



El Camino College



# WRITTEN NOTIFICATION OF RIGHTS AND OPTIONS FOR SEXUAL AND/OR GENDER-BASED MISCONDUCT

(INCLUDING DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT AND STALKING)

Last Updated: 02/2025



# TABLE OF CONTENTS

- DISTRICT POLICY ..... 3
- DEFINITION OF TERMS..... 3
- RESOURCES FOR SURVIVORS ..... 4
- PROCEDURES SURVIVORS FOLLOW IN THE CASE OF ALLEGED SEXUAL ASSAULT, DATING VIOLENCE, DOMESTIC VIOLENCE, OR STALKING .. 6
- PROTECTION OF CONFIDENTIALITY ..... 7
- PROTECTIVE ORDERS AND THE RIGHTS OF SURVIVORS..... 7
- SUPPORTIVE MEASURES..... 8
- FORMAL COMPLAINT & INVESTIGATION PROCESS ..... 8
- INFORMAL RESOLUTION..... 9
- COMPLAINANT & RESPONDENT RIGHTS ..... 10
- BYSTANDER INTERVENTION ..... 10
- RISK REDUCTION..... 11
- THE CLERY ACT..... 11

*This written explanation of rights and options will be provided to any student or employee who reports to the District that they have been a survivor of sexual and/or gender-based misconduct.*

# DISTRICT POLICY

Under Board Policy and Administrative Procedure 3540, "Any sexual or gender-based misconduct or physical abuse, including but not limited to rape, dating violence, domestic violence and stalking, as defined by California law, whether committed by an employee, student, or member of the public, 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 procedures, and is subject to all applicable punishment.



# DEFINITION OF TERMS

(^as defined by the Clery Act)

## 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 such a relationship shall be determined based on the reporting party's statement with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

## DOMESTIC VIOLENCE^

A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner 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 or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

## SEXUAL 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 for the purposes of sexual gratification without 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 incapacity. • Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. • Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

## STALKING^

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

## CONSENT (IN REFERENCE TO SEXUAL ACTIVITY)

Consent is the ongoing, affirmative, conscious, and voluntary agreement for the act in which the participants are involved. Consent is active, not passive. It is the responsibility of each person involved in the sexual activity to ensure that they have the Affirmative Consent of the other or others to engage in the sexual activity. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in sexual activity. Consent to any one form of sexual activity does not automatically imply Consent to any other forms of sexual activity.

# RESOURCES FOR SURVIVORS

**Title IX Coordinator: Office of Title IX, Diversity, and Inclusion**

Administration 140,  
El Camino Community College

310-660-3813

## LAW ENFORCEMENT RESOURCES

<b>El Camino College (ECC) Police Department</b>	Parking Lot K, El Camino Community College	310-660-3100
<b>Gardena Police Department</b>	1718 W. 162nd St. Gardena, CA 90247	310-323-7911
<b>LA County Sheriff's Department - South Los Angeles</b>	1310 W. Imperial Hwy. Los Angeles, CA 90044	323-820-6700
<b>Torrance Police Department</b>	3300 Civic Center Drive. Torrance, CA 90503	310-328-3456
<b>Hawthorne Police Department (for Business Training Center)</b>	12501 Hawthorne Blvd. Hawthorne, CA 90250	310-675-4444
<b>Inglewood Police Department (for Fire Academy)</b>	1 W. Manchester Blvd. Inglewood, CA 90301	310-412-8771

