



El Camino College



WRITTEN EXPLANATION OF RIGHTS AND OPTIONS

FOR DATING VIOLENCE, DOMESTIC VIOLENCE,
SEXUAL ASSAULT, AND STALKING

RESOURCES FOR SURVIVORS

Title IX Coordinator	Administration 140, El Camino Community College	310-660-3813
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LAW ENFORCEMENT RESOURCES

El Camino College (ECC) Police Department	Parking Lot K, El Camino Community College	310-660-3100
Gardena Police Department	1718 W. 162nd St. Gardena, CA 90247	310-323-7911
LA County Sheriff's Department - South Los Angeles	1310 W. Imperial Hwy. Los Angeles, CA 90044	323-820-6700
Torrance Police Department	3300 Civic Center Drive. Torrance, CA 90503	310-328-3456
Hawthorne Police Department (for Business Training Center)	12501 Hawthorne Blvd. Hawthorne, CA 90250	310-675-4444
Inglewood Police Department (for Fire Academy)	1 W. Manchester Blvd. Inglewood, CA 90301	310-412-8771

RESOURCES AVAILABLE FROM THE DISTRICT*

Warrior Safety Network (WSN)	To submit an incident report & referral form: www.elcamino.edu/support/health-safety/aims/index.aspx	warriorsafetynetwork@elcamino.edu
ECC After Hours Emotional Crisis Line	www.elcamino.edu/support/health-safety/student-health-services/crisis-resources.aspx	310-660-3377
Health & Mental Health Counseling: Student Health Services	Student Health Center, El Camino Community College	310-660-3643
Academic Counseling: Counseling and Student Success	Student Services Building, Second Floor, El Camino Community College	310-660-3458
F-1 Visa and Immigration Assistance: International Student Program	Student Services Building, Room 164, El Camino Community College	310-660-3431
Dream Resource Center: Undocumented & Immigrant Student Support	Communications Building, Room 309 El Camino Community College	310-660-3593 ext. 7811
Student Financial Aid	Student Services Building, Room 229, El Camino Community College	310-660-3593 Press "3"
Student Support Services	Student Services Building, Room 231, El Camino Community College	310-660-3593 ext. 3482
Basic Needs: Housing, Transportation and Other Assistance	ECC Commons (Lot L), El Camino Community College	310-660-3593 ext. 6178
Employee Assistance Services for Education (EASE) for ECC Employees	www.lacoe.edu/services/staff-support/ease	800-882-1341
Labor Relations/Personnel Policy/Contract Administration for ECC Employees: Human Resources	Administration 131 El Camino Community College	310-660-3593 ext. 3807

*Students or employees who are ineligible to utilize District services may visit or call the ECC Police Department or Student Health Services for referrals to additional resources within the community



RESOURCES FOR SURVIVORS

COMMUNITY AND NATIONAL RESOURCES

LA County District Attorney's Office (Torrance Courthouse)	825 Maple Ave. Torrance, CA 90503	310-222-3552
LA County District Attorney's Office (Airport Courthouse)	11701 S. La Cienega Blvd. Los Angeles, CA 90045	310-727-6500
LA County District Attorney's Office (Inglewood Courthouse)	1 Regent St. Inglewood, CA 90301	310-419-5182
Community Legal Aid SoCal (multiple offices in Los Angeles and Orange County)	725 West Rosecrans Ave. Compton, CA 90222	714-571-5200
Legal Aid Foundation of Los Angeles (multiple offices in Los Angeles)	601 Pacific Ave. Long Beach, CA 90802	800-399-4529
YWCA of Greater Los Angeles (multiple offices in Los Angeles)	www.ywcagla.org	877-943-5778
Los Angeles County Victim Assistance Program (VAP)	www.helplacrimevictims.org	Visit website for various locations contact info
1736 Family Crisis Center^	21707 Hawthorne Blvd. Suite 300. Torrance, CA 90503	310-379-3620
Rainbow Services^	453 W. 7th St. San Pedro, CA 90731	310-547-9343
Behavioral Health Services Family Health Center	15519 Crenshaw Blvd. Gardena, CA 90249	310-679-9126
East Los Angeles Women's Center Crisis Hotline^	1431 S. Atlantic Blvd. Los Angeles, CA 90022	800-585-6231
Peace Over Violence Los Angeles^	1541 Wilshire Blvd, 3 Fl., Los Angeles, CA 90017	310-392-8381 (South LA)
Rape Treatment Center at UCLA Medical Center, Santa Monica^	1250 16th St. Santa Monica, CA 90404	424-259-7208
National Domestic Violence Hotline^	www.thehotline.org	800-799-SAFE (7233)
National Sexual Assault Online Hotline^	hotline.rainn.org/online	800-656- HOPE (4673)

