

## SEXUAL ASSAULTS

Any sexual assault or physical abuse, including, but not limited to, rape, domestic violence, dating violence, sexual assault, or stalking, as defined by California law, whether committed by an employee, student, or member of the public, occurring on District property or on an off-campus site or facility maintained or utilized by the District, is a violation of District policies and regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. The District will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigations described regardless of whether a complaint is filed with local law enforcement.

“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.

“Dating violence” means 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 a romantic or intimate relationship will be determined based on the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.

“Domestic violence” includes felony or misdemeanor crimes of violence committed by:

- A current or former spouse 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;
- By a person similarly situated to a spouse of the victim under California Law; or
- By another person against an adult or youth victim who is protected from that person’s acts under California law.

“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress.

All alleged victims of domestic violence, dating violence, sexual assault or stalking on District property shall be provided with information regarding options and assistance available to them. Information shall be available from the College Police Services Department, which shall maintain the identity and other information about the alleged sexual assault victims as confidential unless and until the Police Services Department is authorized to release such information.

The District Police Services Department shall provide all alleged victims of domestic violence, dating violence, sexual assault, or stalking with the following upon request:

- a. A copy of the District’s policy and procedure regarding domestic violence, dating violence, sexual assault or stalking;
- b. A list of the following personnel on campus who should be notified, and procedures for such notification, if the alleged victim consents;
  - *President of the College*
  - *Vice President of the College*
  - *Dean of Student Services*

- c. A description of available services, and the person on campus available to provide those services if requested. Services and those responsible for providing or arranging them include:
- Transportation to a hospital, if necessary -  
*District Polices Services*
  - Counseling by Rape Crisis Center or referral to a counseling center -  
*District Police Services*
  - Notice to the police, if desired -  
*Any District employee, student or visitor*
  - A list of other available campus resources or appropriate off-campus resources -  
*Vice Presidents Office, Office of the Dean of Student Services, District Police Services*
- d. A description of each of the following procedures:
- Criminal prosecution -  
*District Police Services or District Attorney's Office*
  - Civil prosecution (i.e., lawsuit) -  
*Civil Courts, private attorneys*
  - District disciplinary procedures, both student and employee -  
*Dean of Student Services, Chief Human Resources Officer*
  - Modification of class schedules -  
*Dean of Student Services*
  - Tutoring, if necessary  
*Dean of Student Service*

All alleged victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be kept informed, through the District Human Resources Office at 500 Court Street, Martinez, California 94553, of any ongoing investigation.

Information shall include the status of any student or employee disciplinary proceedings or appeal; alleged victims of domestic violence, dating violence, sexual assault or stalking are required to maintain any such information in confidence, unless the alleged assailant has waived rights to confidentiality.

The District shall maintain the identity of any alleged victim or witness of domestic violence, dating violence, sexual assault or stalking on District property, as defined above, in confidence unless the alleged victim or witness specifically waves that right to confidentiality.

All inquiries from reporters or other media representatives about alleged domestic violence, dating violence, sexual assaults or stalking on District property shall be referred to the District's Public Information Office which shall work with the Chief of District Polices Services to assure that all confidentiality rights are maintained.

Education Code 67385  
20 U.S.C. Section 1092(f); 34 C.F.R. Section 668.46(b)(11)