## RESOURCES WITHIN THE DISTRICT\*

<b>Warrior Safety Network (WSN)</b>	To submit an incident report & referral form: <a href="http://www.elcamino.edu/support/health-safety/aims/index.aspx">www.elcamino.edu/support/health-safety/aims/index.aspx</a>	<a href="mailto:aimsteam@elcamino.edu">aimsteam@elcamino.edu</a>
<b>ECC After Hours Emotional Crisis Line</b>	<a href="http://www.elcamino.edu/support/health-safety/student-health-services/crisis-resources.aspx">www.elcamino.edu/support/health-safety/student-health-services/crisis-resources.aspx</a>	310-660-3377
<b>Health &amp; Mental Health Counseling: Student Health Services</b>	Student Health Center, El Camino Community College	310-660-3643
<b>Academic Counseling</b>	Student Services Building, Second Floor, El Camino Community College	310-660-3458
<b>F-1 Visa and Immigration Assistance: International Student Program</b>	Student Services Building, Room 164, El Camino Community College	310-660-3431
<b>Student Financial Aid</b>	Student Services Building, Room 248 & 229, El Camino Community College	310-660-3493
<b>Student Support Services</b>	Student Services Building, Room 231, El Camino Community College	310-660-3593 ext. 3482
<b>Employee Assistance Services for Education (EASE) for ECC Employees</b>	<a href="http://www.lacoe.edu/services/staff-support/ease">www.lacoe.edu/services/staff-support/ease</a>	800-882-1341

\*Students or employees who are ineligible to utilize District services may visit or call the ECC Police Department or Student Health Services for referrals to additional resources within the community