^Available 24 hours a day

For additional resources available for survivors: <https://www.elcamino.edu/departments/title-ix-and-eeo-compliance/survivor-resources.php>



DISTRICT POLICY

Under Administrative Procedure 3540, "Any sexual and gender-based misconduct or physical abuse, including, but not limited to sexual assault such as 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 regulations, and is subject to all applicable punishment."

FILING A COMPLAINT AT EL CAMINO COMMUNITY COLLEGE DISTRICT

Complaints alleging dating violence, domestic violence, sexual assault or stalking may be filed with:

- Title IX Coordinator: 310-660-3813 / titleixcoordinator@elcamino.edu
Online Reporting Form: https://cm.maxient.com/reportingform.php?ElCaminoCollege&layout_id=2
- Campus Police: 310-660-3100 / Parking Lot K

All incidents where imminent physical danger is known or suspected should be reported to Campus Police or local law enforcement via 9-1-1 immediately.

Complainants are encouraged to report violations of District Board Policies related to Sexual and Gender-Based Misconduct within 180 calendar days of the violation. While there is no restriction on submitting complaints after the 180 day period, the extended timeframe may impede the District's ability to investigate and remediate. Where Complaints are submitted outside the 180 day timeframe, supportive measures and services may still be provided.

DEFINITION OF TERMS (^as defined by the Clery Act)

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^

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

consent. • 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. • Fondling: The touching of the private body parts of another for the purposes of sexual gratification without consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. • Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. • Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

STALKING^

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

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 FOLLOW IN THE CASE OF ALLEGED DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT OR STALKING

This section outlines the procedures and assumes that the incident occurred on or near campus. Many of the procedures and services described here also apply if the incident happens off campus.

STEPS TO FOLLOW:

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.

For many cases, relevant evidence includes communications, such as text messages, voicemail and other phone records, emails, photos or videos, or other records. Save these communications and other records as well.

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. Emergency medical care and forensic services are offered at the following location: Rape Treatment Center at Santa Monica-UCLA Medical Center 1250 Sixteenth Street, Santa Monica, CA 90404; 424-259-7208

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

The following departments on campus can provide resources and referrals:

- **Title IX and EEO Compliance Office:** 310-660-3813
- **ECC Police Department:** 310-660-3100
- **Student Health Services:** 310-660-3643

Page 3 of this publication has a list of community/national resources.

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 (located in Administration 140) or at TitleIXCoordinator@elcamino.edu

and/or

A survivor of dating violence, domestic violence, sexual assault or stalking may notify proper law enforcement authorities. These law enforcement agencies serve the following locations:

• **Main Campus**

ECC Police Department | 310-660-3100

• **Business Training Center**

ECC Police Department | 310-660-3100 or;
Hawthorne Police Department | 310-349-4444

• **Fire Academy**

ECC Police Department | 310-660-3100 or;
Inglewood Police Department | 310-412-8771

Always dial **9-1-1** in the event of an emergency.

