Child Abuse Reporting and Harassment & Bullying

Gavilan Community College
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Child Abuse and Neglect Reporting Act ("CANRA")

Who must report abuse and neglect?
What is child abuse or neglect?
How do I report?

Child Abuse Is...

- Physical injury inflicted by other than accidental means on a child by another person
- Sexual abuse or molestation
- Willful cruelty
- Unjustifiable punishment
- Neglect, including failure to provide food, shelter, or proper hygiene
- Unlawful corporal punishment or injury

Who Must Report?

- A faculty member
- A classified employee of any public school (includes community colleges)
- An administrator
- A licensee, an administrator, or an employee of a licensed community care or child day care facility
- An employee of a campus police or security department

Physical Abuse
Examples of indicators

Child:
- Tells you they’ve been abused
- Has a history of previous or recurrent injuries
- Has injuries to certain areas of the body
- Exhibits fear of parents or caretakers
- Tries to hide injuries
- Frequently absent from school
- Depression, self-mutilation, suicide attempts, substance abuse, or sleeping and eating disorders

Parent cannot explain reason for injury or discrepancies in the explanation
Physical Neglect

- Neglect includes both acts and omissions by a parent or caretaker.
- California law defines two categories of neglect: severe neglect and general neglect.

Reasonable Suspicion

General Considerations
- Trust your instincts
- Write down your facts to help you see it through fresh eyes
- Don't worry about statutes of limitation
- DO NOT investigate the abuse yourself
- Under-aged pregnancy alone does not constitute reasonable suspicion

Reasonable Suspicion

Sexual Abuse
- The single most important indicator is a statement by a child to a friend, classmate, faculty member, or other trusted adult.
- It is common that disclosure is delayed.
- A common indicator is detailed and age-inappropriate understanding of sexual behavior.

Emotional Abuse
- Direct emotional abuse
- Emotional deprivation
- Difficult to detect

How to Report

- Immediately by telephone
  - Police department, sheriff's department, county probation department or county welfare department.
  - You must make a report even if some information is not known or is uncertain.

How to Report

- Also, in writing
  - Within 48 hours of your initial telephone report
  - To Child Protective Services
  - Keep your copy

- If two mandated reporters have reasonable suspicion, one may make the report. But you must follow up with the other person!
- Reporting to a supervisor is not enough
Failing To Report

- It's a crime
- You would be guilty of a misdemeanor - punishable by up to six months in jail or by a fine of $1,000 or both!

Confidentiality

- Mandated reports are confidential and may be disclosed only among agencies receiving, investigating, and prosecuting.
- Do not tell the parent about the report, even if you do not suspect that the parent is responsible.
- Defeat parental contact.
- If the police or a child protective worker disclose to anyone that you made a report, call their supervisor.

Immunity

- Mandated reporters are immune from both civil and criminal liability when making reports pursuant to CANRA.

Principles of Community

- Diverse: Embrace diversity and uphold an open enlightened community
- Open: Mutual respect, trust and consideration for differences

Harassment & Bullying

- Zero tolerance

Other Sources

- Board Policy 3410 – Non-Discrimination
- Board Policy 3430 – Harassment, Sexual Violence and Hate Crime
- Standards of Student Conduct
Take Action

- Be Open & Direct
- Report to a Supervisor
- Report to Human Resources
- File a Complaint

THANK YOU FOR ATTENDING!

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BP 3410 Non-discrimination

Reference:

Education Code Sections 66250, et seq. 72010, et seq. 87100 et seq.;
Title 5, Sections 53000, et seq., 59300 et seq.; Penal Code Section 422.55;
Government Code 129261.1, 12940, et seq.

The District is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities.

The District, and each individual who represents the District, shall provide access to its services, classes, and programs without regard to age, race, religion, creed, color, national origin, ancestry, medical condition, disability, sex (i.e., gender), marital status, or sexual orientation, physical or mental disability or because he or she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

The President of the College shall establish administrative procedures that ensure all members of the college community can present complaints regarding alleged violations of this policy and have their complaints heard in accordance with the Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.

No District funds shall ever be used for membership, or for any participation involving financial payment or contribution on behalf of the District or any individual employed by or associated with it, to any private organization whose membership practices are discriminatory on the basis of age, race, creed, color, sex (i.e., gender), religion, or national origin, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, or because of his or her association with a person or group with one or more of these actual perceived characteristics.

