



Irvine Valley College
2017 Annual Safety & Security

REPORT



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Message from the Chief

This annual security report is prepared and compiled by the Irvine Valley College Police Department. Our Mission Statement is: The Irvine Valley College Police Department provides a safe learning environment through professional police services. This Mission Statement is meant to serve as a daily reminder of our commitment to the safety and security of everyone on the Irvine Valley College Campus.



The Irvine Police Department (for IVC campus) and the Tustin Police Department (for ATEP campus) provide Statistical information for criminal incidents that occur off campus. For purposes of making timely warning reports and the annual statistical disclosure required under Clery, the campus community should report all campus crimes to the Irvine Valley College Police Department. Campus Police Department and the Office of the Vice President for Student Services collect information on all incidents occurring on campus. All District Policies contained in this report apply to both the Irvine Valley College Campus and the ATEP campus equally.

It is our hope that you will find valuable information in this report and find that Irvine Valley College is a safe environment to facilitate the educational growth for the students and collaborative environment for staff and faculty.

We expect the contents of this report will answer any questions you may have about the safety of the college and all of the programs and personnel here to provide the environment and atmosphere to further your academic or vocational goals. I appreciate the time you are taking to review this report and welcome any feedback you may have.

Respectfully,

John Meyer

Chief of Police

Law Enforcement Partnership

Pursuant to California Education Code Section 67381, the Irvine Valley College Police Department and the Irvine and Tustin Police Departments have adopted and signed written Memorandum of Understandings that clarify operational responsibilities for the investigation of violent and non-violent crimes occurring on college property both on the IVC campus and at ATEP in Tustin. Due to the sophisticated investigative resources required to investigate certain crimes properly, the Irvine Valley College Police Department, by agreement, has arranged in certain circumstances for assistance from the Irvine and Tustin Police Departments respectively.

The agreement states that the Irvine Valley College Police Department will be the primary reporting and investigating law enforcement agency for all crimes occurring on the Irvine Valley College and ATEP campuses, except Part One crimes of Homicide, Robbery, Kidnapping, Felony Assault, Auto Thefts, Sexual Assaults, Hate Crimes, and Crimes Against Children and other felonious crimes. The Irvine Police Department will be the lead reporting and investigating agency for these crimes if reported on the IVC campus and the Tustin Police Department will be the lead agency if reported on the ATEP campus. The Irvine Police Department will be the primary reporting and investigating law enforcement agency for all crimes occurring in the vicinity of the Irvine Valley College campus outside the boundaries of the Irvine Valley College campus and properties. The Tustin Police Department will be the primary reporting and investigating agency for all crimes occurring in the vicinity of the ATEP campus outside the boundaries of the ATEP campus and properties. Both agencies will continue to provide mutual aid assistance as appropriate when requested.

Also, the Irvine Valley College Police Department seeks assistance from federal, state, and city law enforcement agencies as needed.

Irvine Police Department Contact Numbers

EMERGENCY-DIAL 911

Non-emergency 949.724.7000

Tustin Police Department Contact Numbers

EMERGENCY-DIAL 911

Non-emergency 714.573.3200



Law Enforcement Authority

The Irvine Valley College Police Department is empowered pursuant to the section 830.32 (a) of the California Penal Code and section 72330 of the California Education Code which fully subscribes to the standards of the California Commission on Peace Officer Standards and Training (POST).

Irvine Valley College police officers have the authority to conduct criminal investigations and make arrests anywhere in the State of California.

Our sworn police officers receive the same basic training city as county peace officers throughout the state, plus additional training to meet the unique needs of campus environment.

The primary jurisdiction of the Irvine Valley College Police Department is the college campus and the ATEP campus.

The Department handles all patrol, investigation, crime prevention education, and related law enforcement duties for the campus community, and operates twenty-four hours a day, seven days week. The Irvine Valley College Police Department can be reached at 949-451-5234.

The Irvine Valley College Police Department is a member of the Orange County Communications System and has direct radio contact with the local public safety agencies.

The Department also has access to local, state, and federal law enforcement telecommunications systems that provide vehicle registration, driver license, and criminal record information.



Reporting Crimes

Community members are strongly encouraged to immediately report criminal and suspicious activity occurring on campus property to the Irvine Valley College Police Department. We encourage accurate and prompt reporting of all crimes to campus police. Irvine Valley College does not have any non-campus buildings as defined under Clery.

While the Irvine Valley College Campus Police Department may offer advice and assistance regarding campus safety, all members of the campus community are encouraged to take responsibility for their safety and, when possible, assist others. Always use common sense, be proactive and take precautions.

Report crimes or suspicious circumstances, including unwanted product sales/solicitation, to the Campus Police Department by phone or in person.



Reporting option other than to Campus Police

The Clery Act authorizes select campus personnel as “Campus Security Authority” (CSA) as personnel that are mandated reporters of criminal activity. The South Orange County Community College District has adopted the Title IX definition of “Responsible Employee” as a Campus Security Authority.

Responsible employees are all employees of the District and are required to report incidents of sexual harassment, sexual violence, and all Clery crimes to the Title IX Coordinator. Campuses are obligated to respond to reports about which responsible employee knew or should have known.

Responsible employees must report all known relevant details about the alleged sexual violence to the Title IX Coordinator or designee, including names of anyone involved or present, date, time, and location. Policy and procedures, training is provided for responsible employees on campus sexual violence, Clery crimes, domestic violence, dating violence, stalking, and sexual harassment.

Definition of CSA/Responsible Employee: Any District employee:

- who has the authority to take action to redress sexual harassment/misconduct;
- who has the duty of reporting incidents of sexual harassment/misconduct or any other misconduct by students/ employees to the Title IX Coordinator or appropriate designee; or
- whom a student/employee reasonably believes has this authority or duty.

Off-campus Reporting

For Off-Campus locations, direct all calls for assistance to the local law enforcement agency. Off-Campus incidents are within the operational responsibility of the Irvine Police Department (IVC campus vicinity) or the Tustin Police Department (ATEP campus vicinity).

Voluntary/Confidential Reporting

If you are the victim of crime, we encourage you to file a crime report. If you would like to maintain confidentiality and do not wish to pursue action within the college or criminal justice system, you are encouraged to consider filing a confidential report for purposes of inclusion in the annual disclosure of crime statistics. These types of reports can be made to the Irvine Valley College Police Department or with a counselor in the Student Health Center. The information can enhance community safety by allowing the college to keep accurate records of crimes, helping to determine whether patterns of crime exists, and alerting the campus to potential danger.

Exemption for Pastoral and Professional Counselors/ Mental Health Therapist

There are two individual employee categories who, although they have significant responsibility for student and campus activities, are not Campus Security Authorities under Clery & Title IX:

Pastoral counselors: A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor.

Mental Health Therapist in the Student Health Center: A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification. This exemption applies even to professional counselors who are not employees of the institution but are under contract to provide counseling at the College.

Additionally, SOCCCD considers Employees Working in the Student Health Center as exempt mandatory reporters.

Counseling Services – Student Health Center

Although counselors typically have significant responsibility and involvement in student and campus activities; they are exempt from Clery and Title IX reporting requirements. They are, however, and encouraged to forward non-identifying information to the Irvine Valley College Police Department on crimes that are reported to their offices. Included in the annual security report is this non-identifying information. Although exempt from divulging personally identifiable information of reporting parties, exempted personnel are encouraged to report Clery violations to the Campus Police for statistical purposes only.

The Clery Act

In 1990, the Higher Education Act of 1965(HEA) was amended to include the Crime Awareness and Campus Security Act of 1990 (Title II of Public Law101-542). This amendment required all postsecondary institutions participating in the Title IV student financial aid programs to disclose campus crime statistics and security information. In 1998, the act was renamed the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act in memory of Jeanne Clery, a university student who was killed in her dorm room in 1986. More commonly known as the Clery Act, this law requires a college to:

- Collect, classify, and count crime reports and statistics
- Issue campus alerts
- Publish an annual security report
- Submit crime statistics to the Department of Education
- Maintain a daily crime log
- Disclose missing student notification procedures

The Campus Sexual Violence Elimination Act (Incorporated 2014)

The Campus Sexual Violence Elimination Act or Campus **SaVE Act** (H.R. 6461). On March 7, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (**VAWA**) (Pub. Law 113-4). Among other provisions, amended section 485(f) of the HEA, otherwise known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

Notably, **VAWA** amended the Clery Act to require institutions to compile statistics for incidents of domestic violence, dating violence, sexual assault, and stalking and to include certain policies, procedures, and programs about these incidents in their annual security report (ASR's).

The **VAWA** requires institutions of postsecondary education eligible to participate in federal student aid programs to adopt, and disclose in their annual security report a summary of, a policy regarding sexual assault (an existing requirement of the Clery Act) and other intimate partner violence. The term "intimate partner violence" is defined to mean "any physical, sexual, or psychological harm against an individual by a current or former partner or spouse of the individual." It includes stalking, dating violence, sexual violence, or domestic violence.