What is involved in making a police report: If the ECC Police Department is contacted or is made known of the incident, a uniformed officer will be dispatched to take the report. The survivor may request a male or female officer to take the report and this request will be accommodated whenever possible. With the consent of the survivor, a full police report will be taken by a campus police officer who accompanies the survivor to the hospital. At the request of the survivor, a friend, family

member or other designated person may be present. The officer will advise the survivor regarding hospital procedures and the availability of assistance. A campus police officer will be assigned to further investigate the criminal allegations and explain the legal process to the survivor. Lastly, a campus police officer shall present a completed written investigation to the Los Angeles County District Attorney's office for review and filing of criminal charges. If the Hawthorne Police Department or Inglewood Police Department is contacted, that agency's procedures and protocols will apply.

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 Community College District 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. If you do not report, try to write down the details of the assault and save them in case you change your mind. However, reporting these crimes will allow El Camino Community College District to provide resources to you. Whether you report or not, get medical attention for treatment of external and/or internal injuries and test for sexually transmitted diseases and pregnancy.

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. Please note when reporting to Hawthorne Police Department or Inglewood Police Department, that agency's procedures and policies regarding confidentiality will apply.

Where a Complainant wishes to file a complaint, either for the purposes of an Informal Resolution or a Formal Complaint and investigation, Complainant's name and details of the allegations will be disclosed to Respondent and the relevant advisors, administrators, and other individuals involved in the complaint process.

Under Title IX, District employees who work at the Student Health Services[▲] and whose primary job duty is to render medical or counseling care to students and are working within the scope of their professional license or certification are excluded from being Responsible Employees. Employees providing administrative support within the Student Health Services[▲] are also excluded from the category of Responsible Employees. In addition, in accordance with California Senate Bill 1491 and Education Code §66281.8, the designated Confidential LGBTQIA+ Point of Contact[▲] is not considered a Responsible Employee for the purposes of reporting Sexual Harassment. There are no confidential reporting options located at the Business Training Center and Fire Academy.

[▲]Please note that while these employees are confidential resources under Title IX, some employees may be Campus Security Authorities (CSAs) under the Clery Act and are required to report incidents for statistical purposes. 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.

PROTECTIVE ORDERS AND THE RIGHTS OF 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 the District. The District will honor, comply and enforce current and valid restraining orders and/or orders of protection. When an order of protection is violated, a survivor should immediately enforce that order by notifying the appropriate jurisdiction that issued it. In cases of violations of Emergency Protective Orders and Temporary Restraining Orders, a survivor should immediately notify local law enforcement by calling 9-1-1. In cases of violations of a "El Camino College No Contact Directive", the appropriate office or individual who issued the order should be immediately contacted.

- An Emergency Protective Order (EPO) is an order issued by a judicial officer upon request by a peace officer under Family Code Section 6250. The purpose of this order is to provide for immediate and short-term protection to survivors of dating violence, domestic violence, sexual assault and stalking. Emergency Protective Orders may be obtained by a peace officer investigating a report of these crimes. Contact the Campus Police Department at 310-660-3100, Hawthorne Police Department (for the Business Training Center) at 310-349-4444 or the Inglewood Police Department (for the Fire Academy) at 310-412-8771 if you believe you are in immediate need of an EPO.
- Temporary Restraining Orders (TRO) may be requested by a survivor from the Los Angeles County Superior Courts. The nearest Los Angeles County Superior Court location for the main campus and the Business Training Center is the Torrance Courthouse located at 825 Maple Ave. Torrance, CA 90503. The nearest Los Angeles County Superior Court location for the Fire Academy is the Inglewood Courthouse located at 1 E Regent St. Inglewood, CA 90301. You may visit the information desk for an application and filing instructions. The application must first be approved by a judicial officer before a TRO is issued.
- A survivor may or may not request criminal prosecution. The Campus Police Department strongly encourages a survivor to prosecute criminal acts; however they are under no obligation to do so. A survivor may contact the Los Angeles County District Attorney's Office (Torrance Courthouse) at 825 Maple Ave. Torrance, CA 90503, 310-222-3552 (for the main campus and Business Training Center) or the Los Angeles County District Attorney's Office (Inglewood Courthouse) at 1 E Regent St. Inglewood, CA 90301, 310-419-1396 (for the Fire Academy). Furthermore, victims may contact the Torrance Police Department located at 3300 Civic Center Drive. Torrance, CA 90503, 310-328-3456 (for the main campus), the Hawthorne Police Department located at 12501 Hawthorne Blvd. Hawthorne, CA 90250, 310-349-4444 (for the Business Training Center), the Inglewood Police Department located at 1 W Manchester Blvd. Inglewood, CA 90301, 310-412-8771 (for the Fire Academy) or the Campus Police Department, 16007 Crenshaw Blvd. Torrance, CA 90506, 310-660-3100 for assistance.