See Administrative Procedure #3410

Amended by the Board of Trustees: November 13, 2007

Amended by the Board of Trustees: February 8, 2005

Approved by the Board of Trustees December 11, 2001
AP 3410 Nondiscrimination

Education Programs

Reference:
Education Code Sections 66250 et seq.; 200 et seq; 72010 et seq.
Accreditation Standard 1.6

The District shall provide access to its services, classes and programs without regard to race, religion, creed, color, national origin, ancestry, disability or gender, marital status, or sexual orientation.

No person shall be subject to discrimination on any basis that is contained in the prohibition of hate crimes set forth in the California Penal Code Section 422.6, which include the other person's race, color, religion, ancestry, national origin, disability, gender, or sexual orientation, or because he or she is perceived to have one or more of those characteristics.

All courses, including noncredit classes, shall be conducted without regard to the gender of the student enrolled in the classes.

The District shall not prohibit any student from enrolling in any class or course on the basis of gender.

Academic staff, including but not limited to counselors, instructors and administrators shall not offer program guidance to students which differs on the basis of gender.

Insofar as practicable, the District shall offer opportunities for participation in athletics equally to male and female students.

Employment
Reference:
Education Code Section 87100 et seq. Title 5; Section 53000 et seq.; Government Code Sections 11135 et seq; 12940 et seq.

The District shall provide equal employment opportunities to all applicants and employees regardless of ethnicity/race, color, sex (i.e. gender), age, religion, marital status, disability, sexual orientation, national origin, status as a Vietnam-era veteran or ancestry.

All employment decisions, including but not limited to hiring, retention, assignment, transfer, evaluation, dismissal, compensation, and advancement for all position classifications shall be based on job-related criteria as well as be responsive to the District's needs.

The District shall from time to time as necessary provide professional and staff development activities and training to promote understanding of diversity.

Approved by the Board of Trustees: December 11, 2001
Amended by the Board of Trustees: November 14, 2006
Amended by the Board of Trustees: December 12, 2006
BP 3430 Prohibition of Harassment, Sexual Violence and Hate Crimes

Reference:
Education Code Sections 212.5; 66252; 66281.5; 67385.7

The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of sexual harassment, and all forms of sexual intimidation and exploitation. It shall also be free of other unlawful harassment and hate crimes, including those which are based on any of the following statuses: race, color, religion, ancestry, national origin, disability, sex (i.e., gender), sexual orientation, or the perception that a person has one or more of the foregoing characteristics.

Harassment and hate crimes based on any of the following statuses are prohibited and will not be tolerated: race, color, religion, ancestry, national origin, disability, gender, or sexual orientation, or the perception that a person has one or more of the foregoing characteristics.

Sexual harassment violates state and federal laws, as well as this policy, and will not be tolerated. It is also illegal to retaliate against any individual for filing a complaint of sexual harassment or for participating in a sexual harassment investigation, and retaliation constitutes a violation of this policy.

Sexual harassment is further defined as unwelcome sexual advances, requests for sexual favors and other conduct of a sexual nature when:

- submission to the conduct is made a term or condition of an individual's employment, academic status, or progress;
- submission to or rejection of the conduct by the individual is used as a basis of employment or academic decisions affecting the individual;
- the conduct has the purpose of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile or offensive work or educational environment; or
- submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual.

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity.

In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities and compensation.

To this end the President of the College shall ensure that the institution undertakes education activities to counter discrimination and minimize and eliminate a hostile environment that impairs access to equal education opportunity [E. C. 66252]

The President of the College shall establish procedures that define sexual harassment and other forms of harassment on campus. The President of the College shall further establish procedures for employees, students, and other members of the campus community that provide for the investigation and resolution of complaints regarding sexual harassment and discrimination, and procedures for students to resolve complaints of sexual and other harassment and discrimination. All participants are protected from

Approved by the Board of Trustees December 11, 2001
retaliatory acts by the District, its employees, students, and agents.

Hate crimes are defined as criminal offenses committed against persons, property, or the institution which is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, or ethnicity/national origin.

The President of the College will establish procedures to protect the identity of the victim of a hate crime (to the extent desired by the victim), and to inform the public appropriately while respecting the victim's wishes.