# RESOURCES FOR SURVIVORS

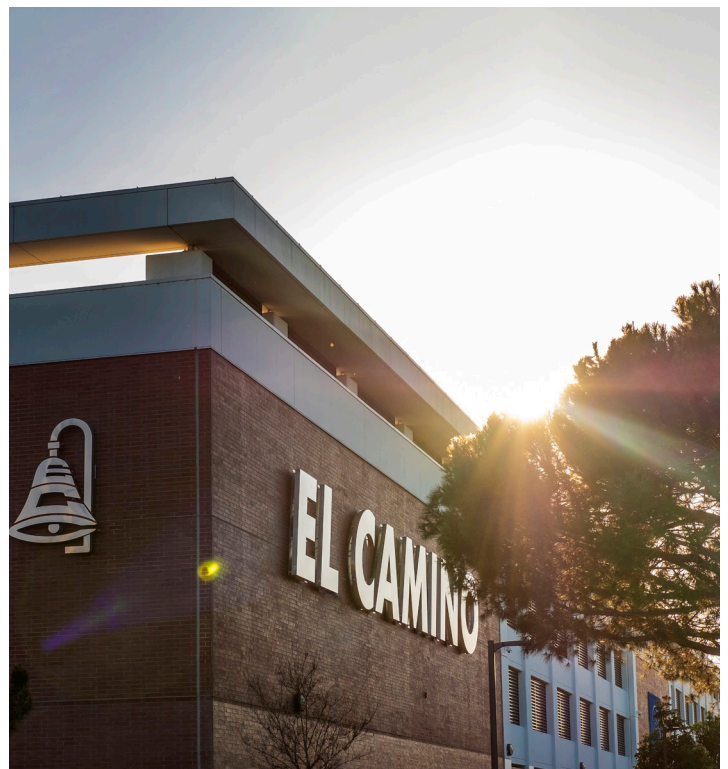
## COMMUNITY AND NATIONAL RESOURCES

<b>LA County District Attorney's Office (Torrance Courthouse)</b>	825 Maple Ave. Torrance, CA 90503	310-222-3552
<b>Community Legal Aid SoCal</b>	2101 North Tustin Ave. Santa Ana, CA 92705	714-571-5200
<b>Legal Aid Foundation of Los Angeles</b> <i>(multiple offices in Los Angeles)</i>	601 Pacific Ave. Long Beach, CA 90802	800-399-4529
<b>LA County District Attorney's</b>	3300 Civic Center Drive. Torrance, CA 90503	310-328-3456
<b>Los Angeles County Victim Assistance Program</b>	<a href="http://www.helpcrimevictims.org">www.helpcrimevictims.org</a>	Visit website for various locations contact info
<b>1736 Family Crisis Center^</b>	21707 Hawthorne Blvd. Suite 300. Torrance, CA 90503	310-379-3620
<b>Rainbow Services^*</b>	453 W. 7th St. San Pedro, CA 90731	310-547-9343
<b>Behavioral Health Services Family Health Center</b>	2501 West El Segundo Blvd., Suite B. Hawthorne, CA 90250	424-456-8933
<b>East Los Angeles Women's Center Crisis Hotline*^</b>	1431 S. Atlantic Blvd. Los Angeles, CA 90022	800-585-6231
<b>Peace Over Violence Los Angeles</b>	1541 Wilshire Blvd, 3 Fl., Los Angeles, CA 90017	310-392-8381
<b>Rape Treatment Center at UCLA Medical Center, Santa Monica</b>	1250 16th St. Santa Monica, CA 90404	424-259-7208
<b>YWCA of Greater Los Angeles</b>	<a href="https://ywcagla.org/">https://ywcagla.org/</a>	213-365-2991
<b>National Domestic Violence Hotline^</b>	<a href="https://www.thehotline.org/">https://www.thehotline.org/</a>	800-799-7233 (SAFE)
<b>National Sexual Assault Online Hotline^</b>	<a href="https://hotline.rainn.org/online">https://hotline.rainn.org/online</a>	800-656-4673
<b>FindHelp</b>	<a href="https://www.findhelp.org/">https://www.findhelp.org/</a>	

\*Available in Spanish

^Available 24 hours a day

For additional resources available for survivors: [www.elcamino.edu/departments/title-ix-diversity-and-inclusion/resources.aspx](http://www.elcamino.edu/departments/title-ix-diversity-and-inclusion/resources.aspx)



# PROCEDURES SURVIVORS FOLLOW IN THE CASE OF ALLEGED SEXUAL ASSAULT, DATING VIOLENCE, DOMESTIC VIOLENCE, OR STALKING

This section outlines the procedures that may be followed in case of sexual assault, dating violence, domestic violence or stalking. It assumes that the incident occurred on or near campus. Many of the procedures and services described here also apply if the incident happens off campus or if the individual reporting the assault is not a student or staff member. If you have been sexually assaulted, it is important that you seek help immediately. The District has provided a number of ways for you to get assistance and receive care, and you can choose the one(s) that you feel most comfortable with.

## STEPS TO FOLLOW:

1. Get to a safe place - If you are in fear of your safety/emergency call 9-1-1.
2. Get medical attention to assess and treat physical injuries and to collect evidence of the assault or obtain a protective order.

**A.** Survivors are encouraged to seek immediate medical attention and support, regardless of when the incident occurred. A medical exam has two goals: First, to diagnose and treat any injuries (including prevention of sexually transmitted illnesses and pregnancy); and second, to properly collect and preserve evidence. Medical evidence can be collected at the same time as medical care is provided.

**B.** Evidence preservation may assist in proving the alleged criminal offense occurred or may be helpful in obtaining a protection order. Do not wash hands, bathe, shower, douche, change clothes or straighten up the area. This destroys evidence. Physical evidence from a sexual assault should be collected within 96 hours of the incident. Evidence collection is only done with the survivor's permission and is free of charge.

For many cases, relevant evidence includes communications, such as text messages, voicemail and other phone records, emails, photos or videos, or other records. Save these communications and other records as well.

**C.** A survivor is not required to file a police report to have a sexual assault examination completed. Even if the assault survivor does not want to prosecute or make a police report, it is recommended that evidence be collected. This is so that, if the survivor later decides to file a police report and prosecute the perpetrator, the evidence will have been preserved. However, medical providers (but not licensed psychologists while working in their official duty) are mandated by state law to notify law enforcement if you tell personnel you have experienced sexual assault.

