

Chapter 3 - General Institution

AP 3540 Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking

References:

California Education Code Sections 67380, 67383, and 67385; 67386 (a)(1) - 67389(a)(1), 67395.7, and 76200 et seq.; California Evidence Code § 1024 and § 1035.4; California Government Code § 6254(f)(2) Sections 220, 236.1, 261, 261.5, 262, 264, 264.1, 265, 266, 266a, 266b, 266c, 266e, 266f, 266j, 267, 269, 273a, 273d, 273.5, 285, 286, 288, 288a, 288.2, 288.3, 288.3, 288.5, 288.7, 289, 422.6, 422.7, 422.75, 646.9, and 647.6; California Penal Code 11160, 11164-11174.3, and 111653.7 Sections 242, 243.4, 245, and 261 et seq., 289; 293 13700(b); 34 Code of Federal Regulations Section 668.46 (b)(11); Title IX of the Education Amendments of 1972; Violence Against Women Reauthorization Act of 2013; Board Policy 3435, 3540, 5500, 7360, 7365, 7700; Administrative Procedures 5500, 5520

I. Introduction:

These written procedures and protocols are designed to ensure that individuals who experience Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking receive treatment and information. All students, employees, or third parties who allege that they have been subjected to Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking shall be provided with information regarding options and assistance available to them. Information shall be available at Human Resources, Police and Campus Safety, Student Health Services, and Student Life.

II. Jurisdiction:

Any Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking, as defined by BP 3540, whether committed by an employee or student, occurring on- or off-campus, is a violation of College Policy and applicable law. The College may resolve incidents of Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking through informal or formal procedures, as applicable.

This jurisdiction includes, but is not limited to, the College's main campus, any other property used by the College, and off-campus conduct and/or actions, including, but not limited to, electronic activity (such as e-mail, texting, telephone contact, social media), when the Title IX Coordinator, or designee, determines that the off-campus conduct affects, disrupts, interferes, or otherwise has the potential to have a continued adverse effect on students, employees, or third parties on campus.¹

¹ See Cal. Ed. Code 67383, 76033, 76034; 34 C.F.R. § 668.46

III. Duty to Report:

An employee designated as a Responsible Employee, except as provided below, who knows or has reason to know of allegations or acts that violate BP 3540 shall promptly inform the Title IX Coordinator. Responsible Employees are required to disclose all information, including the names of the parties, even where the person has requested anonymity.²

The Title IX Coordinator will determine whether such confidentiality is appropriate given the circumstances of each such incident.

Employees Who Do Not Have A Duty to Report (Confidential Reporting)³:

- A. The following employees are not required to report any information about an incident of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking to the Title IX Coordinator:
1. Physicians; psychotherapists; professional licensed counselors; licensed clinical social workers; interpreters; and clergy who work on- or off-campus, acting solely in those roles or capacities as part of their employment, in the provision of medical or mental health treatment, or medical or mental health counseling (and those who act under their supervision, including all individuals who work or volunteer in these centers and offices);
 2. Sexual assault and domestic violence counselors and advocates who work or volunteer on- or off-campus and who are acting solely in that role (including those who act in that role under their supervision, along with non-professional sexual assault and domestic violence counselors or advocates); and/or
 3. A College employee/union representative is not required to report possible Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking if the information is provided to the union representative, acting in that role, in a confidential setting by a union member seeking advice about a possible violation or representation in a matter within the scope of representation. However, College employee/union representatives are strongly encouraged to report the information to the Title IX Coordinator.
- B. Sworn peace officers are not required to report any personally-identifiable information about a victim of certain sex offenses if the victim requests confidentiality of identity, but must report all known facts of the incident, including the identity of the Respondent (if known), to the Title IX Coordinator.