- A survivor may also pursue civil remedies through the civil court system. Contact the Los Angeles County Superior Court Civil Department (Stanley Mosk Courthouse) at 111 N. Hill St. Los Angeles, CA 90012 or call 213-830-0800 for the main campus, the Business Training Center, and the Fire Academy.
- Survivors of crime or a family member of a victim 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 ECC Police Department or at the Los Angeles County District Attorney's Office (Torrance Courthouse) at 825 Maple Ave. Torrance, CA 90503 for the main campus and Business Training Center or at the Los Angeles County District Attorney's Office (Inglewood Courthouse) at 1 E Regent St. Inglewood, CA 90301 for the Fire Academy.
- ECC No Contact Directive: The District may take measures to protect a complainant who reports being the survivor of these crimes. These protective measures may include, but are not limited to, prohibiting the accused individual from having any contact with the complainant, providing escorts to ensure that the complainant can move safely between classes and activities, ensuring the complainant and alleged perpetrator do not attend the same classes or work in the same work area, and preventing offending third parties from entering the District. No contact directives related to Title IX may be requested from the District's Title IX coordinator.

INTERIM ACTION AND SUPPORTIVE MEASURES

Once the Title IX coordinator or designee has received a complaint and/or report of Sexual or Gender-Based Misconduct, the District will make an assessment to determine if any immediate remedies are warranted, pending an investigation.

The District is obligated to comply with a student's reasonable request for academic situation change following an alleged sex offense. Please note that although the District does not have any on or off campus housing, it can help connect students with community resources that may assist with housing-related needs. Factors that might be considered during this process include, but are not limited to the following: the specific need expressed by the Complainant; the age of the students involved; the severity or pervasiveness of the allegations; any continuing effects on the Complainant; whether the Complainant and alleged perpetrator share the same class, transportation or job location, transportation or job location; and whether other judicial measures have been taken to protect the Complainant.

The Title IX Coordinator may determine immediate or long-term Supportive Measures which includes but is not limited to:

- Referral to counseling services and assistance in setting up an initial appointment, both on and off campus;
- Imposition of campus "No Contact Order/Directive" issued to the Respondent, or, where appropriate, to both Parties;
- 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 services through Student Health Services;
- Providing academic support services, such as tutoring;
- Interim suspension or District-imposed leave;
- Monitoring, supervision, or security at locations or activities where the alleged misconduct occurred;
- Providing additional training and education materials for students and employees;
- Conducting climate surveys regarding sexual violence;
- Any other remedy that can be tailored to the Parties to reasonably achieve the goals of this Policy.

Interim Actions where Respondent is an Employee, the district disciplinary officer (Employee's supervisor or designee), in consultation with the Title IX Coordinator and/or Human Resources, may initiate and implement appropriate Interim Actions. These actions are designed to ensure a safe and non-disruptive work environment and must be consistent with the terms of the applicable collective bargaining agreement. In addition to the relevant Supportive Measures listed above, examples of Employee-related Interim Actions may include:

- Modified reporting structures;
- Reassignment;
- Remote work arrangements;
- Adjusted duties or schedules;
- Paid administrative leave.

Interim Actions shall remain in place until the final outcome of the Title IX formal hearing process, or any subsequent disciplinary or appeal proceedings. These actions may be modified or terminated based on the evolving needs of the Parties, as determined by the Title IX Coordinator (or designee), or may become permanent as part of the final resolution of the Title IX Complaint.

Please contact the Title IX Coordinator at **310-660-3813** or via email at **TitleIXCoordinator@elcamino.edu** to request changes.