At Local SART (Sexual Assault Response Team) hospitals, survivors can access a free medical exam and forensic evidence can be collected: **Rape Treatment Center at Santa Monica-UCLA Medical Center** (1250 Sixteenth Street, Santa Monica, CA 90404) Phone: 424-259-7208

3. Seek emotional care and support - Do not try to deal with the situation alone.

The following departments on campus can provide resources and referrals:

- **Office of Title IX, Diversity and Inclusion:** 310-660-3813
- **ECC Police Department:** 310-660-3100
- **Student Health Services:** 310-660-3643

4. Consider reporting the incident with any of the options listed below:

**1)** A survivor of dating violence, domestic violence, sexual assault or stalking may report the offense directly to the El Camino College Title IX Coordinator at 310-660-3813 or via email at [TitleIXCoordinator@elcamino.edu](mailto:TitleIXCoordinator@elcamino.edu)

and/or

A survivor of dating violence, domestic violence, sexual assault or stalking may notify proper law enforcement authorities:

*These law enforcement agencies serve the following locations:*

### • **Main Campus**

ECC Police Department | 310-660-3100

### • **Business Training Center**

ECC Police Department | 310-660-3100 or;  
Hawthorne Police Department | 310-349-2700

### • **Fire Academy**

ECC Police Department | 310-660-3100 or;  
Inglewood Police Department | 310-412-5210

Always dial **9-1-1** in the event of an emergency.

**What is involved in making a police report:** If the ECC Police Department is contacted or is made known of the incident, a uniformed officer will be dispatched to take the report. The survivor may request a male or female officer to take the report and this request will be accommodated whenever possible. With the consent of the survivor, a full police report will be taken by a campus police officer who accompanies the survivor to the hospital. At the request of the survivor, a friend, family member or other designated person may be present. The officer will advise the survivor regarding hospital procedures and the availability of assistance. A campus police officer will be assigned to further investigate the criminal allegations and explain the legal process to the survivor. Lastly, a campus police officer shall present a completed written investigation to the Los Angeles County District Attorney's office for review and filing of criminal charges. If the Hawthorne Police Department or Inglewood Police Department is contacted, that agency's procedures and protocols will apply.

**2)** If the survivor chooses, campus authorities may assist a survivor in notifying law enforcement authorities. However, please note that if the survivor chooses an El Camino Community College District faculty or manager/administrator for assistance, because they are deemed Responsible Employees under Title IX, the faculty or manager/administrator is also required to report the incident to the Title IX coordinator.

**3)** A survivor also has the option to decline to notify such authorities. Reporting is your choice. If you do not report, try to write down the details of the assault and save them in case you change your mind. However, reporting these crimes will allow El Camino Community College District to provide resources to you. Whether you report or not, get medical attention for treatment of external and/or internal injuries and test for sexually transmitted diseases and pregnancy.

## PROTECTION OF CONFIDENTIALITY

Confidentiality in a complaint filed with the Title IX Coordinator cannot be guaranteed, however the information in a report will only be disclosed on a need-to-know basis. Complainants may request to seek Supportive Measures from the Title IX Coordinator without their name or information being disclosed to Respondent. Where Supportive Measures require coordination with other campus offices, limited information will be provided and the details of the alleged conduct will not be disclosed.

The District will attempt to honor any student's request for confidentiality; however, the District must also weigh its duty to provide a safe and nondiscriminatory environment for all members of the District community. Confidentiality cannot be ensured. Please note that when reporting to outside law enforcement agencies, that agency's procedures and policies will apply.

If you do not want to formally report the incident and would like support resources and confidential services, please visit Student Health Services (SHS). Under Title IX, all employees of SHS are confidential resources\* and are excluded from the category of Responsible Employees. Please note that there are no confidential reporting options located at the Business Training Center and Fire Academy.

*\*Please note that while SHS is a confidential resource, some employees in SHS may be Campus Security Authorities under the Clery Act and are required to report incidents for statistical purposes. However, this may be done without disclosing personally identifying information.*

## PUBLICLY AVAILABLE RECORDKEEPING

All personally identifiable information (such as first and last name, address, contact information, social security number, driver's license number, passport number, student identification number, date of birth, racial or ethnic background, religious affiliation, etc.) is kept confidential and will not be included in any publicly available recordkeeping, including Clery Act reporting and disclosures such as the annual security report and the daily crime log.

## PROTECTIVE ORDERS AND THE RIGHTS OF SURVIVORS

Where applicable, a survivor may have the right to obtain orders of protection, no contact directives, restraining orders, or similar lawful orders issued by a criminal, civil, tribal court, or by the District. The District will honor, comply and enforce current and valid restraining orders and/or orders of protection.

