as deemed appropriate.

Examples of Employee Sanctions are:

- *Verbal warning*
- *Written warning*
- *Written reprimand*
- *Suspension*
- *Involuntary demotion*
- *Termination*
- *Educational, interventional or restorative requirements*
- *Imposition or continuation of a no-contact order*
- *Other Actions:* In addition to or in place of the above sanctions, the District may assign any other sanctions as deemed appropriate.

Long-term Remedies/Other actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement long-term remedies or actions with respect to the Parties and/or the campus community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence.

PREVENTION AND AWARENESS PROGRAMS

Bystander Intervention: The District offers bystander intervention programming to all new students in an effort to ensure that each member of the campus community is invested in creating a safe campus environment. Program participants are instructed on safe options for preventing harm and intervening when a risk of sexual misconduct exists.

VAWA Training: Incoming students and new employees are provided with education and training on awareness and risk reduction of sexual violence, dating violence, domestic violence, stalking and consent in compliance with the Violence Against Women Act.

Ongoing Campaigns: Ongoing awareness and prevention campaigns are provided throughout the school year to students, faculty and staff.

RIGHTS OF COMPLAINANTS AND RESPONDENTS

Throughout the resolution process described in the District's policies, both the Complainant and Respondent have the following rights:

- The right to an equitable Investigation and resolution of all credible allegations of prohibited harassment, discrimination, and/or retaliation made in good faith to District officials.
- The right to timely written notice of all alleged violations, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions.
- The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- The right to be informed in advance of any public release of information by the District regarding the allegation(s) or underlying incident(s), whenever possible.
- The right not to have any personally identifiable information released by the District to the public without consent provided, except to the extent permitted by law.
- The right to be treated with respect by District officials.
- The right to have District policy and Procedures followed without material deviation.
- The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
- The right not to be discouraged by District officials from reporting sexual harassment, discrimination, and/or retaliation to both on-campus and off-campus authorities.
- The right to be informed by District officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option(s) to

be assisted by the District in notifying such authorities, if the party so chooses. This also includes the right not to be pressured to report.

- The right to have allegations of violations of this Policy responded to promptly and with sensitivity by District law enforcement and/or other District officials.
- The right to be informed of available supportive measures, such as counseling; advocacy; health care; legal, student financial aid, visa, and immigration assistance; and/or other services, both on campus and in the community.
- The right to a District-implemented no-contact order or a no-trespass order against a non-affiliated third party when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct.
- The right to be informed of available assistance in changing academic, and/or working situations after an alleged incident of discrimination, harassment, and/or retaliation, if such changes are reasonably available. No formal report, or investigation, either campus or criminal, needs to occur before this option is available. Such actions may include, but are not limited to:
 - Changing an Employee's work environment (e.g., reporting structure, office/workspace relocation)
 - Transportation assistance
 - Visa/immigration assistance
 - Exam, paper, and/or assignment rescheduling or adjustment
 - Receiving an incomplete in, or a withdrawal from, a class (may be retroactive)
 - Transferring class sections
 - Temporary withdrawal/leave of absence (may be retroactive)
 - Alternative course completion options
 - Referral to counseling, medical, and/or other healthcare services
 - Referral to the Employee Assistance Program
 - Referral to community-based service providers
 - Student financial aid counseling
 - Education to the institutional community or community subgroup(s)
 - Safety planning
 - Providing campus safety escorts
 - Implementing contact limitations (no contact orders) between the parties
 - Trespass, Persona Non Grata, or Be-On-the-Lookout orders
 - Timely Warnings

- Increased security and monitoring of certain areas of the campus
 - Any other actions deemed appropriate by the Title IX Coordinator
- The right to have the District maintain such actions for as long as necessary and for supportive measures to remain confidential, provided confidentiality does not impair the District's ability to provide supportive measures.
- The right to receive sufficiently advanced, written notice of any District meeting or interview involving another party, when possible.
- The right to identify and have the Investigator, Advisors, and/or Decision-Maker question relevant available witnesses, including expert witnesses.
- The right to provide the Investigator/Decision-Maker with a list of questions that, if deemed relevant by the Investigator/Decision-Maker, may be asked of any party or witness.
- The right to have inadmissible sexual predisposition/prior sexual history or irrelevant character evidence excluded by the Decision-Maker.
- The right to know the relevant and directly related evidence obtained and to respond to that evidence.
- The right to a fair opportunity to provide the Investigator with their account of the alleged misconduct and have that account be on the record.
- The right to receive a copy of all relevant and directly related evidence obtained during the investigation, subject to privacy limitations imposed by state and federal law, and a ten (10)-business days period to review and comment on the evidence.
- The right to receive a copy of the final investigation report, including all factual, policy, and/or credibility analyses performed, and to have at least ten (10) business days to review and comment on the report prior to the hearing.
- The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- The right to regular updates on the status of the investigation and/or resolution.