EXCEPTIONS: Under California law, any health practitioner employed in a health facility, clinic, physician's office, or local or state public health department or clinic is required to make a report to local law enforcement if medical services are provided for a physical condition to a patient/victim who the practitioner knows or reasonably suspects is suffering from: (1) a wound or physical injury inflicted by a firearm; or (2) any wound or other physical injury inflicted upon

² See Cal. Code Regs., tit. 5, § 59324; 34 C.F.R. § 106.8;

³ See Cal. Penal Code § 293; 11160-11163.2, 11164-11174.3; Cal. Gov. Code § 6254(f)(2) Section 220, 236.1, 261, 261.5, 262, 264, 264.1, 265, 266, 266a, 266b, 266c, 266e, 266f, 266j, 267, 269, 273a, 273d, 273.5, 285, 286, 288, 288a, 288.2, 288.3, 288.5, 288.7, 289, 422.6, 422.7, 422.75, 646.9, and/or 647. Cal. Evid. Code § 1024, 1035.4

a victim where the injury is the result of assaultive or abusive conduct. This exception does not apply to sexual assault and domestic violence counselors and advocates. Health care practitioners should explain this limited exception to victims, if applicable.

Additionally, under California law, all physicians, psychotherapists, professional counselors, clergy, and sexual assault and domestic violence counselors and advocates are mandatory child abuse and neglect reporters, and are required to report incidents involving victims under 18 years of age to local law enforcement. These professionals will explain this limited exception to victims, if applicable.

Finally, some or all of these professionals may also have reporting obligations under California law to: (1) local law enforcement in cases involving threats of immediate or imminent harm to self or others where disclosure of the information is necessary to prevent the threatened danger; or (2) to the court if compelled by court order or subpoena in a criminal proceeding related to the Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking incident. If applicable, these professionals will explain this limited exception to victims.

Reporting to Campus or Local Law Enforcement Agencies:

Any report of violent crime or sexual assault committed on- or off-campus and made for the purpose of notifying the institution or law enforcement shall be forwarded to the appropriate campus or local law enforcement agency without identifying the victim, unless the victim consents to being identified after the victim has been informed of their right to have their personally identifying information withheld.⁴

IV. Title IX Coordinator:

The Title IX Coordinator is the College official responsible for oversight and implementation of Title IX compliance and management of all Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking complaints.⁵

V. Confidentiality:

Information regarding the complaint may be shared on a “need to know” basis with other College employees and with law enforcement, except for some limited exceptions. The Title IX Coordinator shall endeavor to honor any request for confidentiality; however, the Title IX Coordinator shall also weigh requests for confidentiality against the College’s duty to provide a safe and nondiscriminatory environment for all members of the campus community. Confidentiality, therefore, cannot be ensured. The Title IX Coordinator, or designee, receives all complainant requests for confidentiality involving cases of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking, and determines if the request can be honored under the facts and circumstances of the particular case.⁶

⁴ See Cal. Ed. Code 67383

⁵ See Cal. Code Regs., tit. 5, § 59324; Title IX of the Education Amendments of 1972

⁶ See Cal. Const. Art. I, § 1; Civil Code § 47; Ed. Code, §76234 and 87740; *Silberg v. Anderson* (1990) 50 Cal.3d. 205; *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, Title IX*, Office for Civil Rights, January 19, 2001

VI. Administrative Process⁷:

A. **Notice:**

Once notice of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking has been received by the Title IX Coordinator, or designee, complainant will be contacted to schedule a meeting with the Title IX Coordinator, or designee, and provided the following:

1. A copy of the College's Board Policies and Administrative Procedures regarding Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking.
2. A list of campus and local support services and resources available to complainant, including confidential and health services.
3. A formal written complaint form and notification of the right to file a complaint.
4. The option to notify proper law enforcement authorities, including on-campus and local law enforcement.

B. **Interim Remedies:**

The complainant will be given the opportunity to identify and discuss reasonable interim remedies for the purpose of protecting the complainant, as appropriate.

The College will work with students and employees to ensure their safety and promote their well-being. Sometimes this assistance will take the form of immediate interim actions or remedies to support and protect the involved students or employees in the immediate aftermath of an incident or while an investigation or disciplinary action is pending.

The Title IX Coordinator may determine remedies, such as, but not limited to, remedies relating to adjusting academic schedules, Campus Safety escort services, restrictions on the respondent pending investigation, and other remedies to promote the well-being, safety, and restoration of the campus community. Complainant shall be notified of any interim remedies.⁸

C. **Informal Resolution**⁹:

The complainant may seek informal resolution to a complaint. Efforts at informal resolution need not include any investigation unless the Title IX Coordinator, or designee, determines that an investigation is warranted by the seriousness of the charges.