UNDISPUTED CASES

If there is undisputed evidence of, or Respondent admits to, allegations of a Title IX complaint (formal or informal) and those allegations amount to a clear Board Policy violation regarding Sexual and Gender-Based Misconduct, the matter shall proceed directly to sanctions (which is handled outside of this Title IX process).

Where the evidence is disputed or it is unclear that the allegations, if true, violate District Board Policies regarding Sexual and Gender-based Misconduct, the regular Title IX procedures apply.

INFORMAL COMPLAINTS

In certain circumstances, Complainants may choose to make an Informal Complaint instead of a formal one. Informal Complaints are appropriate for situations where an interaction is unwanted and makes the person feel uncomfortable, may be the result of a miscommunication or misunderstanding, and/or does not rise to the level of more severe forms of Sexual and Gender-Based Misconduct (including intimate partner violence and Sexual Assault). Where Informal Resolution is not applicable, elected, or agreed upon by both Parties a Complainant may choose to file a Formal Complaint.

Informal Complaints are not permitted where 1) Complainant is a District Student and Respondent is a District Employee; and/or 2) there are allegations of sexual violence. In these circumstances, the allegations are automatically elevated to the Formal Title IX Complaint & hearing process.

When an Informal Complaint is made, Interim Actions and Supportive Measures may be put into place immediately in order to protect both Parties and reduce or eliminate negative interactions.

If the Title IX and EEO Compliance Office 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 Title IX and EEO Compliance Office may suggest the Parties consider Informal Resolution. Supportive Measures and interim remedies may be implemented in Informal Resolution.

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.

The steps in informal complaints are process are as follows:

1. Complaint Submission
2. Intake Meeting
3. Respondent Meeting
4. Resolution

Direct Result of Informal Complaint: There are no immediate disciplinary consequences to being a Respondent to an Informal Complaint. However, there are certain circumstances where Informal Resolution may result in future Formal Title IX Complaint and potential sanctions.

Potential Indirect Result of Subsequent Informal Complaints: Completion of the Informal Complaint process does not preclude the possibility of sanctions being imposed should further issues arise.

FORMAL COMPLAINTS

When a Complainant notifies the Title IX Coordinator of allegations of Sexual and Gender-Based Misconduct and wishes to pursue a Formal Complaint—or when the Title IX Coordinator determines that an investigation is necessary due to safety concerns—an investigation will be initiated by the Title IX Coordinator or their designee.

The scope of Formal Investigations conducted by the Title IX and EEO Compliance Office is limited to allegations of Sexual and Gender-Based Misconduct. This process applies only when a Formal Complaint has been filed, the Title IX Coordinator has confirmed the matter falls within the District's jurisdiction, and the Parties have not opted for or agreed to Informal Resolution. Formal complaints are generally used when the informal report for early resolution is inappropriate (e.g., student complaints against Employees, serious or repeated misconduct, or alleged criminal acts such as Rape, Stalking, or any form of violence) or in cases where the Informal Complaint process is unsuccessful.

Informal Resolution of a Formal Complaint: In addition to any Interim Actions taken and/or Supportive Measures put into place, once a Formal Complaint is made, both Parties may choose to engage in Informal Resolution of their dispute at any time before the Final Review Period begins so long as the following conditions are met:

- The Title IX and EEO Compliance Office provides to the Parties a written notice disclosing: 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, provided, however, that 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, and any consequences resulting from participating in the Informal Resolution Process, including the records that will be maintained or could be shared; and

- The Title IX and EEO Compliance Office obtains the Parties' voluntary, written consent to the Informal Resolution Process

The steps in the formal investigation process are as follows:

1. Complaint Submission
2. Intake Meeting
3. Preliminary Assessment
4. Investigator Assignment
5. Notification of Complaint
6. Interim Actions/Supportive Measures
7. Investigation
8. Pre-Hearing Meetings
9. Formal Hearing
10. Findings
11. Appeal Period (if applicable)

Whether or not the Respondent is found to be Responsible, both Complainant and Respondent will be notified simultaneously of the outcome of the Investigative Findings in writing, which include: The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking, the institution's procedures for the accused and the survivor to appeal the result of the institutional disciplinary proceeding, if such procedures are available, any change to the result, and when such results become final.

