



El Camino College

Resources and Reporting Options for Sexual and/or Gender-Based Misconduct (including Dating Violence, Domestic Violence, Sexual Assault and Stalking)

This written explanation of rights and options will be provided to any student or employee who reports to the District that they have been a survivor of sexual and/or gender-based misconduct.

POLICY

Under Board Policy and Administrative Procedure 3540, "Any sexual or gender-based misconduct or physical abuse, including but not limited to rape, dating violence, domestic violence and stalking, as defined by California law, whether committed by an employee, student, or member of the public, 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 or at another location, or on an off-campus site or facility maintained by the District, or on grounds or facilities maintained by a student organization, is a violation of District policies and procedures, and is subject to all applicable punishment."

DEFINITION OF TERMS

DATING VIOLENCE

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

DOMESTIC VIOLENCE

A felony or misdemeanor crime of 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 the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

SEXUAL ASSAULT

Actual or attempted sexual contact with another person without that person's consent. 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.

STALKING

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.

CONSENT (IN REFERENCE TO SEXUAL ACTIVITY)

Consent is the ongoing, affirmative, conscious, and voluntary agreement for the act in which the participants are involved. Consent is active, not passive. 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.

Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in sexual activity. Consent to any one form of sexual activity does not automatically imply Consent to any other forms of sexual activity.

PROCEDURES SURVIVORS SHOULD FOLLOW IN THE CASE OF ALLEGED SEXUAL AND/OR GENDER-BASED MISCONDUCT

1. **Get to a safe place - If you are in fear of your safety call 9-1-1**
2. **Get medical attention to assess and treat physical injuries and to collect evidence of the assault or obtain a protective order**
 - A. Survivors are encouraged to seek immediate medical attention and support, regardless of when the incident occurred, A medical exam has two goals: First, to diagnose and treat any injuries (including prevention of sexually transmitted illnesses and pregnancy); and second, to properly collect and preserve evidence. Medical evidence can be collected at the same time as medical care is provided.
 - B. Evidence preservation may assist in proving the alleged criminal offense occurred or may be helpful in obtaining a protection order. Do not wash hands, bathe, shower, douche, change clothes or straighten up the area. This destroys evidence. Physical evidence from a sexual assault should be collected within 96 hours of the incident. Evidence collection is only done with the survivor's permission and is free of charge.
 - C. A survivor is not required to file a police report to have a sexual assault examination completed. Even if the assault survivor does not want to prosecute or make a police report, it is recommended that evidence be collected. This is so that, if the survivor later decides to file a police report and prosecute the perpetrator, the evidence will have been preserved. However, medical providers (but not licensed psychologists while working in their official duty) are mandated by state law to notify law enforcement if you tell personnel you have experienced sexual assault.

At local SART (Sexual Assault Response Team) hospitals, survivors can access a free medical exam and forensic evidence can be collected.

- Rape Treatment Center at Santa Monica-UCLA Medical Center
Phone: 424-259-7208
Address: 1250 Sixteenth Street. Santa Monica, CA 90404
- Providence Little Company of Mary San Pedro Location
Address: 1300 West 7th Street. San Pedro, CA 90732

For a forensic exam, make two calls:

- Forensic Nurse Specialists
Phone: 562-497-0147
AND
- Rape Crisis Agency
Phone: 877-943-5778

3. Seek emotional care and support - Do not try to deal with the situation alone

4. Consider reporting the incident with any of the options listed below:

- 1) A survivor of dating violence, domestic violence, sexual assault or stalking may report the offense directly to the El Camino College Title IX Coordinator at 310-660-3813 or via email at TitleIXCoordinator@elcamino.edu or to any El Camino College faculty or manager/administrator (Responsible Employee).

and/or

A survivor of dating violence, domestic violence, sexual assault or stalking may notify proper law enforcement authorities. The Campus Police Department can be reached at 310-660-3100. Local law enforcement can be reached by dialing 9-1-1.

- 2) If the survivor chooses, campus authorities may assist a survivor in notifying law enforcement authorities. However, please note that if the survivor

chooses an El Camino College faculty or manager/administrator for assistance, because they are deemed Responsible Employees under Title IX, the faculty or manager/administrator is also required to report the incident to the Title IX Coordinator.