If informal resolution is determined to be appropriate, the Title IX Coordinator, or designee, will undertake efforts to informally resolve the charges, including, but not limited to, rearrangement of work/academic schedules, obtaining apologies, providing informal counseling and/or training. The Title IX Coordinator, or designee, will also:

⁷ See Cal. Code Regs., tit. 5, § 59300 et. seq.

⁸ *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties*, Title IX, Office for Civil Rights, January 19, 2001

⁹ See Cal Code Regs. tit. 5, § 59327

1. Advise the complainant that he or she need not participate in informal resolution;
2. Notify the person bringing the charges of their right to file a formal complaint and explain the procedure for doing so;
3. Assure the complainant that they will not be required to confront or work out problems with the person accused of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking;
4. Advise the complainant that they may file a non-employment-based complaint with the Office for Civil Rights of the U.S. Department of Education (OCR), U.S. Equal Employment Opportunity Commission (EEOC), and/or the California Department of Fair Employment and Housing (DFEH) where such a complaint is within that agency's jurisdiction.

Selecting an informal resolution does not extend the time limitations for filing a formal complaint. Efforts at informal resolution may continue after the filing of a formal written complaint, but after a complaint is filed an investigation is required to be conducted pursuant AP 3435, and will be completed unless the matter is informally resolved and the complainant dismisses the complaint. Even if the complainant does dismiss the complaint, the Title IX Coordinator, or designee, may require the investigation to continue if he or she determines that the allegations are serious enough to warrant an investigation.

D. Formal Resolution and Investigation¹⁰:

Where informal resolution is inappropriate or not sought by complainant, or the complainant submits a formal written complaint, the Title IX Coordinator, or assigned investigator, shall conduct an investigation in accordance with AP 3435 - Discrimination and Harassment Investigations.

The standard of evidence applied to investigations of allegations of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking is the Preponderance of the Evidence, that is, the greater weight of the evidence. In applying this standard, the investigator will consider whether the evidence on one side outweighs, preponderates over, or is more than, the evidence on the other side.

E. Communication:

Complainants shall be kept informed of any ongoing investigation by the Title IX Coordinator, or the assigned investigator. Information shall include the status of any student or employee disciplinary proceedings or appeal.

All inquiries from reporters or other media representatives about alleged Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking shall be referred to the College's Public Information Officer, who shall work with College officials to assure that all confidentiality rights are maintained.

Police and Campus Safety will be responsible for maintaining the College's Annual Security Report which include a statement regarding the College's programs to prevent sex offenses and procedures that should be followed after a sex offense occurs. The

¹⁰ See Cal Code Regs. tit. 5, § 59328-59334

Annual Security Report does not include any personally identifying information, but does include statistics of reported crimes, including, but not limited to Rape, Fondling, Incest, Statutory Rape, Dating Violence, Domestic Violence, and Stalking.

The College will disclose any report of sexual assault made by a complainant or employee to Police and Campus Safety without identifying the victim, unless the victim consents to being identified after the complainant has been informed of their right to have their personally identifying information withheld. If the complainant does not consent to being identified, the alleged assailant shall not be identified in the information disclosed to Campus Safety.¹¹

VII. Advisors:

Both the complainant and the respondent may elect to be accompanied by an advisor, including a collective bargaining representative, as permitted by existing bargaining agreements, to any meeting(s) or interview(s). The advisor's role is limited to observing and consulting with and providing support to the complainant or respondent. An advisor may not participate in the investigation on the behalf of the complainant or respondent.¹²

VIII. Concurrent Proceedings:

College administrative proceedings are independent from criminal court, civil court, or other administrative proceedings. Discipline may be instituted against an individual also charged in civil or criminal courts based on the same facts that constitutes the alleged violation of applicable Board Policy. The College may proceed before, concurrently with, or after any judicial, criminal, or administrative proceedings. In cases of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking, the College shall proceed with investigation without undue delay, in accordance with federal and state law requirements, and College Policies and Procedures.¹³

IX. Retaliation:

Any form of Retaliation against anyone who has complained of or formally reported Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking or has participated in an investigation of such a complaint, regardless of whether the complaint is substantiated, will not be tolerated and violates Board Policy 7700, this procedure, and applicable law.¹⁴

X. Amnesty:

To remove barriers toward reporting of incidents of Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking, individuals who report or participate as witnesses or complainants in investigations will not be held accountable for alcohol or drug violations that may have occurred at the time of or as a result of the incident in question (for example, being under the influence of alcohol, marijuana, or other controlled substances), unless the College