Victims' Rights Provisions

The **VAWA** establishes a baseline framework for institutions to respond to sexual assault and other intimate partner violence. SOCCCD, Irvine Valley College's policy will:

- Provide students and employees who report victimization information in writing of their rights to notify law enforcement and to be assisted by campus authorities. At the time of the report, an explanation of their rights to obtain no contact orders or enforce an order already in existence, and contact information for campus and local advocacy, counseling, health, mental health and legal assistance services.
- Provide notification to students and employees who report victimization options for and assistance in changing academic, living, transportation and working situations if requested and reasonably available.
- Provide for honoring any lawful no contact or restraining order.
- Disclose the range of possible sanctions that may be imposed following an institutional disciplinary procedure.
- Detail procedures victims should follow if a sex offense occurs, including who to contact and information about the importance of preserving physical evidence (an existing provision of the Clery Act).
- Disclose a summary of institutional disciplinary procedures including clear statements.
- Confidentiality of the victim if requested in writing.

Best Practices Report

The **VAWA** would provide for the collaboration of the U.S. Departments of Justice and Education to collect and disseminate best practices information about preventing and responding to sexual assault and other intimate partner violence.

Resources Available To Victims

The following resources below are available to victims of domestic violence, dating violence, sexual assault, and stalking.

On-Campus Resources	Number
Campus Police	949.451.5234 (x5234)
Health Center	949.451.5221
Behavioral Intervention Team	949.451.5221
Vice President of Student Counseling	949.451.5624
Disabled Students Programs	949.451.5539
	949.451.5630
Off-Campus Resources	Number
Child Abuse Hotline (24 Hr)	714.940.1000
Rape Crisis Hotline (24 Hr)	949.831.9110
National Sexual Assault Hotline	800.656.4673
Love is Respect	866.331.9474
Suicide Prevention Hotline	800.784.2433
Suicide Crisis Hotline	714.894.4242
National Domestic Violence Battered Women	800.799.7233
Alcoholic Anonymous	949.854.3554
	949.582.2697 (South County)
Narcotics Anonymous	714.590-2388

Victims Protective Orders

In California, a victim of domestic violence, dating violence, sexual assault or stalking has rights to be compensated for medical and counseling costs as well as the right to be notified of the status of criminal proceedings. Further, the College complies with California law in recognizing orders of protection, which are called restraining orders, and requests that any person who obtains an order of protection from California or any U.S. State should provide a copy to Campus Police and the Title IX Coordinator.

	Elder/Dependent Adult Abuse Protective Order	Domestic Violence Restraining Order	Civil Harassment Restraining Order	Workplace Violence
<p>This Order may be for You if:</p>	<p>You are:</p> <ul style="list-style-type: none"> • A person 65 yrs. or older • A person 18-64 years of age who has a mental or physical condition that prevents you from carrying out normal activities (a dependent adult) <p>And you have been:</p> <ul style="list-style-type: none"> • Physically or financially abused • Mentally or emotionally abused • Neglected, abandoned or abducted • Isolated • Deprived by a caregiver of goods or services needed to avoid harm or suffering <p>* The order may also protect other family or household members.</p>	<p>You have one of the following relationships with the restrained person:</p> <ul style="list-style-type: none"> • Spouse/former spouse • Cohabitant or former cohabitant (with a romantic/close relationship) • Current or past dating relationship • Parent or child • Brother, sister, grandparent or grandchild • Step-parent, step-child, step-brother, step-sister, step-grandchild, step-grandparent (If blood parent of step-parent) • In-laws: Any relationship to a spouse's blood relatives <p>And you have been:</p> <ul style="list-style-type: none"> • Abused (physical, spoken or written) <p>*This order may also protect other family or household members.</p>	<p>You and restrained person:</p> <ul style="list-style-type: none"> • Do not have a Domestic Violence case open <p>And you have been:</p> <ul style="list-style-type: none"> • Stalked • Harassed • Sexually Assaulted • Threatened with Violence <p>*This order may also protect other family or household members.</p>	<p>You are:</p> <ul style="list-style-type: none"> • An employer of employee (including volunteer or independent contractor who performs services at the worksite, member of the board of directors or public officer) <p>And employee has:</p> <ul style="list-style-type: none"> • Suffered violence at the workplace • Received threats of violence at the workplace <p>Note: An employee cannot ask for a workplace violence restraining order. Only an employer may request this type of order. *This order may also protect other family or household members.</p>
<p>If granted, the Court can order someone To:</p>	<ul style="list-style-type: none"> • Not contact you • Stay away from you and your home • Move out of your home • Not own/possess a gun 	<ul style="list-style-type: none"> • Not molest, attack, strike, stalk, assault, batter, threaten, sexually assault, or harass (personally or by telephone) you • Not destroy your personal property • Not come within a specified distance • Move from the home you share • Not own/possess a gun 		

If you are in immediate danger, you may need an EMERGENCY PROTECTIVE ORDER

Emergency Protective Order	
This order may be appropriate for you if:	You are in immediate danger
If granted, the court can order someone to:	<ul style="list-style-type: none"> • Stay away from you, your home ,and your work • Immediately move from your residence. • Not own/possess a gun The court may also order: Temporary care and control of a minor child to the protected persons.
This order lasts:	Up to 7 days.
You may get help from:	Any Law Enforcement Officer can help you with an Emergency Protective Order. If you need protection for longer than 7 days, you must come to court and ask for another type of restraining order.

You may get additional help at Superior Court of California, County of Orange County, Self-Help Centers:

Name	Address
Central Justice Center-Santa Ana	700 Civic Center Drive West, 1 st floor Santa Ana, CA 92701 657-622-7577
Harbor Justice Center-Newport Beach	4801 Jamboree Rd, Room #150 Newport Beach, CA, 92660 657-622-5756
Lamoreaux Justice Center- Orange	341 The City Drive, 1 st Floor Orange, CA 92868 657-622-5720
North Justice Center- Fullerton	1275 N. Berkeley Ave, Room #355, Fullerton, CA 92832 657-622-6623
Superior Court Service Center- Mission Viejo	27573 Puerta Real, Mission Viejo, CA 92692 657-622-5720
Domestic Violence Assistance Program- Lamoreaux Justice Center	341 The City Drive, 1 st Floor Orange, CA 92868 657-622-5720
Adult Protective Services (APS)- Santa Ana	Social Services Agency- PO Box 22006 Santa Ana, CA 92702 800-451-5155

Notes: ** A cohabitant is a person who regularly resides in the household. Tenants or roommates subletting rooms in the same house hold not meet the relationship requirement for Domestic Violence Restraining Order unless they have a romantic or close relationship. A close relationship is one where the persons share a common goal and mutual interests beyond that of roommates. Abuse means to hit, kick, grab, choke, hurt, scare, throw things, pull hair, push, follow, harass, assault with a weapon, force to participate in unwanted, unsafe or degrading sexual activity, or threaten to do any of these things.

Employer is defined as the following: Every person engaged in any business/enterprise in this state that has one or more persons in service under any appointment, contract of hire, or apprenticeship, express or implies, oral or written, irrespective of whether such person is the owner of the business or is operating on concessionaire or other basis. Labor Code 350(a).

A federal agency, the state, a state agency, a city, county, or district, and a private, public quasi-public corporation, or any public agency thereof or therein. Code of Civil Procedure 527.8(d)

Timely Warnings

Scope: Focus on Clery Crimes but also include crimes considered to represent a serious or continuing threat to students, employees, and the college community.

Why: Timely warnings are issued when crimes have already occurred but represent an ongoing threat, issue timely warning for any Clery crime committed on your Clery geography that is reported to your campus security authorities or local law enforcement agency and is considered by the institution to represent a serious or continuing threat to students and employees.

Where: Applies to crimes that occur anywhere on the campus Clery geography.

When: Issue a warning without delay as soon as the pertinent information is available and when appropriate.

Who: In the event of a situation which, in the judgment of the Chief of Police, constitutes an ongoing or continuing threat of a criminal nature to the campus community, the Irvine Valley College Police Department will issue a timely warning as soon as possible and when appropriate.

Qualifying Events for Timely Warnings Include, However, Are Not Limited To:

- | | |
|----------------------|-------------------------|
| • Homicide | • Motor Vehicle Theft |
| • Manslaughter | • Arson |
| • Robbery | • Hate Crimes/Incidents |
| • Aggravated Assault | • Dating Violence |
| • Sex Offenses | • Domestic Violence |
| • Burglary | • Stalking |

How: Any crime considered to represent a threat to the public, a warning will be distributed utilizing one or more of the following systems:

- Campus e-mail
- InformaCast Alert Broadcast & Regroup mass notification system
- College/Police Department websites
 - Posted flyers
 - Electronic signs at each entrances to the campus
- Regroup Mass Notification System

Emergency Notifications

Scope: Wide focus on any significant emergency or dangerous situation (may include Clery crimes).

Why: Issuing of Campus emergency notifications occur when an event that is currently occurring on or imminently threatening. Initiate emergency notification procedures for any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

Where: Applies to situations that occur on the campus. **When:** Initiate procedures immediately upon confirmation that dangerous situation or emergency exists or threatens.

When: Issue a warning without delay as soon as the pertinent information is available and when appropriate.

Who: The President can convene the Policy Group (Vice Presidents and department head handling the incident) and declare an emergency situation. In the absence of the President, a Vice President or the Chief of Police will make the determination of the emergency.

Notifications are issued without delay upon confirmation of an emergency situation that poses an immediate threat to the health or safety of the campus community. Unless issuing a notification will, in the judgment of the responding authorities, compromise the efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. Authority to activate public notification will rest with the Chancellor, President, or Chief of Police who may designate agents with authority to activate a notification.