Timeframe for Investigations: The District shall use reasonable, diligent efforts to investigate reported incidents of Sexual and Gender-Based Misconduct to Complainant and Respondent within ninety (90) working days of the date in which the complaint was filed unless there are extenuating circumstances that prohibit the timeliness of the completion of the investigation. Time frames for investigations may vary depending on the details of a case or if possible, violations occur near, during, or after District holidays, breaks, or the end of an academic term. Parties may request an extension of the deadline related to a complaint due to examination periods or school closures. The District will provide periodic updates to the Parties during the investigation period.

If an extenuating circumstance exists that prohibits the completion of an investigation within ninety (90) working days, the District will inform Complainant and Respondent in writing of such delay.

Standard of Evidence: An allegation will be determined as Substantiated or Not Substantiated based on a preponderance of the evidence, meaning that it is more likely than not that allegation occurred and constitutes a violation of the District Board Policies (BP/AP 3540, BP/AP 5500) and any other applicable policies and procedures. The outcome of a Formal Complaint shall be based upon the thorough investigation of allegations and the weighing of evidence in totality by the Title IX Coordinator, or their designee, the Hearing Officer, and the Appeals Body, if applicable.

Advisors: In addition to a Support Person, Parties have the right to an Advisor at all stages of the Title IX process, including both the investigation and the hearing. However, both Parties are required to have an Advisor during the hearing stage. Advisors are not confidential resources and do not provide legal advice or guidance. The Advisor's role is limited to

observing, consulting with, and providing support to Complainant or Respondent. Advisors may not speak on behalf of the Party, nor may they disrupt or interfere with the investigation process in any way. Advisors are also expected to maintain confidentiality at all times.

Appeals: If either Party is not satisfied with the results of the Investigative Findings and Administrative Determination, they may appeal the outcome. Until the appeals process is resolved, any recommended sanctions will not be administered.

As the Appellant, they have ten (10) calendar days from the date of issuance of the Hearing Outcome Notice to submit their written appeal of the Investigative Findings and Administrative Determination to the President's Office on behalf of the Board of Trustees. Pursuant to 5 CCR § 59338, this appeals process is handled outside of the Title IX and EEO Compliance Office.

Appeals may only be submitted on the following grounds: 1). A substantive procedural error or omission occurred, which materially and significantly affected the weighing of evidence by the Title IX Coordinator, Title IX Investigator or designee, which substantively affected the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, etc.). 2) To consider new evidence, previously unavailable during the original investigation, that could subsequently impact the original finding. Evidence intentionally withheld by a Party will not be considered unavailable. A summary of this new evidence and its potential impact must be included in the request for appeal. 3). Evidence of bias or conflict of interest demonstrated by an investigator, Title IX Coordinator, or Hearing Officer towards a Party which affected the outcome of the matter.

Submitting an Appeal: Appeals must be submitted to the Board of Trustees through the President's Office either via email to rsandro@elcamino.edu or in hard copy to Administration Building, Suite 250. The written appeal request must specify a) which of the ground(s) the appeal is based, and b) provide a summary of any new information to be considered in support of the appeal. Any appeal that does not meet one (1) of the three (3) grounds listed above shall be deemed ineligible for review and will not proceed through the appeal process.

Both Parties shall be provided a written decision simultaneously describing the result of the appeal and rationale for the result. The Parties shall also be notified of their right to file a complaint with outside entities such as appropriate external, state, or federal agencies.

Notification of Outcome: Once the Board has rendered its decision on an appeal, the District will provide Complainant and Respondent with separate, simultaneous written communications. Once an appeal is decided, the outcome is final, further appeals are not permitted.

Sanctions: The Title IX and EEO Compliance Office does not oversee the administration of disciplinary measures (sanctions). The Hearing Officer may recommend sanctions; however, the appropriate district disciplinary officer or district administrator is responsible for imposing sanctions in accordance with District Administrative Procedure, Board Policy, applicable collective bargaining unit agreements, the California Education Code, and relevant laws.