The President of the College will establish procedures to provide prevention and educational information for students and employees regarding sexual violence [E. C. 66281.5 and E. C. 67385.7].

The District and President of the College will seek to prevent crimes involving hate, bigotry, and prejudice through appropriate education at all levels. The President of the College will establish procedures which ensure that training will be conducted for all staff which promotes campus harmony, appreciation for the value of human diversity, and respect for individual rights and dignity.

The President of the College will establish procedures to ensure that Gavilan College will immediately, or as soon as is practicable, report all incidents of hate crime to the appropriate local law enforcement agency.

This policy and related written procedures shall be widely published and publicized to administrators, faculty, staff, and students, particularly when they are new to the institution. They shall be available for students and employees in all administrative offices.

Employees who violate the sexual harassment policy and procedures may be subject to disciplinary action up to and including termination.

Students who violate the sexual harassment policy and related procedures may be subject to disciplinary measures up to and including expulsion. In the case of hate crimes, in addition to penalties assessed by criminal courts, the President of the College will establish procedures to hold perpetrators responsible, with appropriate college sanctions, up to and including termination for employees, and up to including expulsion for students.

See Administrative Procedures #3430

Amended by the Board of Trustees Oct. 10, 2006

Amended by the Board of Trustees Nov. 11, 2003

Approved by the Board of Trustees December 11, 2001
AP 3430 Prohibition of Harassment and Sexual Violence and Hate Crimes

Reference:
Education Code Sections 212.5; 66281.5; 67385.7
Title IX, Education Amendments of 1972; Title 5, Sections 59320 et seq.

The District is committed to providing an academic and work environment free of unlawful harassment. This procedure defines sexual harassment and other forms of harassment on campus, and sets forth a procedure for the investigation and resolution of complaints of harassment by or against any staff or faculty member or student within the District. It also establishes a procedure for administrative response to hate crimes within the District. This policy also outlines the District policy for providing prevention and educational information regarding sexual violence.

Definitions:

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature when:

- submission to the conduct is made a term or condition of an individual's employment, academic status, or progress;
- submission to, or rejection of, the conduct by the individual is used as a basis of employment or academic decisions affecting the individual;
- the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile or offensive work or educational environment; or
- submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the community college.

This definition encompasses two kinds of sexual harassment:

- "Quid pro quo" sexual harassment occurs when a person in a position of authority makes educational or employment benefits conditional upon an individual's willingness to engage in or tolerate unwanted sexual conduct.
- "Hostile environment" sexual harassment occurs when unwelcome conduct based on sex is sufficiently severe or pervasive so as to alter the conditions of an individual's learning or work environment, unreasonably interfere with an individual's academic or work performance, or create an intimidating, hostile, or abusive learning for work environment. The victim must subjectively perceive the environment as hostile, and the harassment must be such that a reasonable person of the same gender would perceive the environment as hostile.

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Sexual harassment can consist of virtually any form or combination of verbal, physical, visual or environmental conduct. It need not be explicit or even specifically directed at the victim. Sexually harassing conduct can occur between people of the same or different genders. The standard for determining whether conduct constitutes sexual harassment is whether a reasonable person of the same gender as the victim would perceive the conduct as harassment based on sex.

Examples: Harassment includes, but is not limited to the following misconduct:

- **Verbal:** Inappropriate or offensive remarks, slurs, jokes or innuendoes based on a person’s protected status, including but not limited to sex. This may include, but is not limited to inappropriate comments regarding an individual’s body, physical appearance, attire, sexual prowess, marital status or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats or intimidation of a sexual nature; or sexist, patronizing or ridiculing statements that convey derogatory attitudes about a particular gender.

- **Physical:** Inappropriate or offensive touching, assault, or physical interference with free movement. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling or sexual gestures.

- **Visual or Written:** The display or circulation of offensive sexually oriented or other discriminatory visual or written material. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or electronic media transmissions.

- **Environmental:** An academic or work environment that is permeated with racially or sexually-oriented talk, innuendo, insults or abuse not relevant to the subject matter of the class or activities on the job. A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements in the classroom or work environment. An environment may be hostile if unwelcome sexual behavior or other harassing behavior based on a protected status is directed specifically at an individual or if the individual merely witnesses unlawful harassment in his or her immediate surroundings.

The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual’s learning or work.