In matters of a criminal nature, the Irvine Valley College Police Department will determine whether notifications are appropriate and necessary. The Chief of Police or designee will determine an incident's extent and scope, and whether it meets the criteria for an emergency notification.

How: The notification will be distributed as soon as possible under the following guideline

Qualifying Events for Emergency Notifications Include, however, Are Not Limited To:

- | | | |
|---|----------------------|------------------|
| • Outbreak of Serious Health Risk | • Bomb Threat | • Aircraft Crash |
| • Extreme Weather Conditions | • Terrorist Incident | • Earthquake |
| • Chemical/Hazardous Materials Spills | • Fire | • Gas Leak |
| • Campus Utility Breakdown (water, gas, etc.) | • Civil Unrest | |
| • Active Shooter/Armed/Dangerous Person | • Explosions | |

Depending on the incident, the Irvine and / or Tustin Police Departments will be notified to make notifications to the surrounding community.

In matters not of a criminal nature, the campus department that has jurisdiction will determine whether notifications are appropriate and necessary. When a campus department that has jurisdiction over an incident is not available to determine notifications, the Chief of Police or designee may determine an incident's extent and scope, and whether it meets the criteria for an emergency notification.

Once requested by the designated authority, notifications are sent as soon as possible, and whenever possible with the collaboration of the Irvine and / or Tustin Police Departments. Typically Notifications will be initiated by Chief of Police or designee who has been trained and is authorized to send notifications.

All messages should include the type of situation, the location of the situation, the time and date, instructions for the recipient, and the additional method of the public to obtain information.

Any crime considered to represent a threat to the public, a warning will be distributed utilizing one or more of the following systems:

- Campus e-mail
- InformaCast Alert Broadcast & Regroup mass notification system
- College/Police Department websites
- Posted flyers
- Electronic signs at entrance to the campus

Emergency Response and Evacuation Procedures

The campus Emergency Operations Plan provides the frame work for an organized response to various human-caused and natural emergency situations including fires, hazardous spills, earthquakes, flooding, explosions, and civil disorder. In addition to campus wide guidelines, each department on campus is encouraged to develop an emergency action plan that identifies hazards unique to their workplace, along with corresponding response strategies that minimize employee exposure to hazardous conditions during an emergency.

Campus Police conduct emergency response exercises every month, such as field exercises, and tests of the emergency notification systems on campus. These exercises are designed to assess and evaluate the emergency plans and capabilities of the college. Monthly tests of the Informacast System are

performed at various buildings. This system sends visible and audible messages to all land line phones on the campus.

Irvine Valley College participated in the annual Great California Shakeout on October 16, 2017. This test is conducted every year in October. This drill is an announced simulated state-wide earth quake drill involved all on-campus students, faculty, and staff. Emergency notification procedures were activated, along with deploying the Irvine Valley College Building Marshals and Captains to assist with the controlled, safe evacuation of all buildings.

College Police and Emergency Information website:

<http://campuspolice.ivc.edu/Pages/preparedness.aspx>

Campus Safety and Crime Prevention Education

The College coordinates and sponsors educational workshops and classes which promote the awareness of rape, acquaintance rape, and other sex offenses. Also, Student Services conducts seminars on what women and men should know about date rape, in addition to discussion groups focusing on campus sexual assaults.

During the Staff/Faculty Development week in August, Safety and Educational videos are presented to staff and faculty to assist them in preparing, planning, and dealing with emergency situations.

New students must view an orientation video During the Matriculation process, which contains information regarding sexual assaults and sexual harassment issues and how to report them.



Alcohol and Other Drugs Policy and Programs

The college makes available to students and employees a wide variety of programs designed to discourage the use of illicit substances and provide information on legal and responsible alcohol consumption. Abuse of alcohol and drugs can have a dramatic impact on academic, professional, and family life. Members of the community who may be experiencing difficulty with drugs or alcohol are encouraged to seek assistance.

Counseling and Student Health Center provides counseling and referral services to students with substance abuse. Individual counseling sessions are available to students at no cost. Following College policies and state and federal laws, all information regarding any contact or counseling is confidential accordance.

A student's decision to seek assistance will not be used in connection with any academic determination or as a basis for disciplinary action. (AR-5650)

Alcohol and Drug Programs

Irvine Valley College offers alcohol and drug prevention and education programs. *The Drug and Alcohol Prevention Intervention Advisory Council Program* utilizes a comprehensive approach to address alcohol and other drug related problems through education prevention and treatment interventions to foster student learning and success.

For employees, the *Employee Assistance Program* is offered through the District. The program is free, 24 hours a day, every day of the year. It offers confidential referral and counseling services for substance abuse, depression, anxiety, and other issues.

Medical and psychological counseling are also available at the Student Health Center during hours of operation.

Substance Abuse/ Alcohol & Drug Policy

In accordance with Public Law 101-226, "Drug-Free Schools and Communities Act Amendment of 1989," the governing Board of Trustees of South Orange County Community College District prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on Irvine Valley College property. Including as part of any Irvine Valley College sponsored or sanctioned activity.

Any student or employee in violation of this policy is subject to disciplinary action up to, and including, expulsion from Irvine Valley College or termination of employment in case of violation of the standards of conduct as specified in collective bargaining agreements and the California education code. (AR-5401)

The possession, sale, manufacture, or distribution of any controlled substance is illegal under both state and federal laws. Irvine Valley College Police Department strictly enforce such laws. Violators are subject to college disciplinary action, criminal prosecution, fine, and imprisonment. (AR-5401) Irvine Valley College does not permit students to use medically prescribed marijuana at any college site or any college-sponsored activity. Irvine Valley College enforces California underage drinking laws, as well as both state and federal drug laws. Information on drug and alcohol abuse is available at the Health Center. (AR 4016)

Health Risks of Alcohol and Other Drug Use

Substance abuse can cause extremely serious health and behavioral problems, including short- and long-term effects on the body and mind. The physiological and psychological responses differ according to the chemical ingested; and, although chronic health problems are associated with long-term substance abuse, acute and traumatic reactions can occur from one-time and moderate use.

Drugs such as LSD, amphetamines, marijuana, cocaine and alcohol alter emotions, cognition, perception, physiology, and behavior. Drug use during pregnancy may result in miscarriage, fetal damage and birth defects causing hyperactivity, neurological abnormalities, developmental difficulties, and infant death.

Alcohol acts as a depressant to the central nervous system and can cause serious short- and long-term damage. Short-term effects include nausea, vomiting and ulcers; more chronic abuse can lead to brain, liver, kidney and heart damage and even eventual death. Ingesting a large amount of alcohol at one time can lead to alcohol poisoning, coma, and death. Acute health problems as a result of alcohol and drug use may include heart attack, stroke, and sudden death, which, in the case of drugs such as cocaine, can be triggered by first-time use. Long lasting health effects of drugs and alcohol may include disruption of normal heart rhythm, high blood pressure, blood vessel leaks in the brain, destruction of brain cells and permanent memory loss, infertility, impotence, immune system impairment, kidney failure, cirrhosis of the liver, and pulmonary (lung) damage. (AR 4016)

Applicable State and Federal Laws and Penalties

<i>State Alcohol Laws</i>	<i>Descripti</i>	<i>Classification</i>
Business & Professions Code		
25602(a)	Sales to an intoxicated person	Misdemeanor
25620(a)	Open container in public place	Misdemeanor
25658(a)	Sell/furnish alcohol to minor	Misdemeanor
25661(a)	False ID by minor	Misdemeanor
25662(a)	Minor in possession of alcohol	Misdemeanor
Penal Code		
647(f)	Public intoxication	Misdemeanor
Vehicle Code		
23140(a)	Driving Under the Influence-Minor	Infraction
23152(a) & (b)	DUI	Misdemeanor
23220(a)	Drinking while driving	Infraction
23223(a)	Open container - driver	Infraction
23223(b)	Open container - passenger	Infraction
23224(a)	Driver under 21 w/alcohol	Misdemeanor

<i>State Drug Laws</i>	<i>Descripti</i>	<i>Classification</i>
	<i>Marijuana</i>	
Health and Safety Code		
11357(a)	Possession of marijuana <18 years old	Infraction
11362.3	Smoke/Ingest/Possess in Public/Vehicle	Infraction
11358	Cultivation of marijuana	Misd. or Felony
11359	Intent to sell w/out license	Misd. or Felony
23222(b)	Driving with marijuana	Infraction
	<i>Other</i>	
Health and Safety Code		
11350	Possession of Controlled Substance	Misdemeanor
11351	Poss. of controlled substance for sale	Felony
11352	Sales/transport of controlled substance	Felony
11377	Possession of Methamphetamine	Misdemeanor
11378	Sales of Methamphetamine	Felony
11379	Transportation of Methamphetamine	Felony
11550	Under influence/using drugs	Misdemeanor

Marijuana and Federal Law

The Federal Controlled Substance Act (CSA) Title 21 of the United States Code

Under the CSA, marijuana is a Schedule 1 hallucinogenic drug. This means the federal government believes it has a high potential for abuse and no currently accepted medical use. The CSA takes precedence over the laws of California. Technically, therefore, when you sell, transport, or give away marijuana, you violate federal law, even if you are abiding by California's medical marijuana law or recreational marijuana legalization law.