- The right to have Reports of alleged Policy Violations addressed by Investigator, Title IX Coordinator, and Decision-Maker who have received relevant annual training.
- The right to a Hearing Panel that is not single sex in its composition, if a panel is used.
- The right to preservation of confidentiality/privacy, as permitted by law.
- The right to meetings, interviews, and/or hearings that are closed to the public.
- The right to petition that any District representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- The right to have an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the resolution process.
- The right to the use of the preponderance of the evidence standard to make a finding after an objective evaluation of all relevant evidence.
- The right to be present, including presence via remote technology, during all testimony given and evidence presented during any formal grievance hearing.
- The right to have an impact and/or mitigation statement considered by the Decision-Maker following a determination of responsibility for any allegation, but prior to sanctioning.
- The right to be promptly informed of the finding(s) and sanction(s) of the resolution process (if any) and a detailed rationale of the decision including an explanation of how credibility was assessed in a written notice of outcome letter delivered simultaneously (without undue delay) to the parties.
- The right to be informed in writing of when a decision by the District is considered final and any changes to the final determination or sanction(s) that occur post notification of outcome.
- The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the resolution process, and the procedures for doing so in accordance with the standards for appeal established by the District.
- The right to a fundamentally fair resolution as defined in these procedures.

FREQUENTLY ASKED QUESTIONS (FAQ)

1. Can an attorney be my Advisor?

Yes. You have the right to an Advisor of your choice, which can include an attorney.

2. Will my parents/guardians find out about this incident?

It depends. If you are a minor, members of the Title IX team have certain mandatory reporting obligations, which may include notifying your parents/guardians of the incident.

If you are not a minor, this incident is a part of your education record, which is protected under the Family Educational Rights and Privacy Act (FERPA). This means that your education record cannot be shared with anyone with whom you have not given the District permission to share.

3. Do I have to resolve this through a formal grievance process?

No. You have options. If you are a Complainant and wish to resolve informally, you first make a formal complaint. Upon receipt of this formal complaint, the Title IX Coordinator will provide you with additional information. Any party who wishes to resolve the matter informally should contact the Title IX Coordinator. All parties must agree, in writing, to informally resolve for this to be an option. **The informal resolution process is not available to resolve allegations that an employee sexually harassed a student or any allegations of sexual assault.**

4. Is there a time limit on when I can report?

There is no statute of limitations on when a Complaint can be filed however there are certain jurisdictional requirements that must be met to pursue a formal resolution process under Title IX.

5. Will I get in more trouble if I was drinking underage during the incident?

The District maintains a policy of offering parties and witnesses amnesty from minor policy violations such as underage consumption of alcohol or the use of illicit drugs related to the incident.

6. What happens if the Respondent fails to comply with the Sanctions?

Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final Decision-Maker(s). Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by

refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination.

7. What happens if the Respondent transfers, leaves, or resigns prior to the conclusion of the formal resolution process?

If a Respondent permanently withdraws or resigns, the resolution process ends with a dismissal, as the District no longer has disciplinary jurisdiction over the withdrawn student or former employee. However, the District will continue to address and remedy any systemic issues or concerns that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation.

8. What if law enforcement is involved?

The District's action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced. The District may undertake a short delay in its investigation if circumstances require. Communication will be sent to the parties explaining the reason(s) for the delay and the anticipated duration of the delay.

9. Do I have to be cross-examined during the hearing?

If you want the Decision-Maker to consider any prior statements made or evidence submitted by you, then yes, you must submit to cross-examination during the hearing. You have a choice not to, but your statements and evidence will not be considered by the Decision-Maker.