- 3) A survivor also has the option to decline to notify such authorities. **Reporting is your choice.**

PROTECTION OF CONFIDENTIALITY

Confidentiality in a complaint filed with the Title IX Coordinator cannot be guaranteed, however the information in a report will only be disclosed on a need-to-know basis. Complainants may request to seek Supportive Measures from the Title IX Coordinator without their name or information being disclosed to Respondent. Where Supportive Measures require coordination with other campus offices, limited information will be provided and the details of the alleged conduct will not be disclosed. The District will attempt to honor any student's request for confidentiality; however, the District must also weigh its duty to provide a safe and nondiscriminatory environment for all members of the District community. CONFIDENTIALITY CANNOT BE ENSURED.

If you do not want to formally report the incident and would like support resources and confidential services, please visit Student Health Services (SHS). Under Title IX, all employees of SHS are confidential resources and are excluded from the category of Responsible Employees.

Please note that while SHS is a confidential resource, some employees in SHS may be Campus Security Authorities under the Clery Act and are required to report incidents for statistical purposes. However, this may be done without disclosing personally identifying information.

PUBLICLY AVAILABLE RECORDKEEPING

All personally identifiable information (such as first and last name, address, contact information, social security number, driver's license number, passport number, student identification number, date of birth, racial or ethnic background, religious

affiliation, etc.) is kept confidential and will not be included in any publicly available recordkeeping, including Clery Act reporting and disclosures such as the annual security report and the daily crime log.

EXECUTIVE ORDERS, CRIMINAL/CIVIL PROSECUTION AND RIGHTS OF CRIME SURVIVORS

Where applicable, a survivor may have the right to obtain orders of protection, no contact directives, restraining orders, or similar lawful orders issued by a criminal, civil, tribal court, or by El Camino College.

- 1) Emergency Protective Order issued by a judicial officer upon request by a peace officer. Contact local law enforcement or the Campus Police Department.
- 2) Temporary Restraining Order may be requested by a survivor from the LA County Superior Court at 825 Maple Ave. Torrance, CA 90503.
- 3) Criminal Prosecution through the LA County District Attorney's Office at 825 Maple Ave. Torrance, CA 90503, 310-222-3552, the City of Torrance Police Department at 3300 Civic Center Drive. Torrance, CA 90503, 310-328-3456, or the Campus Police Department.
- 4) Civil remedies through the LA County Superior Court Civil Department at 825 Maple Ave. Torrance, CA 90503 or 310-787-3697.
- 5) Survivors of crime or a family member of a survivor have many rights throughout the criminal justice system. Information pamphlets regarding the Victims' Bill of Rights Act of 2008: "Marsy's Law" is available in the Campus Police Department or at the LA County District Attorney's Office.
- 6) El Camino College "No Contact Directive" through the District's Title IX Coordinator.

SUPPORTIVE MEASURES

The District is obligated to comply with a student's reasonable request for living and/or academic situation change. The Title IX Coordinator or designee will also provide written

notification to survivors about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures following an alleged report of domestic violence, dating violence, sexual assault or stalking incident regardless of whether the survivor chooses to report the crime to the Campus Police Department or local law enforcement.

Examples of supportive measures that may be implemented are subject to the discretion of the Title IX Coordinator and may include:

- Access to counseling services and assistance in setting up an initial appointment, both on and off campus;
- Imposition of campus “No Contact Order;”
- Rescheduling of exams and assignments (in conjunction with appropriate faculty and deans as necessary);
- Providing alternative course completion options (with the agreement of the appropriate faculty);
- Change in class schedule, including the ability to take an “incomplete,” drop a course without penalty or transfer sections (with the agreement of the appropriate faculty);
- Change in work schedule or job assignment;
- Limiting an individual or organization’s access to certain District facilities or activities pending resolution of the matter;
- Voluntary leave of absence;
- Providing an escort to ensure safe movement between classes and activities;
- Providing medical services;
- Providing academic support services, such as tutoring;
- Interim suspension or District-imposed leave;
- Any other remedy that can be tailored to the Parties to reasonably achieve the goals of the Policy.

DISCIPLINARY PROCEDURES

El Camino College is committed to providing a prompt, fair, and impartial process from the initial review to the final result for an institutional disciplinary proceeding. Individuals who report allegations of Sexual or Gender-Based Misconduct will be provided options for

Supportive Measures, Informal Resolution where applicable, and Formal Complaint procedures. The District shall use reasonable, diligent efforts to investigate reported incidents of Sexual or Gender-Based Misconduct to Complainant and Respondent within ninety (90) working days or the date in which the complaint was filed unless there are extenuating circumstances that prohibit the timeliness of the completion of the investigation.