Romantic or sexual relationships between supervisors and employees or between administrators, faculty or staff members and students are discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships. A conflict of interest may arise if the administrator, faculty or staff member must evaluate the student or employee’s work or make decisions affecting the employee or student. The relationship may create an appearance of impropriety and lead to charges of favoritism by other students or employees. A consensual sexual relationship may change; with the result that sexual conduct that was once welcome becomes unwelcome and harassing. By definition, sexual harassment is not within the course and scope of an individual’s employment with the community District.

Hate crimes consist of crimes which specifically target individuals or groups for characteristics relating to their ethnicity, color, religion, ancestry, national origin, disability, sex (i.e., gender), sexual orientation, class, or relating to the perception that a person has one or more of the foregoing characteristics.

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Academic Freedom
To the extent the sexual harassment policy is in conflict with the District's policy on academic freedom, the sexual harassment policy shall prevail. If the faculty member wishes to use sexually explicit materials in the classroom to stimulate dialogue as part of classroom materials or as a teaching technique, the faculty member must review that use with an administrator to determine whether or not this violates the sexual harassment policy.

To the extent the hate crimes policy is in conflict with the District's policy on academic freedom, the hate crimes policy shall prevail.

Complaint Procedure for Investigation and Resolution of Claims of Harassment

Reference:
Title 5, Section 59320

The Vice President of Administrative Services is the "responsible District officer" charged with receiving complaints of sexual harassment or other forms of prohibited harassment, and coordinating their investigation.

The Gavilan College "Alleged Discrimination/Harassment Complaint" form is attached and made part of the procedure.

The actual investigation of complaints may be assigned by the President of the College other staff or to outside persons or organizations under contract with the district. This shall occur whenever the Vice President of Administrative Services is named in the complaint or implicated by the allegations in the complaint.

A student who believes he or she has been sexually harassed, or harassed based on any other protected status, shall make a complaint in writing using The Gavilan College "Alleged Discrimination/Harassment Complaint" form, within one year of the date of the alleged harassment or the date on which the complainant knew or should have known of the facts underlying the complaint, to any of the following:

The Vice President, Administrative Services;
The President of the College;
The Vice President, Student Services;
The Vice President, Instructional Services

A staff or faculty member who believes he or she has been sexually harassed, or harassed based on any other protected status, shall make a complaint in writing using the Gavilan College "Alleged Discrimination/Harassment Complaint" form to any of the following:

The Vice President, Administrative Services;
The President of the College;
The Vice President, Student Services;
The Vice President, Instructional Services

Any District employee who receives a harassment complaint shall notify the Vice President of Administrative Services immediately.

Upon receiving notification of a harassment complaint, the Vice President, Administrative Services shall:

Advise the complainant that he or she need not participate in an informal resolution of the complaint, and that he or she may file a complaint with the Office of Civil Rights of the

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U.S. Department of Education. The Vice President of Administrative Services shall also notify the Chancellor of California Community Colleges of the complaint.

Authorize the investigation of the complaint, and supervise and/or conduct a thorough, prompt and impartial investigation of the complaint.

The investigation will include interviews with the complainant, the accused harasser, and any other persons who may have relevant knowledge concerning the complaint. This may include victims of similar conduct.

Review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment giving consideration to all factual information and the totality of the circumstances, including the nature of the verbal, physical, visual or sexual conduct, and the context in which the alleged incidents occurred.

Set forth the results of the investigation in a written report. The written report shall include a description of the circumstances giving rise to the complaint, a summary of the testimony of each witness, an analysis of any relevant data or other evidence collected during the investigation, a specific finding as to whether discrimination did or did not occur with respect to each allegation in the complaint, and any other appropriate information.

Provide the complainant with a copy or summary of the investigative report within ninety days from the date the District received the complaint. The complainant shall also be provided with a written notice setting forth the determination of the Vice President of Administrative Services as to whether sexual harassment or harassment based on any other protected status did or did not occur with respect to each allegation in the complaint; a description of action taken, if any, to prevent similar problems from occurring in the future; the proposed resolution of the complaint; and notice of the complainant’s right to appeal to the District’s Board of Trustees and the State Chancellor’s Office. The results of the investigation and the determination as to whether harassment occurred shall also be reported to the alleged harasser, and the appropriate academic or administrative official(s).

