

BP 3540 Sexual and Other Assaults on Campus

References:

Education Code Section 67382, 67385, and 67386;

20 US. Code Section 1092(f);

34 Code of Federal Regulations Section 668.46(b (11))

Any sexual assault or physical abuse, including rape as defined by California law, whether committed by an employee, student, or member of the public, that occurs on District property, is a violation of the following District policies and procedures, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. Students, faculty, and staff who may be victims of sexual and other assaults shall be treated with dignity and provided comprehensive assistance.

The President of the College shall establish administrative procedures that ensure that students, faculty, and staff who are victims of sexual and other assaults receive appropriate information and treatment, and that educational information about preventing sexual violence is provided and publicized as required by law.

The procedures shall meet the criteria contained in Education Code Sections 67385, 67385.7, and 67386, and 34 Code of Federal Regulations Section. 668.46 and shall include assurances that:

All victims of sexual assault on District property shall be provided with information regarding options and assistance available to them.

All alleged victims of sexual assault shall be provided with the following, upon request:

1. A copy of this Board Policy containing the District's policy regarding sexual assault;
2. A list of personnel on campus who should be notified of the assault, and procedures for such notification, if the alleged victim consents;
3. A description of available services, and the persons on campus available to provide those services, including but not limited to transportation to a hospital, counseling by District staff or referral to a counseling center, notice to the police, if desired, and a list of other available campus resources or appropriate off campus resources;
4. A description of available procedures, including criminal prosecution, civil prosecution (*i.e.*, lawsuit), District disciplinary procedures, and modification of class schedules and tutoring, if necessary; and
5. Information regarding any ongoing investigation, including the status of any student or employee disciplinary proceedings or appeal.

The District shall maintain the identity of any alleged victim of sexual assault on District property in confidence unless the alleged victim specifically waives that right to confidentiality. The District shall maintain the identity of any alleged assailant who is a student or an employee in confidence unless the alleged assailant waives that right to confidentiality.

See Administrative Procedure #3540

Amended and Approved by the Board of Trustees: January 12, 2016

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