- Where Respondent is a Student, the Director of Student Life & Development, or their designee, shall serve as the district disciplinary officer and is responsible for determining and administering sanctions in accordance with Board Policy and Administrative Procedures that govern the student conduct process.

- Where Respondent is an Employee, the Employee's supervisor, or their designee, shall serve as the district disciplinary officer. While the disciplinary officer may consult with Human Resources, the final decision

regarding sanctions rests solely with them. The district disciplinary officer is responsible for determining and administering sanctions in accordance with applicable District Administrative Procedures, Board Policies, bargaining unit agreements, and the California Education Code.

For Students: Pursuant to Administrative Procedure 5520 (Student Discipline Procedure), possible sanctions for students include:

- Written or Verbal Reprimand;
- Educational Sanctions (ie. additional work assignments, essays, community service, behavioral contract, administrative referral, or other related educational assignment);
- Probation;
- Restitution;
- Removal from Class/Facility/District Entity;
- Withdrawal of Consent to Remain On-Campus;
- No Contact Order;
- Short-Term Suspension (For a period of up to ten (10) consecutive days of instruction);
- Long-Term Suspension (For the remainder of the school term and/or from all classes and activities of the District for the remainder of the current term with a maximum of two (2) academic years. Students who receive long-term suspensions are permitted on-campus to conduct student business, but must receive permission/ check-in);
- Intermediate Interim Suspension;
- Expulsion.

Information concerning a student's right to appeal a sanction may also be found within AP 5520.

For Employees: Sanctions for Sexual and Gender-Based Misconduct incidents for employees that are workplace related would be administrated consistent with Board Policy 7365, Administrative Procedure 7800, applicable collective bargaining agreements, or legal requirements, which are subject to change. Possible employee sanctions include:

- Formal written reprimand;
- Required training or counseling;
- Disciplinary probation;
- Demotion;
- Reassignment;
- Involuntary transfer;
- Suspension with or without pay;
- Dismissal.

Information concerning an employee's right to appeal a sanction may also be found within the applicable collective bargaining agreement or applicable board policy/administrative procedure.

COMPLAINANT & RESPONDENT RIGHTS

Parties are entitled to a fundamentally fair process, including reasonable notice of allegations of violations of Sexual and Gender-Based Misconduct, the opportunity for the person to be heard and to afford the person the opportunity to present evidence prior to the issuance of any Investigative Findings and sanctions, except when immediate interim suspensions or restrictions are deemed necessary pending an investigation and determination of the matter.

Throughout the investigative process, both Complainant and Respondent have the following equal rights:

- To be treated with respect by District officials;
- To take advantage of campus support resources, such as mental health services, health services, etc. to help remedy and restore;
- To experience a safe education and work environment;
- To have an Advisor present during the investigative interview and appeals hearing;
- To be free of Retaliation;
- To have complaints investigated adequately, impartially, and reliably; and
- To fully participate in any process whether the injured Party is serving as Complainant, or where the institution is serving as Complainant.

Where an investigation is conducted, Complainant and Respondent have a right to a grievance process that:

- Is prompt, fair and impartial;
- Includes an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence;
- Precludes conflicts of interest or bias on the part of coordinators, investigators, and decision makers;
- Ensures training for coordinators, investigators, and decision makers;
- Relies on training materials that promote objective investigations and disciplinary procedures and that do not rely on sex stereotypes;
- Includes a presumption that Respondent is not responsible;
- Allows delays in investigations for good cause, including absence of parties or witnesses, law enforcement activity, or disability accommodations;
- Describes the sanctions and remedies that are available;
- Specifies the standard of evidence to be used;
- Specifies the Supportive Measures that are available;
- Precludes the use of questions that would violate a legally recognized privilege, unless waived.
- Provides concurrent notification in writing, of the outcome/ resolution of the complaint and the basis for the determination; and
- Details the procedures available for appeals.





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