To meet the requirements in Section 67385.7 and Section 66281.5 of the Education Code as amended through AB 1088, the college will:

- Post sexual violence prevention and educational information on the college website and in both on-line and on-ground New Student Orientations
- Provide a printed brochure and include on the website common facts and myths about the causes of sexual violence that includes:
  - Information on how to file criminal charges with local law enforcement
  - Contact information for campus and community resources for students who are victims of sexual violence
  - Information on campus, criminal and civil consequences of committed acts of sexual violence
  - Include information in each printed and online class schedule stating where information related to sexual violence is posted

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If harassment occurred, the District shall take remedial or disciplinary action against the harasser. The action will be prompt, effective, and commensurate with the severity of the offense. If discipline is imposed, the nature of the discipline will not be communicated to the complainant.

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

The District shall also take reasonable steps to protect the complainant from further harassment and to protect the complainant from retaliation as a result of communicating the complaint. The District shall take reasonable steps to ensure the confidentiality of the investigation and to protect the privacy of all parties.

If the complainant is not satisfied with the results of the administrative determination, he or she may, within fifteen 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 45 days after receiving the appeal.

A copy of the decision rendered by the Board shall be forwarded to the complainant and to the State Chancellor’s Office. The complainant shall also be notified of his or her right to appeal this decision.

If the Board does not act within forty-five days the administrative determination shall be deemed approved and shall become the final decision of the District in the matter.

The complainant shall have the right to file a written appeal with the State Chancellor’s Office within thirty days after the Board issued the final District decision or permitted the administrative decision to become final. Such appeals shall be processed pursuant to the provision of Section 59350 of Title 5 of the California Code of Regulations.

In any case involving employment discrimination, the complainant may, at any time before or after the issuance of the final decision of the District, file a complaint with the Department of Fair Employment and Housing. In such cases, the complainant may also file a petition for review with the state Chancellor’s Office within thirty days after the governing board issues the final decision or permits the administrative decision to become final.

Within 150 days of receiving a complaint, the District shall forward to the State Chancellor’s Office the original complaint, the investigative report, a copy of the written notice to the complainant setting forth the results of the investigation, a copy of the final administrative decision rendered by the Board or indicating the date upon which the decision became final, and a copy of the notification to the complainant of his or her appeal rights. If, due to circumstances beyond its control, the District is unable to comply with the 150-day deadline for submission of materials, it may file a written request for an extension of time no later than ten days prior to the expiration of the deadline.

**Dissemination of Policy and Procedures**

District Policy and Procedures related to harassment will be provided to all students, faculty members, members of the administrative staff and members of the support staff, and will be posted on campus.

When hired, employees are required to sign that they have received the policy and procedures, and the signed acknowledgment of receipt is placed in each employee’s personnel file.

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In addition, these policies and procedures are incorporated into the District's course catalogs and orientation materials for new students.

Training

Training of academic staff should be conducted emphasizing environmental harassment in the classroom. Each participant in the training should be required to sign a statement where they check one of two boxes:

I have participated in training regarding the District's sexual harassment policy. I understand the policy and accept my obligation to comply with the policy.

OR

I do not understand the District's sexual harassment policy and wish additional training.

Procedure for Prevention and Resolution of Hate Crime Victimization

The District will seek to prevent and eradicate hate crimes on its campus.

The Vice President of Administrative Services will be the "responsible District officer" in following up hate crimes. Upon receiving notice of a possible hate crime from the college Security department, the VP of Administrative Services shall:

-- as soon as is practical report to the Public Information Officer and college president the general nature, as well as the approximate time and place, of the hate crime or suspected crime

The Public Information Officer will, in a timely matter, publicize to all staff and students that an incident that is or may be a hate crime has been committed; the general nature, and approximate time and place of the crime will be disclosed.

-- turn over all information about the alleged hate crime to local law enforcement agents for investigation.

The College President will, in a timely and forceful manner, issue a public statement describing the hate crime or suspected crime in general terms, and condemning hate crimes on a campus devoted to the pursuit of higher learning.