The Formal Complaint & Investigation process has disciplinary implications and is governed by the California Code of Regulations. Its purpose is to determine whether or not there has been a violation of District policies. Where a Complainant notifies the Title IX Coordinator of allegations of Sexual or Gender-Based Misconduct and wishes to pursue a Formal Complaint, or where the Title IX Coordinator determines it is warranted based on a safety concern, an investigation into the allegations will be conducted by the Title IX Coordinator or their designee. The District is committed to using a balanced and fair investigative process for both Complainant and Respondent.

As set forth in the provisional procedures, the Scope of Formal Investigations conducted by the Office of Title IX, Diversity and Inclusion are limited to allegations of Sexual or Gender-Based Misconduct. This Formal Complaint and investigation process only applies in cases where Complainant has filed a complaint, the Title IX Coordinator has determined it is within the District’s jurisdiction, and where the parties have opted not to pursue or agree to Informal Resolution. The steps in the formal investigation process are as follows:

1. Notice of formal investigation
2. Investigation Process
3. Hearing
4. Investigative Findings

In reaching a conclusion, the District shall use a “preponderance-of-the-evidence” standard, that it is “more likely than not” that a violation of El Camino College Board Policy 3540 has occurred. Both Complainant and Respondent may have an advisor present during their own investigative interview and throughout the

Hearing Process. Whether or not a Respondent is found to be Responsible, both Complainant and Respondent will be notified of the outcome of the Hearing Outcome in writing.

Appeals of the Investigative Findings & Administrative Determination are handled outside of the Office of Title IX, Diversity and Inclusion, pursuant to 5 CCR § 59338. When either party is not satisfied with the results of the administrative determination, they may, within ten (10) working days, submit a written appeal to the Board of Trustees. The Board shall review the original complaint, the investigative report, the administrative decision, and the appeal. The Board shall issue a final District decision in the matter within forty-five (45) working days after receiving the appeal. A copy of the decision rendered by the Board shall be forwarded to the Parties and to the State Chancellor's Office. If the board does not overturn the Hearing outcome within forty-five (45) working days the administrative determination shall be deemed approved and shall become the final decision of the District in this matter.

INFORMAL RESOLUTION

If the Office of Title IX, Diversity and Inclusion or either Party believes that it may be possible to resolve the Complaint in a prompt, fair, and reasonable manner without conducting a Formal Complaint and Investigation, the Office of Title IX, Diversity and Inclusion may suggest the Parties consider Informal Resolution. Supportive measures and interim remedies may be implemented in Informal Resolution. Complainant may also opt to pursue an Informal Resolution, prior to or instead of a Formal Complaint.

Both Parties must agree to participate in the Informal Resolution process and must agree in writing to the proposed remedies. Where Respondent does not agree to participate in Informal Resolution or where the Parties do not agree to the proposed remedies, Complainant will have the option to pursue a Formal Complaint or withdraw their complaint.

Where Complainant is a District Student and Respondent is a District Employee, Informal Resolution is not permitted.

The purpose of the informal process is not to investigate the matter or determine fault, but to 1) provide supportive measures and remedies to the involved parties, 2) share with the person at issue feedback from the aggrieved Party to prevent further potential issues and/or miscommunications, and 3) notify them of the type of behavior that can be construed as being in violation of our school board policies. The Title IX Coordinator may work with relevant administrative offices, such as deans, faculty, or the District Disciplinary Officer, to coordinate and provide proposed supportive measures and remedies. There is no timeline associated with the informal process. Informal Resolution can be changed to a formal investigation if the circumstances warrant it. The protections against Retaliation apply in both informal and formal processes.

Once the Office of Title IX, Diversity and Inclusion has met with all relevant Parties to discuss the matter, the complaint will be considered resolved. Accordingly, there is no appeals process for informal resolution.

However, the Formal Complaint & Investigation process may be used prior to the final resolution at the request of Complainant or if information is provided that indicates a substantial or ongoing threat to the safety of the campus community.

Where Informal Resolution is not applicable, elected, or agreed upon by both parties a Complainant may choose to file a formal complaint, in which an investigation will be conducted.

SANCTIONS

The District may impose sanctions following a final determination of an institutional disciplinary proceeding. Possible sanctions for students include but are not limited to: educational sanctions, probation, restitution, removal from class/facility/District entity,

withdrawal of consent to remain on campus, no contact directive, suspension, or expulsion.

Possible sanctions for employees include but are not limited to: letter of reprimand, demotion, involuntary transfer/reassignment, suspension with or without pay, or dismissal.