¹¹ See Cal Ed. Code 67383, 76234; 34 C.F.R. § 668.46

¹² *NLRB v. Weingarten, Inc.* (1975) 420 U.S. 251

¹³ See Cal Code Regs. tit. 5, § 59336-59342

¹⁴ Cal. Code Regs., tit. 5, § 59300 et seq.; 20 U.S.C. § 1681 et seq.; 34 C.F.R. § 106; *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, Title IX*, Office for Civil Rights, January 19, 2001

determines that the violation was egregious. Egregious violations include, but are not limited to, actions that place the health or safety of another other person at risk or involve academic dishonesty.¹⁵

XI. Education and Prevention:

The Title IX Coordinator, in partnership with Human Resources, Police and Campus Safety, Student Health Services, and Student Life will develop, as part of the College's established on-campus orientation program, education and prevention information about Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking. The information shall be developed in collaboration with campus-based and community-based victim advocacy organizations. Information regarding violence prevention and education information will be posted on the College's internet website.¹⁶

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¹⁵ Cal. Ed. Code 67385.7; *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, Title IX*, Office for Civil Rights, January 19, 2001

¹⁶ Ed. Code, § 66281.5; Cal. Code Regs., tit. 5, §§ 59324 and 59326; 34 C.F.R. § 106.8(b)

AP 3540 Sexual and Other Assaults on Campus

References:

Education Code Sections 67385, 67385.7, and 67386;
20 U.S. Code Section 1092(f);
34 Code of Federal Regulations Section 668.46(b)(11)

NOTE: *This procedure is **legally required**. Local practice may be inserted. The following are the minimum requirements contained in the Education Code and in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("the Clery Act," 20 U.S. Code Section 1092(f)). The requirements of the Clery Act are broader than those found in California's Education Code, and apply to all institutions of higher learning that receive federal aid. Districts may insert local procedures: the following example may be used as a guide.*

In addition, the District may wish to include procedures on responding to domestic violence, dating violence, sexual assaults, or stalking at District sponsored activities on non-District property.

This sample procedure addresses domestic violence, dating violence, sexual assaults and stalking. Board Policy 3540 addresses both sexual and physical assaults. Districts may wish to cross reference the administrative procedures related to other physical assaults, including AP 3500, 3510, and 3515 [or insert local numbers].

For additional information and resources on sexual assault, domestic violence, dating violence, and stalking in the educational/campus environment, the Department of Justice has established a clearinghouse of resources geared towards colleges and universities, which can be accessed at the California Attorney General's website.

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, 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, including criminal procedures and employee or student discipline procedures. (See also AP 5500 titled Standards of Student Conduct.)

"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;
- a person with whom the victim shares a child in common;
- a person who is cohabitating with or has cohabitated with the victim as a spouse;
- a person similarly situated to a spouse of the victim under California law; or
- any other 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/her safety or the safety of others, or to suffer substantial emotional distress.

It is the responsibility of each person involved in sexual activity to ensure that he/she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

“Affirmative consent” means affirmative, conscious, and voluntary agreement to engage in sexual activity.

These written procedures and protocols are designed to ensure victims of domestic violence, dating violence, sexual assault, or stalking receive treatment and information. (For physical assaults/violence, see also AP 3500, 3510, and 3515 [**or insert local numbers**].)

All students, faculty members or staff members who allege they are the 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 [**designate office**], which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the [**designate position**] is authorized to release such information.

The [**designate position**] shall provide all alleged victims of domestic violence, dating violence, sexual assault, or stalking with the following:

- A copy of the District’s policy and procedure regarding domestic violence, dating violence, sexual assault, or stalking;

- A list of personnel on campus who should be notified and procedures for such notification, if the alleged victim consents; [**List who should be notified**]
- Information about the importance of preserving evidence and the identification and location of witnesses;
- A description of available services, and the persons on campus available to provide those services if requested. Services and those responsible for provided or arranging them include: [**list person or office responsible after each item**]
 - transportation to a hospital, if necessary;
 - counseling by [**designate**], or referral to a counseling center;
 - a list of other available campus resources or appropriate off-campus resources;
- The victim's option to:
 - notify proper law enforcement authorities, including on-campus and local police;
 - be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and
 - decline to notify such authorities;
- Information about the participation of victim advocates and other supporting people:
 - The rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, or similar lawful orders issued by a court;
 - Information about how the district will protect the confidentiality of victims; and
 - Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.
- A description of each of the following procedures:
 - criminal prosecution;
 - civil prosecution (i.e., lawsuit);
 - District disciplinary procedures, both student and employee;
 - modification of class schedules;
 - tutoring, if necessary.