When an order of protection is violated, a survivor should immediately enforce that order by notifying the appropriate jurisdiction that issued it. In cases of violations of Emergency Protective Orders and Temporary Restraining Orders, a survivor should immediately notify local law enforcement by calling 9-1-1. In cases of violations of a "El Camino College No Contact Directive", the appropriate office or individual who issued the order should be immediately contacted.

- An Emergency Protective Order (EPO) is an order issued by a judicial officer upon request by a peace officer under Family Code Section 6250. The purpose of this order is to provide for immediate and short-term protection to victims of dating violence, domestic violence, sexual assault and stalking. Emergency Protective Orders may be obtained by a peace officer investigating a report of these crimes. Contact the ECC Police Department at 310-660-3100, Hawthorne Police Department (for the Business Training Center) at 310-349-2700 or the Inglewood Police Department (for the Fire Academy) at 310-412-5210 if you believe you are in immediate need of an EPO.
- Temporary Restraining Orders (TRO) may be requested by a victim from the Los Angeles County Superior Courts. The nearest Los Angeles County Superior Court location for the main campus and the Business Training Center is the Torrance Courthouse located at 825 Maple Ave. Torrance, CA 90503. The nearest Los Angeles County Superior Court location for the Fire Academy is the Inglewood Courthouse located at 1 E Regent St. Inglewood, CA 90301. You may visit the information desk for an application and filing instructions. The application must first be approved by a judicial officer before a TRO is issued.
- A survivor may or may not request criminal prosecution. The ECC Police Department strongly encourages a victim to prosecute criminal acts; however they are under no obligation to do so. A victim may contact the Los Angeles County District Attorney's Office (Torrance Courthouse) at 825 Maple Ave. Torrance, CA 90503, 310-222-3552 (for the main campus and Business Training Center) or the Los Angeles County District Attorney's Office (Inglewood Courthouse) at 1 E Regent St. Inglewood, CA 90301, 310-419-1396 (for the Fire Academy). Furthermore, victims may contact the Torrance Police Department located at 3300 Civic Center Drive. Torrance, CA 90503, 310-328-3456 (for the main campus), the Hawthorne Police Department located at 12501 Hawthorne Blvd. Hawthorne, CA 90250, 310-349-2700 (for the Business Training Center), the Inglewood Police Department located at 1 W Manchester Blvd. Inglewood, CA 90301, 310-412-5210 (for the Fire Academy) or the ECC Police Department, 16007 Crenshaw Blvd. Torrance, CA 90506, 310-660-3100 for assistance.



- A survivor may also pursue civil remedies through the civil court system. Contact the Los Angeles County Superior Court Civil Department (Torrance Courthouse) at 825 Maple Ave. Torrance, CA 90503 or call 310-787-3697 for the main campus and the Business Training Center. Contact the Los Angeles County Superior Court Civil Department (Inglewood Courthouse) at 1 E Regent St. Inglewood, CA 90301, 310-419-1396 for the Fire Academy.
- Survivors of crime or a family member of a victim have many rights throughout the criminal justice system. Information pamphlets regarding the Victims' Bill of Rights Act of 2008: "Marsy's Law" is available in the ECC Police Department or at the Los Angeles County District Attorney's Office (Torrance Courthouse) at 825 Maple Ave. Torrance, CA 90503 for the main campus and Business Training Center or at the Los Angeles County District Attorney's Office (Inglewood Courthouse) at 1 E Regent St. Inglewood, CA 90301 for the Fire Academy.
- El Camino Community College District No Contact Directive: The District may take measures to protect a complainant who reports being the survivor of these crimes. These protective measures may include, but are not limited to, prohibiting the accused individual from having any contact with the complainant, providing escorts to ensure that the complainant can move safely between classes and activities, ensuring the complainant and alleged perpetrator do not attend the same classes or work in the same work area, and preventing offending third parties from entering the District. No contact directives related to Title IX may be requested from the District's Title IX coordinator.