Firearms and Weapons

The following are laws pertaining to firearms, weapons, or destructive devices on college property: It is unlawful for any person to bring or possess any firearm (loaded or unloaded) upon the campus of, or building, owned or operated for student teaching, research or administration by a public or private college (certain exceptions apply). (AR-2125, California Penal Code 626.9(h) & (i))

It is unlawful for any person to bring or possess any dirk, dagger, ice pick or knife having a fixed blade longer than 2.5 inches upon the grounds of, or within the California Community Colleges (certain exceptions apply). (AR-2125, Calif. Penal Code 626.10(b))

It is unlawful for any person, except in self-defense, to draw or exhibit an imitation firearm, "BB" device, toy gun or a replica of a firearm in a threatening manner against another in such a way as to cause a reasonable person apprehension or fear of bodily harm. (Calif. Penal Code 417)

It is unlawful for any person to bring or possess less than lethal weapon as defined in California Penal Code Section 16780, or stun gun as defined in California Penal Code Section 17230, upon the grounds of or within a public or private college (certain exceptions apply). (Calif. Penal Code 626.10(i)) It is unlawful for any person to possess for any reason any explosives, pipe bomb, grenade, destructive device or dry ice bomb. (Calif. Penal Code 18710)

It is unlawful for any person to possess any type of cane gun, wallet gun, any undetectable or camouflaged firearm, ballistic knife, belt buckle knife, leaded can, zip gun, lipstick case knife, writing pen knife, practice hand grenade, Billy club, sand club, sap, metal or composite knuckles, shuriken, nunchaku, or blackjack. (Calif. Penal Codes 19200(b), 20310, 20410, 20610, 21110, 21710, 21810, 22010, 22210, 22410, 24310, 24410, 24710 and 33600).

Sexual Assault Prevention and Response

Irvine Valley College does not tolerate sex offenses in any form, including sexual assault, sexual misconduct, date rape, harassment, exploitation, intimidation, and stalking. Reports of sex offenses may be made to the Irvine Valley College Police Department, Title IX Coordinator, or Counseling Services. Board Policy 5403 states that everyone who participates in programs and activities of the South Orange County Community College District has the right to do safe sounder conditions without physical or psychological threat. To that end, the District, through its two colleges, offers a comprehensive program of education and services to minimize the risk of sexual assault to all individuals who use its facilities. (AR-5404, BP-5404)

Affirmative Consent

The South Orange County Community College District enforces the affirmative consent rule, meaning affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in 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.

Accordingly, Irvine Valley College operates a coordinated program dealing with the issue of sexual assault. The areas of emphasis are education, environment, and services. Persons who believe that they have been sexually assaulted or were the object of any sex offense should immediately contact Campus Police, either by telephone (949-451-5234) or in person, to initiate a crime report. Students may also contact the Title IX Coordinator or any District employee for information on assistance regarding the filing of a criminal complaint or to initiate a complaint under the Irvine Valley College Student Code of Conduct. (AR-5404)

The preservation of criminal evidence is essential to the successful prosecution of a sex offense. Therefore it is imperative that in cases of sexual assault, contacted the Campus Police as soon as possible. Staff counselors are available to assist and to accompany the victim of an offense from the initial report to the final resolution of the case. If you do not wish to make a report to the police, you are still encouraged to seek professional medical advice.

Sexual Assault Investigations

Irvine Valley College students and employees suspected of committing a sex offense of any kind are subject to criminal prosecution in addition to disciplinary action under District policies, regulations and collective



bargaining agreements. Even if no criminal charges are pursued, campus disciplinary action can be initiated.

In addition to criminal prosecution, complaints against students accused of sexual battery, attempted rape, rape, or other sex offenses will be processed in accordance with the procedures in the Irvine Valley College Student Code of Conduct. The accuser (complainant) and the accused (respondent) are entitled to the same opportunities to have others present during a campus disciplinary proceeding, and both shall be informed at the same time of the outcome of any campus disciplinary proceeding brought forth alleging a sex offense.(AR-5404)

Sex offenses can be addressed both through college administrative procedures and through the criminal justice system. Any criminal proceeding is entirely separate from administrative proceedings of the college. Also, students have the option of changing their academic situations after an alleged sexual assault, if such changes are reasonably available.

Upon written request, the college will disclose to the complainant of a crime of violence (as defined under United States Code Title 18, Section 16) or a non-forcible sex offense the report on the results of any disciplinary proceeding. If the victim is killed as a result of the alleged crime, the next of kin shall be treated as the complainant for this purpose.

Irvine Valley College Disciplinary Actions Sexual Assault

Irvine Valley College does not tolerate sexual assault in any form and adheres to SOCCCD Board Policies (BP) & Administrative Regulations (AR) 4000.5- Harassment and Discrimination, BP & AR 5401- Student Conduct, and BP& AR 5404- Sexual and other Assaults as campus policy in matters related to sexual harassment, to include sexual assault, dating violence, domestic violence, stalking, and sexual harassment. The policies and regulations can be located on the SOCCCD website or by contacting the TITLE IX Coordinator, Campus Police Department, or the Office of the Vice President for Student Services. Currently the three policies are being reviewed for update to reflect additional requirements and to provide more consistent and cohesive information for awareness, education, and discipline. The following link has been provided to view all of the District's BP's & AR's: https://www.socccd.edu/about/about_boardpolicynew.html

If the assailant was a student, staff, or faculty member of Irvine Valley College, you are strongly encouraged

to notify the Title IX Coordinator Dr. Linda Fontanilla. Your report will be investigated promptly and thoroughly. Even if you or criminal justice authorities choose not to prosecute, the college can pursue disciplinary action against your assailant and provide you with support resources.

Where there is disclosed allegation that a sexual assault has occurred and that a student, faculty, or staff member has violated any District policy or regulation all complaints will be investigated promptly and thoroughly. Even if the victim or criminal justice authorities choose not to prosecute, the college can pursue disciplinary action if the assailant is a student, staff, or faculty member. If the incident involves someone under 18 years old, the appropriate legal guidelines and notifications will be followed. Incidents involving non-members of the college community will be processed according to local and state laws.

Administrative Regulation 4000.5 South Orange County Community College District Harassment and Discrimination Prevention and Complaint Procedures

I. GENERAL

As provided in Board Policy 4000.5 (Harassment and Discrimination Prevention and Complaints), the District is committed to providing an academic and work environment that respects the dignity of all individuals and groups. This procedure defines sexual harassment as well as other forms of harassment and sets forth a procedure for the investigation and resolution of complaints by or against any staff or faculty member or student within the District.

This policy protects students and employees 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, a District vehicle, or at a class or training program sponsored by the District at another location.

II. DEFINITIONS

A. General Harassment

1. Harassment based on race, religious creed, color, national origin, ancestry, physical disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, or sexual orientation of any person; or the perception that a person has one or more of these characteristics.
2. Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment. For example, repeated derisive comments about a person's competency to do the job, when based on that person's gender, could constitute gender-based harassment.

B. Forms of Prohibited Harassment

Forms of prohibited harassment may include, but are not limited to, the following:

1. Verbal:

Inappropriate or offensive remarks, slurs, jokes or innuendoes based on a person's race, gender, sexual orientation, or other protected status. 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; or sexist, patronizing or ridiculing statements that convey derogatory attitudes based on gender, race, nationality, sexual orientation or other protected status.

2. 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. It also includes any physical assault or intimidation directed at an individual due to that person's gender, race, national origin, sexual orientation or other protected status. Physical sexual harassment includes acts of sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability.

3. Visual or Written:

The display or circulation of visual or written material that degrades an individual or group based on gender, race, nationality, sexual orientation or other protected status. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or electronic media transmissions.

4. Environmental:

A hostile academic or work environment exists where it is permeated by sexual innuendo; insults or abusive comments directed at an individual or group based on gender, race, nationality, sexual orientation or other protected status; or gratuitous comments regarding gender, race, sexual orientation, or other protected statuses that are 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 unwarranted focus on, or stereotyping of particular racial or ethnic groups, sexual orientation, gender, or other protected statuses; An

environment may be hostile toward anyone who merely witnesses unlawful harassment in his or her immediate surroundings, although the conduct is directed at others. 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 activities.

C. Sexual Harassment:

In addition to the above forms of harassment, 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 District and/or the Colleges.

1. Sexual Harassment: This definition encompasses two kinds of sexual harassment:

a. Quid Pro Quo: 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.

b. Hostile Environment: Hostile environment sexual harassment occurs when unwelcome conduct based on a person's gender is sufficiently severe or pervasive so as to alter the conditions of an individual's academic or work performance, or create an intimidating, hostile, or abusive learning or 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. A single or isolated incident of sexual harassment may be sufficient to create a hostile environment if it is severe, i.e. a sexual assault.

2. Sexual Harassing Conduct:

Sexual harassing conduct can occur between people of the same or different gender. 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. Harassment includes, but is not limited to, the following conduct.

a. Verbal:

Inappropriate or offensive remarks, slurs, jokes or innuendoes based on a person's protected status, including but not limited to, sex, sexual orientation, or other protected status. 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; or sexist, patronizing or ridiculing statements that convey derogatory attitudes about a particular gender.

b. 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.

c. 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.

d. 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 job activities. 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, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's learning or work activities.