The [**designate position**] should be available to provide assistance to District law enforcement unit employees regarding how to respond appropriately to reports of sexual violence.

The District will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigations described in AP 3435, regardless of whether a complaint is filed with local law enforcement.

All alleged victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be kept informed, through the [**designate office**] 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.

A complainant or witness who participates in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the District's student conduct policy at or near the time of the incident, unless the District determines that the violation was egregious, including but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic honesty.

In the evaluation of complaints in any disciplinary process, it shall not be a valid excuse to alleged lack of affirmative consent that the accused believed that the complainant consented to the sexual activity under either of the following circumstances:

- The accused's belief in affirmative consent arose from the intoxication or recklessness of the accused.
- The accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain whether the complainant affirmatively consented.

In the evaluation of complaints in the disciplinary process, it shall not be a valid excuse that the accused believed that the complainant affirmatively consented to the sexual activity if the accused knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances:

- The complainant was asleep or unconscious.
- The complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the complainant could not understand the fact, nature, or extent of the sexual activity.
- The complainant was unable to communicate due to a mental or physical condition.

The District shall maintain the identity of any alleged victim, witness, or third-party reporter of domestic violence, dating violence, sexual assault, or stalking on District property, as defined above, in confidence unless the alleged victim, witness, or third-party reporter specifically waives 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 [**designate office**], which shall work with the [**designate office**] to assure that all confidentiality rights are maintained.

Additionally, the Annual Security Report will include a statement regarding the District's programs to prevent sexual assault, domestic violence, dating violence, and stalking and procedures that should be followed after an incident of domestic violence, dating violence,

sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any in any district proceeding arising from such a report. The statement must include the following:

- A description of educational programs to promote the awareness of rape, acquaintance rape, other forcible and non-forcible sex offenses, domestic violence, dating violence, or stalking;
- Procedures to follow if a domestic violence, dating violence, sex offense, or stalking occurs, including who should be contacted, the importance of preserving evidence to prove a criminal offense, and to whom the alleged offense should be reported;
- Information on a student's right to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that campus personnel will assist the student in notifying these authorities, if the student so requests, and the right to decline to notify these authorities;
- Information about how the District will protect the confidentiality of victims;
- Information for students about existing on- and off-campus counseling, mental health, victim advocacy, legal assistance, or other services for victims;
- Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement;
- Procedures for campus disciplinary action in cases of an alleged domestic violence, dating violence, sexual assault, or stalking including a clear statement that:
 - Such proceedings shall provide a prompt, fair, and impartial resolution;
 - Such proceedings shall be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;
 - The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
 - Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged domestic violence, dating violence, sexual assault, or stalking, the procedures for the accused and victim to appeal the results of the disciplinary proceeding, of any chances to the results that occurs prior to the time that such results become final, and when such results become final. Compliance with this paragraph does not violate the Family Educational Rights and Privacy Act. For the purposes of this paragraph, the outcome of a disciplinary proceeding means the final determination with respect to the alleged domestic violence, dating violence, sex offense, or stalking and any sanction that is imposed against the accused.
- A description of the sanctions the campus may impose following a final determination by a campus disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses, domestic violence, dating violence, or stalking.

Education and Prevention Information

The [**designate position**] shall:

- Provide, as part of each campus' established on-campus orientation program, education and prevention information about domestic violence, dating violence, sexual assault, and stalking. The information shall be developed in collaboration with campus-based and community-based victim advocacy organizations, and shall include the District's sexual assault policy and prevention strategies including empowerment programming for victim prevention, awareness raising campaigns, primary prevention, bystander intervention, and risk reduction.
- Post sexual violence prevention and education information on the campus internet website regarding domestic violence, dating violence, sexual assault and stalking.

Revised 2/03, 2/06, 8/06, 3/12, 6/13, 11/14, 4/15, 10/15, 10/18