RISK REDUCTION

Risk reduction includes options designed to decrease perpetration and bystander inaction, and to increase empowerment for survivors in order to promote safety and to help individuals and communities address conditions that facilitate violence.

- Walk with friends or with others to and from classes. Contact Campus Police for a safety shuttle/escort at (310) 660-3100.
- Be aware of your surroundings. Do not focus/text on your cell phone while walking.
- Have your car keys ready. Do not focus your attention on searching through your purse/backpack. Check your backseat before entering your vehicle.
- Do not get into person(s) vehicles who may offer you a ride back to your vehicle to take your parking space. Do not pick up person(s) to give them a ride back to their parking space.
- During the early stages of dating, consider dating with a group of those you know. Go with a friend and be responsible for each other. Have a pre-planned signal to let your friend know that you want to leave or need help.
- When dating, consider letting a friend know who you are dating, where you are going, and what time you plan to return.
- Communicate clearly and often to your partner.
- Control your alcohol; don't let it control you. Drink responsibly or not at all. Do not abuse substances that might hinder your ability to think clearly or act quickly.
- Be willing and able to say "no."; it's never too late to say "no."
- Don't be embarrassed or ashamed to say "no" or ask someone to stop.

- Verbalize your expectations with your date. Talk about boundaries.

Trust your instincts. Guard your personal space. If someone makes you uncomfortable, remove yourself from the situation.

BYSTANDER INTERVENTION

Bystander intervention is defined as a safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures, and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

If you think someone is at risk for sexual assault, consider it an emergency and get involved. Do not wait for someone else to act. As a Bystander, you can help combat domestic violence, dating violence, sexual assault, stalking and rape. Your most powerful tool is conveying your concern. The best way bystanders can assist in creating an empowering climate free of interpersonal violence is to diffuse the problem behaviors before they escalate.

This can be accomplished by:

- Approaching everyone as a friend
- Being honest and direct whenever possible
- Avoiding the use of violence
- Not being antagonistic
- Keeping yourself safe
- Recruiting help if necessary
- Getting help from other bystanders, if necessary
- If things get out of hand or become too serious, contacting the police

THE CLERY ACT

In accordance with the Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Act, El Camino College has published Annual Security Reports and all required statistical data, which can be found on the Police Department webpage:

www.elcamino.edu/about/depts/police/cleryact/index.aspx

These publications include Clery crime statistics for the previous three years relevant to El Camino College classes and activities, in addition to institutional policies concerning campus safety and security. The information is also available in printed form in the lobby of the Police Department and in select locations on campus. Upon request, the Campus Police Department can provide or mail out copies of this publication. Contact them at 310-660-3100.

IMPORTANT PHONE NUMBERS & RESOURCES

Campus Emergency 9-1-1 or “Blue Emergency Poles” on campus

LAW ENFORCEMENT:

El Camino College Police Department 310-660-3100
Gardena Police Department 310-323-7911
Los Angeles County Sheriff – South Los Angeles 323-820-6700
Torrance Police Department 310-328-3456
Long Beach Police Department 562-435-6711

CAMPUS RESOURCES:

AIMS Team (Behavioral Intervention and Campus Threat Assessment) aimsteam@elcamino.edu
ECC After Hours Emotional Crisis Line 310-660-3377
Student Health Center (includes psychological services)..... 310-660-3643
Title IX Coordinator 310-660-3813
Visa/Immigration Services (International Student Program) 310-660-3431
Student Financial Aid 310-660-3493
Academic Counseling 310-660-3458
Student Support Services (housing, transportation, legal) 310-660-3593 ext. 3482
Extended Opportunity Programs & Services (EOPS) 310-660-3466

If the incident involves El Camino College faculty or staff, you can file a complaint with the El Camino Title IX Coordinator (310-660-3813)

TITLE IX OFF CAMPUS RESOURCES:

East Los Angeles Women’s Center Rape and Battering Hotline*^ 800-585-6231
National Sexual Assault Online Hotline^ <https://hotline.rainn.org/online>
Peace Over Violence* Los Angeles 213-626-3393
Peace Over Violence* West Los Angeles 310-392-8381
Rape Treatment Center at UCLA Medical Center, Santa Monica 310-319-4503
Violence Intervention Program (Sexual Assault) 323-226-3961
LA County District Attorney’s Victim Services Hotline 800-380-3811
National Sexual Assault Telephone Hotline 800-656-4673
YWCA Sexual Assault Crisis Services*^ 877-943-5778
Employee Assistance Services for Education (EASE) for ECC employees 800-882-1341

*available in Spanish

^available 24 hours a day