Academic Freedom

The policy will be implemented in a manner that recognizes principles of free speech and academic freedom.

III. COMPLAINT PROCEDURES

A. Communicating that the Conduct is Unwelcome:

The District encourages faculty, students and staff to let the offending person know immediately and firmly that the conduct or behavior is unwelcome, offensive, in poor taste and/or inappropriate.

B. Filing a Timely Complaint:

Since failure to report harassment and discrimination impedes the District's ability to stop the behavior, the District strongly encourages anyone who believes they are being harassed or discriminated against, to file a complaint. The District also strongly encourages the filing of such complaints within 30 days of the alleged incident. While all complaints are taken seriously and will be investigated promptly, delay in filing impedes the District's ability to investigate and remediate. All supervisors and managers have a mandatory duty to report incidents of harassment and discrimination or the existence of a hostile, offensive or intimidating work environment, and acts of retaliation. The District will investigate complaints involving acts that occur off campus if they are related to an academic or work activity. A complaint is related to an academic or work activity if it involves any District program, whether those programs take place in the District's facilities, a District vehicle, or at a class or training program sponsored by the District at another location.

C. Oversight of Complaint Procedure:

The Vice Chancellor, Human Resources is the "responsible District officer" charged with receiving complaints of discrimination or harassment, and coordinating their investigation. The actual investigation of complaints may be assigned by the Vice Chancellor, Human Resources to other staff or to outside persons or organizations under contract with the district. This shall occur whenever the Vice Chancellor, Human Resources is named in the complaint or implicated by the allegations in the complaint.

D. Who May File a Complaint:

Any student, employee, or third party who believes he/she has been discriminated against or harassed by a student, employee or third party in violation of these policy and procedures.

E. Where to File a Complaint:

A student, employee, or third party who believes he or she has been discriminated against or harassed in violation of these policy and procedures may make a complaint orally or in writing, 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. Any District employee who receives

a complaint for employment harassment or discrimination shall notify the Vice Chancellor, Human Resources immediately.

If a complainant decides to file a formal written unlawful discrimination or harassment complaint against the District, he/she must file the complaint on a form prescribed by the California Community Colleges Chancellor's Office. These approved forms are available from the Vice Chancellor, Human Resources and at the following URL:

www.cccco.edu/divisions/legal/discrimination/discrimination.htm

The completed form must be filed with any of the following:

The Vice Chancellor, Human Resources, if the complainant is an employee;

The Vice President, Student Services, if the complainant is a student;

The California Community Colleges Chancellor's Office

Employee complainants shall be notified that they may file employment discrimination complaints with the U.S. Equal Employment Opportunity Commission (EEOC) or the California Department of Fair Employment and Housing (DFEH).

Complaints filed with the EEOC and/or the DFEH should be forwarded to the California Community Colleges Chancellor's Office.

F. Intake and Processing of the Complaint:

Upon receiving notification of a harassment or discrimination complaint, the Vice Chancellor, Human Resources shall:

Advise complainant that he/she may file a complaint with the Office of Civil Rights of the U.S. Department of Education and employee complainants may file a complaint with the California Department of Fair Employment and Housing or with the federal Equal Employment Housing or with the federal Equal Employment Opportunity Commission. All Complainants should be advised that they have a right to file a complaint with local law enforcement. The district must investigate even if the complainant files a complaint with local law enforcement. In addition, the district should ensure that complainants are aware of any available resources, such as counseling, health, and mental health services. The Vice Chancellor, Human Resources shall also notify the Chancellor of California Community Colleges of the complaint.

Undertake efforts to informally resolve the charges, including but not limited to mediation, rearrangement of work/academic schedules; obtaining apologies; providing informal counseling and/or training, etc.;

Advise the complainant that he or she need not participate in an informal resolution of the

complaint, as described below, and that he or she has the right to end the informal resolution process at any time.

Mediation is not appropriate for resolving incidents involving sexual violence.

The Informal Resolution Process of Harassment Complaint:

Efforts at informal resolution need not include an investigation unless the responsible District officer determines that an investigation is warranted by the seriousness of the charges. Selecting an informal resolution does not extend the time limitations for filing a formal complaint. The informal resolution process is intended to allow an individual who believes he or she has been harassed to resolve the issue through an informal or mediation process rather than the formal complaint process. A complainant may wish to select the informal process when there is a simple misunderstanding or the complainant does not wish to file a formal complaint. Examples of informal complaint resolutions include clarification of a misunderstanding or an apology from the respondent and his or her assurance that he or she will cease the offending behavior.

If the complainant declares his or her preference for the informal process, the designated officer will present the complainant with a document that contains the basics of complainant's allegations of harassment and will include a copy of this pamphlet describing the formal and informal complaint procedures available to the complainant. The complainant will date and sign the informal complaint document which will clearly indicate that the complainant opted for the informal resolution process.

The informal resolution process is not a prerequisite to the formal complaint process and investigation. If the complainant properly files a formal complaint, the District must process the complaint and investigation within the time required unless the complainant voluntarily withdraws the complaint as a result of a successful informal resolution.

Similarly, efforts at informal resolution may continue after the filing of a formal written complaint, but after a formal complaint is filed an investigation is required to be conducted pursuant to Title 5, California Code of Regulations, section 59334, and will be completed unless the matter is informally resolved and the complainant dismisses the complaint.

Efforts to informally resolve a complaint after the filing of a written complaint will not exceed the 90-day period for rendering the administrative determination pursuant to Title 5, section 59336. In employment-related cases, if the complainant files a charge with the Department of Fair

Employment and Housing (DFEH), a copy of that filing will be sent to the State Chancellor's Office requesting a determination of whether a further investigation under Title 5 is required. Unless the State Chancellor's Office determines that a separate investigation is required, the District will discontinue its investigation under Title 5 and the matter will be resolved through the DFEH.

The District is committed to maintaining a safe and harassment free educational environment and may determine that serious allegations may need to be investigated even if the complaining party considers the matter resolved. The District may also determine that the complaint will no longer be held informally, and instead should proceed to the formal complaint procedure stage. The District will provide the complainant with written notice of this determination via United States mail.

Inform the complainant if they do not desire to utilize the informal complaint resolution process or the process has not been successful, to follow the formal resolution process as follows:

To file a formal written unlawful discrimination or harassment complaint against the District, he or she must file the complaint on a form prescribed by the California Community College Chancellor's Office. These approved forms are available from the Vice Chancellor, Human Resources and at the following:

URL: www.cccco.edu/divisions/legal/discrimination/discrimination.htm

The completed form must be filed with any of the following:

The Vice Chancellor, Human Resources;

Identify others, including the Chief Student Services Officer, Chief

Human Resources Officer and Chief Executive Officer;

and/or the Chancellor of the California Community Colleges.

Employee complainants shall be notified that they may file employment discrimination complaints with the U.S. Equal Employment Opportunity Commission (EEOC) or the Department of Fair Employment and Housing (DFEH).

Complaints filed with the EEOC and/or the DFEH should be forwarded to the Chancellor's Office.

Consider if interim protective actions are needed. In taking interim actions, the District will respect the rights of individual involved. The District reserves the right to implement an individualized response for the accused or alleged harasser (student or employee) pursuant to its policies, and, if in its sole judgment, it finds interim actions are warranted. The District will consider factors such as the seriousness of the alleged offense, and/or the potential for serious

disruption or danger to other members of its community in determining whether interim action is needed. An interim action may include separating the complainant from the accused. For instance, the District may prohibit the accused individual from having any contact with the complainant pending the results of the investigation. When taking steps to separate the complainant and accused individual, the District shall minimize the burden on the complainant. For example, it is not appropriate to remove complainants from classes or housing while allowing the accused individuals to remain.

Authorize the investigation of the complaint, and supervise and/or conduct a thorough, prompt and impartial investigation of the complaint, as set forth below. Where complainants opt for informal resolution, the designated officer will determine whether further investigation is necessary to ensure resolution of the matter and utilize the investigation process outlined below as appropriate. In the case of a formal complaint, the investigation will include interviews with the complainant, the accused, 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, or other unlawful discriminatory conduct, 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 there is probable cause to believe that discrimination did or did not occur with respect to each allegation in the complaint, a description of actions the District will take to prevent similar conduct, the proposed resolution of the complaint, the complainant's right to appeal to the District's governing board, and, if the complainant is a student, the right to appeal to the State Chancellor. If the complainant is an employee, the report shall include the right to file an administrative complaint with the U.S. Equal Employment Opportunity Commission (EEOC) or the Department of Fair Employment and Housing. The report may contain any other appropriate information.

Provide the complainant and accused with a copy or summary of the investigative report within

ninety days from the date the District received the complaint. The complainant and accused shall also be provided with a written notice setting forth the determination of the Vice Chancellor, Human Resources as to whether harassment or other discriminatory conduct 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 parties' rights 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 or other discriminatory conduct occurred shall also be reported to the accused, and the appropriate academic or administrative official(s). Reports to the complainant shall be prepared so as not to violate any applicable privacy rights of the individual who has been accused.