## SUPPORTIVE MEASURES

Once the Title IX coordinator or designee has received a complaint and/or report of Sexual or Gender-Based Misconduct, the District will make an assessment to determine if any immediate remedies are warranted, pending an investigation. The District will work with Complainants affected by the Sexual or Gender-Based Misconduct report to ensure their safety and promote their well-being. The Title IX coordinator may determine immediate or long-term supportive measures to promote the well-being, safety, and restoration of the Parties.

The District is obligated to comply with a student's reasonable request for academic situation change. Although the District does not have any on or off campus housing, assistance with living arrangements can be provided through referrals with community resources. The Title IX Coordinator or designee will also provide written notification to survivors about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures following an alleged report of domestic violence, dating violence, sexual assault or stalking incident regardless of whether the survivor chooses to report the crime to the ECC Police Department or local law enforcement.

Examples of supportive measures that may be implemented are subject to the discretion of the Title IX Coordinator and may include:

- Access to counseling services and assistance in setting up an initial appointment, both on and off campus;

- Imposition of campus "No Contact Order" issued to the respondent, or, where appropriate, to both parties;
- Rescheduling of exams and assignments (in conjunction with appropriate faculty and deans as necessary);
- Providing alternative course completion options (with the agreement of the appropriate faculty);
- Change in class schedule, including the ability to take an "incomplete," drop a course without penalty or transfer sections (with the agreement of the appropriate faculty);
- Change in work schedule or job assignment;
- Limiting an individual or organization's access to certain District facilities or activities pending resolution of the matter;
- Voluntary leave of absence;
- Providing an escort to ensure safe movement between classes and activities;
- Providing medical services;
- Providing academic support services, such as tutoring;
- Interim suspension or District-imposed leave;
- Monitoring, supervision, or security at locations or activities where the alleged misconduct occurred;
- Providing additional training and education materials for students and employees;
- Conducting climate surveys regarding sexual violence;
- Any other remedy that can be tailored to the Parties to reasonably achieve the goals of this Policy.

Please contact the Title IX Coordinator at **310-660-3813** or via email at **TitleIXCoordinator@elcamino.edu** for assistance and to request changes.

## FORMAL COMPLAINT & INVESTIGATION PROCESS

El Camino College is committed to providing a prompt, fair, and impartial process from the initial review to the final result for an institutional disciplinary proceeding. Officials (those who are chosen to conduct proceedings to address allegations of dating violence, domestic violence, sexual assault and stalking, as defined by the Clery Act) receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking in order to ensure that officials know how to conduct an investigation and hearing process that protects the safety of survivors and promotes accountability.

The District shall use reasonable, diligent efforts to investigate reported incidents of Sexual or Gender-Based Misconduct to Complainant and Respondent within ninety (90) working days or the date in which the complaint was filed unless there are extenuating circumstances that prohibit the timeliness of the completion of the investigation.

The Formal Complaint & Investigation process has disciplinary implications and is governed by the California Code of Regulations. Its purpose is to determine whether or not there has been a violation of District policies. Where a Complainant notifies the Title IX Coordinator of allegations of Sexual or Gender-Based Misconduct and wishes to pursue a Formal Complaint, or where the Title IX Coordinator determines it is warranted based on a safety concern, an investigation into the allegations will be conducted by the Title IX Coordinator or their designee. The District is committed to using a balanced and fair



investigative process for both Complainant and Respondent.

As set forth in the provisional procedures, the Scope of Formal Investigations conducted by the Office of Title IX, Diversity and Inclusion are limited to allegations of Sexual or Gender-Based Misconduct. This Formal Complaint and investigation process only applies in cases where Complainant has filed a complaint, the Title IX Coordinator has determined it is within the District's jurisdiction, and where the parties have opted not to pursue or agree to Informal Resolution.