Amended by the Board of Trustees: October 10, 2006
Amended by the Board of Trustees: Nov. 11, 2003

Approved by the Board of Trustees December 11, 2001
GAVILAN COLLEGE
ALLEGED DISCRIMINATION/HARASSMENT COMPLAINT

*PLEASE PRINT*
NAME: ______________________________ DATE: _______________________________
(Complainant) (of Alleged Discrimination)

ADDRESS: ______________________________ (Street or PO Box) ______________________________ (Zip Code)

HOME PHONE: (_____) __________________________ MESSAGE: (_____) __________________________

COMPLAINT STATUS: ______ Student ______ Management ______ Faculty
______ Classified ______ Job Applicant ______ Other (please specify) ________________________

I WISH TO COMPLAIN AGAINST: Name of person, college, or activity: ______________________________

Address: ______________________________ (Street or PO Box) ______________________________ (City) ______________________________ (Zip Code)

I ALLEGED THAT I WAS DISCRIMINATED AGAINST ON THE BASIS OF: Please check only those which apply
______ Race/Ethnicity ______ Religion/Creed ______ Color ______ National Origin ______ Ancestry
______ Disability / Date Disability Disclosed ________ To Whom __________________ ______ Gender
______ Marital Status ______ Sexual Orientation ______ Sexual Harassment ______ Age

I FEEL I WAS DISCRIMINATED AGAINST FOR THE FOLLOWING REASON(S): Describe the incident, the participants and any attempts you have made to solve the problem. Give relevant dates, times and places.

____________________________________________________________________________
____________________________________________________________________________

______________________________
WITNESSES: Persons who can provide information regarding this complaint.
NAME

______________________________
ADDRESS

______________________________
PHONE

______________________________

REMEDY SOUGHT: Specify what you think can and should be done to solve the problem.

____________________________________________________________________________
____________________________________________________________________________

I CERTIFY THAT THIS INFORMATION IS CORRECT AND TO THE BEST OF MY KNOWLEDGE

______________________________
(Signature of Complainant) (use additional paper if necessary) (Date)

______________________________
(Signature of Person Helping Complainant Complete Complaint Form) (Date)

Approved by the Board of Trustees December 11, 2001
Standards of Student Conduct

Reference: Education Code Section 66300 and BP 5500

Gavilan College is dedicated to promoting a harmonious learning and social environment characterized by mutual respect for all our students, staff and community. A student enrolling at Gavilan College assumes an obligation to act in a manner compatible with the college's function as an educational institution. Students and visitors are expected to obey all federal laws that pertain to behavior on a college campus or at a campus-sponsored event.

The following standards of conduct represent reasonable expectations of student behavior and violations shall constitute good cause for discipline, including but not limited to the removal, suspension or expulsion of a student.

1. Causing, attempting to cause, or threatening to cause physical injury to another person.
2. Possession, sale or otherwise furnishing any firearm, knife, explosive or other dangerous object, including, but not limited to, any facsimile firearm, knife or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from a district employee, which is concurred in by the Superintendent/President of the College.
3. The manufacture, possession, use, sale, offer to sell or furnishing, or being under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the California Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia, as defined in California Health and Safety Code Section 11014.5.
4. Committing or attempting to commit robbery or extortion.
5. Causing or attempting to cause damage to district property or to private property on campus.
6. Stealing or attempting to steal district property or private property on campus, or knowingly receiving stolen district property or private property on campus.
7. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college or the District.
8. Committing sexual harassment as defined by law or by District policies and procedures.
9. Engaging in harassing or discriminatory behavior based on race, sex (i.e., gender), religion, age, national origin, disability or any other status protected by law.
10. Willful misconduct which results in injury or death to a student or to college personnel or which results in cutting, defacing or other injury to any real or personal property owned by the District or on campus.
11. Disruptive behavior, willful disobedience, habitual profanity or vulgarity or the open and persistent defiance of the authority of, or persistent abuse of, college personnel.
12. Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty.
13. Dishonesty; forgery; alteration or misuse of college documents, records or identification; or knowingly furnishing false information to the District.
14. Unauthorized entry upon or use of college facilities.
15. Lawd, indecent or obscene conduct on District-owned or controlled property, or at District-sponsored or supervised functions.
16. Engaging in expression which is obscene; libelous or slanderous; or which so incites students as to create a clear and present danger of the commission of unlawful acts on college premises, or the violation of lawful District administrative procedures, or the substantial disruption of the orderly operation of the District.
17. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.

Students who engage in any of the above are subject to the procedures outlined in Student Discipline Procedures (Administrative Procedures 5520, Education Code section 66300, 72122, 76030.)