G. Investigation of the Complaint:

The District shall promptly investigate every complaint of harassment or discrimination. No claim of workplace or academic harassment or discrimination shall remain unexamined. This includes complaints involving activities that occur off campus and 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, on a District vehicle, or at a class or training program sponsored by the District at another location. As set forth above, where the complainant opts for an informal resolution, the Vice Chancellor, Human Resources may limit the scope of the investigation, as appropriate. The District will keep the investigation confidential to the extent possible, but cannot guarantee absolute confidentiality because release of some information on a "need-to-know-basis" is essential to a thorough investigation. When determining whether to maintain confidentiality, the District may weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment; the complainant's age; whether there have been other harassment complaints about the same individual; and the accused individual's rights to receive information about the allegations if the information is maintained by the District as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 C.F.R. Part 99.15. The District will inform the complainant if it cannot maintain confidentiality.

1. Investigation Steps:

The District will fairly and objectively investigate harassment and discrimination complaints. Employees designated to serve as investigators under this policy shall have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how the District's grievance procedures operate. The investigator may not have any real or perceived conflicts of interest and must be able to investigate the allegations impartially. Investigators will use the HARASSMENT AND

DISCRIMINATION PREVENTION AR-4000.5 AND COMPLAINT PROCEDURES following steps: interviewing the complainant(s); interviewing the accused individual(s); identifying and interviewing witnesses and evidence identified by each party; identifying and interviewing any other witnesses, if needed; reminding all individuals interviewed of the District's no-retaliation policy; considering whether any involved person should be removed from the campus pending completion of the investigation; reviewing personnel/academic files of all involved parties; reach a conclusion as to the allegations and any appropriate disciplinary and remedial action; and see that all recommended action is carried out in a timely fashion. When the District evaluates the complaint, it shall do so using a preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the District will decide whether it is more likely than not that discrimination or harassment has occurred.

2. Timeline for Completion:

The District will undertake its investigation promptly and swiftly as possible. To that end, the investigator shall complete the above steps, and prepare a written report within 90 days of the District receiving the complaint.

3. Cooperation Encouraged:

All employees are expected to cooperate with a District investigation into allegations of harassment or discrimination. Lack of cooperation impedes the ability of the District to investigate thoroughly and respond effectively. However, lack of cooperation by a complainant or witnesses does not relieve the District of its obligation to investigate. The District will conduct an investigation if it is discovered that harassment is, or may be occurring, with or without the cooperation of the alleged victim(s) and regardless of whether a complaint is filed.

H. Discipline and Corrective Action:

If harassment, discrimination and/or retaliation occurred in violation of the policy or procedure, the District shall take disciplinary action against the accused and any other remedial action it determines to be appropriate. 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. However, the District may disclose information about the sanction imposed on an individual who was found to have engaged in harassment when the sanction directly relates to the complainant; for example, the District may inform the complainant that the harasser must stay away from 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/or discrimination, and to protect the complainant and witnesses from retaliation as a result of communicating the complaint and/or assisting in the investigation. The District will ensure that complainants and witnesses know how to report any subsequent problems, and should follow-up with complainants to determine whether any retaliation or new incidents of harassment have occurred. The District shall take reasonable steps to ensure the confidentiality of the investigation and to protect the privacy of all parties to the extent possible without impeding the District's ability to investigate and respond effectively to the complaint.

If the District cannot take disciplinary action against the accused individual because the complainant refuses to participate in the investigation, it should pursue other steps to limit the effects of the alleged harassment and prevent its recurrence.

IV. APPEALS

If the District imposes discipline against a student or employee as a result of the findings in its investigation, the student or employee may appeal the decision using the procedure for appealing a disciplinary decision.

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 (45) 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, including workplace harassment, 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 formal 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.

V. DISSEMINATION OF POLICY AND PROCEDURES

District Policy and Procedures related to harassment will include information that specifically addresses sexual violence. District Policy and Procedures 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 and on the District website.

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

VI. TRAINING

The District shall provide at least two hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees every two years. All new supervisory employees must be provided with the training and education within six months of their assumption of a supervisory position and then once every two years.

The training and education required by this procedure shall include information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment. The training and education shall also include practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation, and shall be

presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation.

Training for academic staff should emphasize environmental harassment in the classroom.

Educational resources will be made available to all students at least once annually. Educational resources shall include an explanation of discrimination, the policy, how it works, and how to file a complaint. The policy and other relevant information will be posted on the District's web page. Participants in training programs will be required to sign a statement that they have either understood the policies and procedures, their responsibilities, and their own and the district's potential liability, or that they did not understand the policy and desire further training.

Administrative Regulation 5404 South Orange County Community College District Students Sexual and Other Assaults on Campus

Any sexual assault or physical abuse, as defined by California law, including, but not limited to, rape, 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, AR 5401: Student Conduct)

DEFINITIONS

- 1. "Sexual assault"** includes, but is not limited to, rape, forced oral copulation, rape by a foreign object, frottage, sexual battery, or threat of sexual assault.
- 2. "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.
- 3. "Domestic violence"** includes felony or misdemeanor crimes of violence committed by:
 - a. A current or former spouse of the victim;
 - b. By a person with whom the victim shares a child in common;
 - c. By a person who is cohabitating with or has cohabitated with the victim as a spouse;
 - d. By a person similarly situated to a spouse of the victim under California law; or
 - e. By any other person against an adult or youth victim who is protected from that person's acts under California law.
- 4. "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.
- 5. "Affirmative consent"** means affirmative, conscious, and voluntary agreement to engage in sexual activity.

It is the responsibility of each person involved in sexual activity to ensure that he or 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.

The District understands that students may be reluctant to file complaints of sexual assault or other violation of this policy when alcohol and/or drugs were used. Whenever possible, the District will respond educationally,

rather than punitively, to the use of drugs and/or alcohol so as to promote the reporting of sexual assault or other violation of this policy. However, the District reserves the right to use other remedies dependent upon the severity of the alcohol or drug use. An individual who participates as a complainant or witness in an investigation of sexual assault or other violation of this policy will not be subject to disciplinary sanctions for a violation of the District's student conduct policy at or near the time of the reported 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 dishonesty.

PROCEDURES AND PROTOCOLS

The written procedures and protocols developed by the District shall be designed to ensure victims of domestic violence, dating violence, stalking or sexual assault treatment and receive information in a timely, respectful and confidential manner. (For physical assaults/violence, see also AR-4000.5 Harassment and Discrimination Prevention and Complaint Procedures)

All students, faculty members or staff members who allege they are the victims of a sexual assault on District property shall be provided with information regarding options and assistance available to them. Information shall be available from the Vice President of Student Services, or designee, who shall maintain the identity of other information about alleged sexual assault victims as confidential unless and until the Vice President of Student Services is authorized to release such information. The Vice President of Student Services shall identify his or her designees by position title in the district's procedures or protocols.

The Title IX Coordinator, deputy, or designee, shall provide all alleged victims of sexual assault with the following, upon request:

1. A copy of the District's policy, this administrative regulation and protocols regarding domestic violence, dating violence, stalking, or; sexual assault.
2. A list of personnel on campus, by position title and name, who should be notified of the assault and procedures for such notification, if the alleged victim consents. This information must be updated from time-to-time to reflect changes in personnel.
3. Legal reporting requirements, and procedures for fulfilling them.
4. The District's procedures and protocols shall provide a description of available services, and the persons on campus available to provide those services if requested, including but not limited to the following :
 - a. Transportation to a hospital, if necessary
 - b. Availability of counseling services on campus, if available, or referral to the counseling center
 - c. Notice to the police, if desired by the victim
 - d. A list of other available campus resources or appropriate off-campus resources

- e. Procedures for ongoing case management, including procedures for keeping the victim informed of the status of any student disciplinary proceedings in connection with the sexual assault, and the results of any student disciplinary proceedings in AR-5404 SEXUAL AND OTHER ASSAULTS ON CAMPUS AR-5404 connection with the sexual assault, and the results of any disciplinary action or appeal, and helping the victim deal with academic difficulties that may arise because of the victimization and its impact
5. A description of each of the following procedures:
- a. Criminal prosecution
 - b. Civil prosecution (i.e., lawsuit)
 - c. District disciplinary procedures, both student and employee
 - d. Availability of medication
 - e. Modification of class schedules
 - f. Tutoring, if necessary

The Title IX Coordinator, deputy, or designee should be available to provide assistance to District law enforcement unit employees regarding how to respond appropriately to reports of sexual violence

INVESTIGATIONS

The District will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigations described in AR 4000.5, regardless of whether a complaint is filed with local law enforcement. The District will decide the complaint based on a preponderance of the evidence standard (whether it is more likely than not that the alleged conduct occurred).

All alleged victims of sexual assault on District property shall be kept informed, through the Vice President of Student Services, or designee, of any ongoing investigation. Information shall include the status of any student or employee disciplinary proceedings or appeal; alleged victims of sexual assault 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 is protected from retaliation.

NON-VALID EXCUSES

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:

1. The accused's belief in affirmative consent arose from the intoxication or recklessness of the accused.

2. The accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain whether the complainant affirmatively consented.
1. 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:
 2. The complainant was asleep or unconscious.
 3. 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.
 4. The complainant was unable to communicate due to a mental or physical condition.
 - 5.

CONFIDENTIALITY

The District shall maintain the identity of any alleged victim or 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 or witness specifically waives that right to confidentiality. All inquiries from reporters or other media representatives about alleged sexual assaults on District property shall be referred to the District's Public Affairs office, which shall work with the Vice President of Student Services, or his or her designee, to assure that all confidentiality rights are maintained.