The steps in the formal investigation process are as follows:

1. Notice of Formal Investigation
2. Investigation Process
3. Investigation Report and Review Periods
4. Hearing Procedures
5. Hearing Determination

Whether or not the Respondent is found to be Responsible, both Complainant and Respondent will be notified simultaneously of the outcome of the Investigative Findings in writing, which include: The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking, the institution's procedures for the accused and the survivor to appeal the result of the institutional disciplinary proceeding, if such procedures are available, any change of the result, and when such results become final.

## STANDARD OF EVIDENCE

In reaching a conclusion, the District shall use a "preponderance-of-the-evidence" standard, that it is "more likely than not" that an allegation occurred and constitutes a violation of El Camino College Board Policy/Administrative Procedure 3540, Board Policy/Administrative Procedure 5500 and any other applicable policies and procedures. The outcome of a Formal Complaint shall be based upon the thorough investigation of allegations, and the weighing of evidence in totality by the Title IX coordinator, or their designee, the Hearing Officer, and the Appeals Body, if applicable.

## APPEALS

If after the conclusion of an investigation, the preponderance of the evidence indicates that it is more likely than not that Respondent violated District BP/AP 3540, the complaint will be determined substantiated. Appeals of the Investigative Findings & Administrative Determination are handled outside of the Office of Title IX, Diversity and Inclusion. When either party is not satisfied with the results of the administrative determination, they may, within ten (10) working 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 forty-five (45) working days after receiving the appeal. A copy of the decision rendered by the Board shall be forwarded to the Parties and to the State Chancellor's Office. If the board does not overturn the Hearing outcome within forty-five (45) working days the administrative determination shall be deemed approved and shall become the final decision of the District in this matter.

## ADVISORS

Sexual or Gender-Based Misconduct investigations and appeal hearings are not formal court proceedings, but instead are administrative actions imposed by the District. Each Party may elect to be accompanied by a single Advisor, including but not limited to a collective bargaining representative (if applicable), attorney, family member or friend, to any investigative meeting, investigative interview, or appeal hearing. Both Complainant and Respondent are entitled to the same opportunities to have one (1) Advisor of their choice present during District investigation meetings, including their own investigative interview, Hearings, as well as other related administrative meetings. The District will provide an advisor to any Party, in the event that the Party does not have an advisor, their advisor is unavailable to attend the hearing, or the advisor is removed from the hearing due to inappropriate or disruptive behavior. Parties may opt out of having an advisor for the investigative interview or other related meetings, but may not opt to self-represent for the cross-examination portion of the hearing.

## SANCTIONS

Where a Respondent is found Responsible for violation of BP 3540, the Investigative Report and Hearing Officer's report will be submitted to the District Disciplinary Officer to serve as the basis of any applicable sanctions.

Pursuant to Administrative Procedure 5520 (Student Discipline Procedure), possible sanctions for students include: written or verbal reprimand, educational sanctions, probation, restitution, removal from class/facility/District entity, withdrawal of consent to remain on-campus, a No Contact Directive, short term suspension, long term suspension, intermediate interim suspension or expulsion. Sanctions for Sexual and Gender-Based Misconduct incidents for employees that are workplace related would be administrated consistent with Board Policy 7365, Administrative Procedure 7800, applicable collective bargaining agreements, and legal requirements, which are subject to change. Employee discipline mechanisms include: Formal written reprimand, required training or counseling, disciplinary probation, demotion, reassignment, involuntary transfer, suspension with or without pay, or dismissal.

## INFORMAL RESOLUTION

If the Office of Title IX, Diversity and Inclusion or either Party believes that it may be possible to resolve the Complaint in a prompt, fair, and reasonable manner without conducting a Formal Complaint and Investigation, the Office of Title IX, Diversity and Inclusion may suggest the Parties consider Informal Resolution. Supportive measures and interim remedies may be implemented in Informal Resolution.

Both Parties must agree to participate in the Informal Resolution process and must agree in writing to the proposed remedies. Where Respondent does not agree to participate in Informal Resolution or where the Parties do not agree to the proposed remedies, Complainant will have the option to pursue a Formal Complaint or withdraw their complaint. Where Complainant is a District Student and Respondent is a District Employee, Informal Resolution is not permitted. Where the complaint involves allegations of sexual violence, Informal Resolution is not permitted.