EDUCATION AND PREVENTION INFORMATION

The President's designee shall:

1. Provide, as part of each campus(s) established on-campus orientation program, education and prevention information about sexual assault. The information shall be developed in collaboration with campus-based and community-based victim advocacy organizations.
2. Post sexual violence prevention and education information on the campus internet website.

CLERY REPORT

The Annual Security Report will include a statement regarding the District's programs to prevent sex offenses and procedures that should be followed after a sex offense occurs. The statement must include the following:

1. A description of educational programs to promote the awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses, domestic violence, dating violence, or stalking;
2. 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.
3. Information on a student's option 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.

4. Information for students about existing on and off-campus counseling, mental health, or other student services for victims of sex offenses.
5. Notice to students that the campus will change a victim's academic situation after an alleged; sex offense and of the options of those changes, if those changes are requested by the victim and are reasonably available.
6. Procedures for campus disciplinary action in cases of an alleged domestic violence, dating violence, sex offense, or stalking, including a clear statement that: a. The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and b. Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged sex offense. Compliance with this paragraph does not violate the Family Educational Rights and Privacy Act (FERPA). 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.
7. A description of the sanction 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.

Procedures for college disciplinary action for Sexual Violence, domestic violence, dating violence, stalking, and sexual harassment including a clear statement that:

- Such proceedings shall provide a prompt, fair, and impartial investigation and resolution;
- The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice however there are restrictions on the advisors role;
- Proceedings will be conducted by annually trained officials

The college will assist the victim in changing academic situations if so requested and if changes are reasonably available. The changes/accommodations if request in writing include, but are not limited to:

- Class schedule changes
- Escorts to and from class
- Tutoring
- Instructor assistance with assignments
- Medical / Psychological treatment
- Counseling

- Protective measures (No Contact Orders) provided to the victim (to the extent it will not impair the institution's ability to provide them)

Both the accuser and the accused shall be simultaneously informed in writing of:

- The outcome of any disciplinary proceedings that arises from an allegation of Sexual Violence, Domestic Violence, Dating Violence, or Stalking;
- The college's procedures to appeal the results of the disciplinary proceeding;
- Any change to the disciplinary results that occurs prior to the time such results become final; and
- When disciplinary results become final.

Possible sanctions for students/employees to be imposed following the final determination of an on-campus disciplinary procedure regarding sexual assaults, dating violence, domestic violence, and stalking may be one or any combination of the following:

- Verbal or Written Reprimand
- Mental Health Clearance
- Disciplinary Probation
- Suspension
- Expulsion
- Termination
- Days off work

Disciplinary Sanctions Exemption

The District understands that students may be reluctant to file complaints of sexual assault or other violations of this policy when alcohol and/or drugs were used. Whenever possible, the District will respond educationally, rather than punitively, to the use of drugs and/or alcohol to promote the reporting of sexual assaults or other violations of this policy. However, the District reserves the right to use other remedies dependent upon the severity of the alcohol or drug use. An individual who participates as a complainant or witness in an investigation of sexual assault or other violation of this policy will not be subject to disciplinary sanctions for a violation of the District's student conduct policy at or near the time of the reported 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 dishonesty.

Standard of Proof

A student will be found either responsible or not responsible based on the "preponderance of the evidence" meaning that is "more likely than not" that the student has violated the District's policy/regulation. The

determination shall be based upon the thorough investigation of allegations and the weighing of evidence in totality by the Title IX Coordinator, or his or her designee.

Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

If you are Sexually Assaulted

- Get to a safe place as soon as possible. Your immediate safety is first!
- Call the Irvine Valley College Police Department.
- Contacting police does not require that you pursue prosecution. If the crime occurred in a different police jurisdiction, Campus Police could assist in notifying the agency of jurisdiction.
- Preserve physical evidence.
- Do not wash, use the toilet, eat, smoke, drink, or change clothing if at all possible. If you do change clothes, place all clothing you were wearing when the assault occurred in a paper bag. Keep all voicemails, emails, texts or other types of communication between you and the attacker.
- Call the Student Health Center or a friend, family member, or someone you trust for support.
- Get medical attention immediately.
 - A medical exam will determine and treat any physical injuries you might have sustained during the assault; determine the risk of sexually transmitted diseases or pregnancy and provide preventative treatment options, and gather evidence that could aid in criminal prosecution of the perpetrator.
- Victims are not required to pursue prosecution just because they report the crime to police agency

Reasons to Report the Crime to Police Include:

- Reporting within 72 hours of the assault will allow for valuable evidence to be collected. The sooner you report, the better the chance of physical evidence being collected and not being diminished or destroyed. Should you want to pursue prosecution, this increases the chances of apprehending and successfully prosecuting the suspect.
- Reporting is empowering. It gives survivors the opportunity to talk about what has happened and gives them back some of their control.
- Reporting the crime will ensure that medical expenses, including a forensic medical exam and costs for emergency care, may be paid by public compensation funds.
- Reporting and prosecuting are essential to sexual assault prevention and the protection of other potential victims by stopping or deterring repeat offenders.
- Reporting attests to the fact that sexual assault happens, it is never the survivor's fault, and that the survivor's voice is heard and not silenced.

- Reporting can help support the case of another survivor who has previously reported a crime committed by the same perpetrator. The information might be just enough evidence to help close another survivor's case and assist them in getting justice.

Victims of Domestic Violence, Dating Violence, Stalking, or Sexual Harassment

Victims of these crimes should:

- Get to a safe place as soon as possible. Your immediate safety is first!
- Call the Irvine Valley College Police Department 949.451.5234.
- Contacting police does not require that you pursue prosecution. If the crime occurred in a different police jurisdiction, Campus Police could assist in notifying the agency of jurisdiction.
- Preserve physical evidence in a paper bag if available.
- Do not wash, use the toilet, eat, smoke, drink, or change clothing if at all possible. If you do change clothes, place all clothing you were wearing when the assault occurred in a paper bag. Keep all voicemails, emails, texts or other types of communication between you and the attacker.
- Call the Student Health Center or a friend, family member, or someone you trust for support.
- Get medical attention immediately, if needed.
- Victims are not required to pursue prosecution just because they report the crime to a police agency. The reporting of sexual assault to the police agency may prevent others from being victims and safeguard your rights for future prosecution.
- Save emails, texts, call logs, voicemails etc.

Reasons to Report the Crime to Police Include:

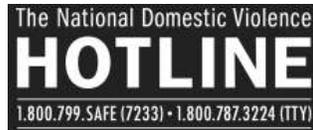
- Reporting within 72 hours of the assault will allow for valuable evidence to be collected. The sooner you report, the better the chance of physical evidence being collected and not being diminished or destroyed. Should you want to pursue prosecution, this increases the chances of apprehending and successfully prosecuting the suspect.
- Reporting is empowering. It gives survivors the opportunity to talk about what has happened and gives them back some of their control.
- Reporting the crime will ensure that medical expenses, including a forensic medical exam and costs for emergency care, may be paid by public compensation funds.
- Reporting and prosecuting are essential to prevention and the protection of other potential victims by stopping or deterring repeat offenders.
- Reporting attests to the fact that violations really happen, it is never the survivor's fault, and that the survivor's voice is heard and not silenced.
- Reporting can help support the case of another survivor who has previously reported crimes committed by the same perpetrator. The information you provide might be just enough evidence to help close

another survivor's case and assist them in getting justice.

- Reporting may be helpful in obtaining a protection order.

Irvine Valley College will protect the confidentiality of victims and other necessary parties. Irvine Valley College Police Department maintains publically available record keeping for its daily crime log, without the inclusion of personally identifying information about the victim.

REMEMBER: Sexual assault is never your fault!



Sex Offender Registration Information

The federal Campus Sex Crimes Prevention Act requires institutions of higher learning to issue a statement their annual security report detailing where members of their campus community can obtain information concerning registered sex offenders. It also requires sex offenders who are required to register under state law, to provide notice of their enrollment or employment at any institution of higher learning in the state where he/she resides. Also, California law requires sex offenders who attend campus, and all campus affiliated sex offenders, to register with campus law enforcement.

Members of the public may access sex offender information at the Megan's Law website maintained by the Department of Justice (www.meganslaw.ca.gov).

For information concerning offenders who have registered with the Irvine Valley College Police Department, call 949-451-5234.

Bystander Intervention

To prevent gender-based violence, it is important that people are approached as potential witnesses or bystanders to behaviors related to sexual or dating violence. If you witness these behaviors, there are certain ways you can step up to prevent a risky situation from getting worse.

To intervene, first someone has to:

- Notice the incident. Bystanders first must notice the incident taking place. It's important to become attune to what situations may be risky
- Interpret the incident as an emergency. By "emergency," we mean a situation wherein there is risk of sexual or domestic violence occurring shortly.
- Assume responsibility for intervening. It has been found that often, people believe that someone else will help in a situation where there are many people around. However, it is important to realize that others may also be thinking the same thing. If you're unsure if you should do something, ask a friend what they think — it might be the case that they've been thinking the same thing.
- Have the bystander intervention skills to help. There are a number of different techniques that someone can use to intervene in a risky situation, some of which we've listed below.

Bystander Intervention Techniques (the4Ds): Please remember that your safety is of the utmost importance. When there is situation that threatens physical harm to yourself or another student, ask someone for help or contact the police.

Direct: Step in and address the situation directly. This might look like saying, "That's not cool. Please stop." or "Hey, leave them alone." This technique tends to work better when the person that you're trying to stop is someone that knows and trusts you. It does not work well when drugs or alcohol are being used because someone's ability to have a conversation with you about what is going on may be impaired, and they are more likely to become defensive.

Distract: Distract either person in the situation to intervene. This might look like saying, "Hey, aren't you in my Spanish class?" or "Who wants to go get pizza at the corner?" This technique is especially useful when drugs or alcohol are being used because people under the influence are more easily distracted than those that are sober. **Delegate:** Find others who can help you to intervene in the situation. This might look like asking friends to distract one person in the situation while you distract the other ("splitting" or "defensive split"), asking someone to go sit with them and talk or going and starting a dance party right in the middle of their conversation. If you didn't know either person in the situation, you could also ask around to see if someone else does and check-in with them. See if they can talk to their friend, text their friend to check in, or intervene.

Delegate: Delegate the task by looking for persons to back you up when you decide to intervene.

Delay: For many reasons, you may not be able to do something right at the moment. For example, if you're feeling unsafe or if you're unsure whether or not someone in the situation is feeling unsafe, you may just want to check in with the person. In this case, you can combine a distraction technique by asking the person to use

the bathroom with you or go get a drink with you to separate them from the person that they are talking with. Then, this might look like asking them, "Are you okay?" or "How can I help you get out of this situation?" This could also look like texting the person, either in the situation or after you see them leave and asking, "Are you okay?" or "Do you need help?"

Links for additional information on Bystander Intervention topics:

- <http://itsonus.org>
- <https://www.youtube.com/watch?v=wNMZo31LziM>

Risk Reduction:

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment

(Taken from Rape, Abuse, & Incest National Network, www.rainn.org)

The following tips may reduce your risk for many different types of crimes, including sexual violence. Know your resources.

Who should you contact if you or a friend needs help? Where should you go? Locate resources such as the campus health center, campus police station, and a local sexual assault service provider.

Notice where emergency phones are located on campus, and program the campus security number into your cell phone for easy access.

- Stay alert. When you're moving around on campus or in the surrounding neighborhood, be aware of your surroundings. Consider inviting a friend to join you or asking campus security for an escort. If you're alone, only use headphones in one ear to stay aware of your surroundings.
- Be careful about posting your location. Many social media sites, like Facebook and Foursquare, use geolocation to publicly share your location. Consider disabling this function and reviewing other social media settings.
- Make others earn your trust. A college environment can foster a false sense of security. They may feel like fast friends, but give people time earn your trust before relying on them.
- Think about Plan B. Spend some time thinking about back-up plans for potentially sticky situations. If your phone dies, do you have a few numbers memorized to get help? Do you have emergency cash in case you can't use a credit card? Do you have the address to your dorm or college memorized? If you drive, is there a spare key hidden, gas in your car, and a set of jumper cables?

The Clery Act Reportable Crimes Defined

Murder and Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Negligent Manslaughter: The killing of another person through gross negligence.

Sex 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 person for sexual gratification, without the 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 or physical incapacity.

Sex Offenses, Non-forcible: Unlawful, non-forcible sexual intercourse.

Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.

Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, personal property, etc.

Burglary: The unlawful entry of a structure to commit a felony or theft.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force, violence, and causing the victim fear.

Hate Crime: A criminal offense that manifests evidence that the victim was intentionally selected because of

the perpetrator's bias against the victim (race, religion, sexual orientation, gender, gender identity, ethnicity, national origin or disability).

VAWA (Violence Against Women Act) Amendments to Clery Sexual Assault:

Includes but is not limited to, rape, forced oral copulation, rape by a foreign object, frottage, sexual battery, or threat of sexual assault.

Categories of bias are:

Race: A preformed negative attitude toward a group of persons who possess common physical characteristics (color of skin, eyes, or hair, facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (Asian, Afro-Americans, Whites, etc.) **Gender:** A preformed negative opinion or attitude toward a group of persons because those people are male or female. Gender bias is also a Clery Act-specific term, not found in the FBI's Hate Crime Data Collection Guidelines.

Gender Identity: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

Religion: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (Catholics, Jews, Protestants, atheists, etc.)

Sexual Orientation: A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their sex or members of the opposite sex (gays, lesbians, heterosexuals, etc.)

Ethnicity: A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term race in that "race" refers to grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.

National Origin: A preformed negative opinion or attitude toward a group of person of the same race or national origin who share common or similar traits, languages, customs or traditions.

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 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 of California law; or
- By any other person against an adult or youth victim who is protected from that person's acts under California law

Stalking: Engaging in the 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.

It is the responsibility of each person involved in sexual activity to ensure that he or 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.

Other Violations Defined:

Liquor Law Violations: Violations of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Drug Law Violations: Violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use; the unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance.

Weapons Law Violations: Violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.

Unfounded Crimes: A crime may be "unfounded" only if sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of the full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore "unfounded." Both "founded" and "unfounded" crimes must be reported in the Clery Annual Security Report.

Other Definitions:

- BP- South Orange County Community College District Board Policy
- AR- South Orange County Community College District Administrative Regulations http://www.socccd.edu/about/about_boardpolicynew.html

California Definitions of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

Domestic Violence

The State of California defines domestic violence as follows: California Penal Code section 273.5(a) Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to six thousand dollars (\$6,000), or by both that fine and imprisonment.

(b) Subdivision (a) shall apply if the victim is or was one or more of the following:

- (1) The offender's spouse or former spouse.
- (2) The offender's cohabitant or former cohabitant.
- (3) The offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship, as defined in paragraph (10) of subdivision (f) of Section 243.
- (4) The mother or father of the offender's child.

Dating Violence

The State of California defined dating violence as follows: California Penal Code section 243(e) (1) When a battery is committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant's child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship, the battery is punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail for a period of not more than one year, or by both that fine and imprisonment. If probation is granted, or the execution or imposition of the sentence is suspended, it shall be a condition thereof that the defendant participate in, for no less than one year, and successfully complete, a batterer's treatment program, as described in Section 1203.097, or if none is available, another appropriate counseling program designated by the court. However, this provision shall not be construed as requiring a city, a county, or a city and county to provide a new program or higher level of service as contemplated by Section 6 of Article XIII B of the California Constitution.

Sexual Assault

The State of California defines sexual assault as follows: California Penal Code section 243.4(a) Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an

accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

Stalking

The State of California defines sexual assault as follows: California Penal Code section 646.9 (a) Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.

Consent

The State of California defines consent, in relation to sexual activity, as follows: California Education Code Section 67386(a)(1) An affirmative consent standard in the determination of whether consent was given by both parties to sexual activity. "Affirmative consent" means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or 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.

Daily Crime Blotter

The Irvine Valley College Police Department maintains a daily crime blotter of all crimes investigated or reported to the department for the calendar year. The log is available for public inspection in the Police Department lobby during normal business hours of 8:00 A.M. – 6:00 P.M. Monday – Thursday and 8:00 A.M. – 3:00 P.M. on Fridays. Log entries older than the current year can be obtained by request and will be available within two business days. Reported in accordance with the Uniform Crime Reporting Procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

The crime blotter can be accessed online at: <http://campuspolice.ivc.edu/blotter/default.aspx>

Geographic Definitions On-Campus:

On Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes. Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or other retail vendor).

Non-Campus Building or Property: Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area of the institution.

Public Property: All public property (including thoroughfares, streets, sidewalks, and parking facilities) that is within the campus, or immediately adjacent to and accessible from the campus. Clery public property category consists solely of two limited areas.

Irvine Valley College Clery Statistics	On- Campus			Non-Campus			Public Property			Totals		
Offense Type (reported by hierarchy)	2015	2016	2017	2015	2016	2017	2015	2016	2017	2015	2016	2017
Murder/Non negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	2	1	2	0	0	1	0	0	0	2	1	3
Motor Vehicle Theft	1	0	0	0	0	1	0	0	0	1	0	1
Liquor Law Arrests	0	0	1	0	0	0	0	0	0	0	0	1
Drug Law Arrests	1	0	0	0	0	2	0	0	0	1	0	2
Weapons Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations for Disciplinary Action	5	0	0	0	0	0	0	0	0	5	0	0
Drug Law Violations referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Law Violations referred for Disciplinary Action	2	0	1	0	0	0	0	0	0	2	0	1
Hate Crimes Reporting												
Race	0	0	0	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Social Orientation	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity/Nation Origin	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0
** Other Crimes Discovered,												
**The California definition changed in 2014/did not change the statistics for prior years												
Offense Type (not reported by hierarchy)	2015	2016	2017	2015	2016	2017	2015	2016	2017	2015	2016	2017
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence (VAWA 2016)	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence (VAWA 2016)	0	0	0	0	0	0	0	0	0	0	0	0
Stalking (VAWA 2016)	4	1	3	0	0	0	0	0	0	4	1	3

Irvine Valley College- CLERY Geography Map



5500 IRVINE CENTER DRIVE, IRVINE, CA 92618

★ Day Permit Kiosks: Lots 2, 5, 8, 10 Ⓟ 30 Minute Parking: Lots 2, 3, 5, 8, 10