The purpose of the informal process is not to investigate the matter or determine fault, but to 1) provide supportive measures and remedies to the involved parties, 2) share with the person at issue feedback from the aggrieved Party to prevent further potential issues and/or miscommunications, and 3) notify them of the type of behavior that can be construed as being in violation of our school board policies. The Title IX coordinator may work with relevant administrative offices, such as deans, faculty, or the District Disciplinary Officer, to coordinate and provide proposed supportive measures and remedies. There is no timeline associated with the informal process. Informal Resolution can be changed to a formal investigation if the circumstances warrant it.

Where Respondent is a District Employee, the relevant supervisor is notified of the issue as well, not only to help monitor the situation, but to work with Human Resources on instituting any necessary interim actions. Where Respondent is a District Student, relevant instructors and administrative staff may be notified of the issue as well, to assist in monitoring the situation.

Once the Office of Title IX, Diversity and Inclusion has met with all relevant Parties to discuss the matter, the complaint will be considered resolved. Accordingly, there is no appeals process for informal resolution.

However, the Formal Complaint & Investigation process may be used prior to the final informal resolution at the request of Complainant or if information is provided that indicates a substantial or ongoing threat to the safety of the campus community.

## COMPLAINANT & RESPONDENT RIGHTS

Parties are entitled to a fundamentally fair process, including reasonable notice of allegations of violations of Sexual or Gender-Based Misconduct, the opportunity for the person to be heard and to afford the person the opportunity to present evidence prior to the issuance of any Investigative Findings and Sanctions, except when immediate interim suspensions or restrictions are deemed necessary pending an investigation and determination of the matter.

Throughout the investigative process, both Complainant and Respondent have the following equal rights:

- To be treated with respect by District officials;
- To take advantage of campus support resources, such as mental health services, Health Services, etc. to help remedy and restore;
- To experience a safe education and work environment;
- To have an Advisor present during the investigative interview and appeals hearing;
- To be free of Retaliation;
- To have complaints investigated adequately, impartially, and reliably; and
- To fully participate in any process whether the injured Party is serving as Complainant, or where the institution is serving as Complainant.

Where an investigation is conducted, Complainant and Respondent have a right to a grievance process that:

- Is prompt, fair and impartial;
- Includes an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence;
- Precludes conflicts of interest or bias on the part of coordinators, investigators, and decision makers;
- Ensures training for coordinators, investigators, and decision makers;
- Relies on training materials that promote objective investigations and disciplinary procedures and that do not rely on sex stereotypes;
- Includes a presumption that Respondent is not responsible;
- Allows delays in investigations for good cause, including absence of parties or witnesses, law enforcement activity, or disability accommodations;
- Describes the sanctions and remedies that are available;
- Specifies the standard of evidence to be used;
- Specifies the supportive measures that are available;
- Precludes the use of questions that would violate a legally recognized privilege, unless waived.
- Provides concurrent notification in writing, of the outcome/ resolution of the complaint and the basis for the determination; and
- Details the procedures available for appeals.

## BYSTANDER INTERVENTION

Bystander intervention is safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures, and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

As a Bystander, you can help combat domestic violence, dating violence, sexual assault, stalking and rape. Your most powerful tool is conveying your concern. The best way bystanders can assist in creating an empowering climate free of interpersonal violence is to diffuse the problem behaviors before they escalate.

This can be accomplished by:

- Approaching everyone as a friend
- Being honest and direct whenever possible
- Avoiding the use of violence
- Not being antagonistic
- Keeping yourself safe
- Recruiting help if necessary
- Getting help from other bystanders, if necessary
- If things get out of hand or become too serious, contact the police



# RISK REDUCTION

Risk reduction is options designed to decrease perpetration and bystander inaction, increase empowerment for victims in order to promote safety and help individuals and communities address conditions that facilitate violence. According to the Rape, Abuse & Incest National Network (RAINN), the following tips may guide you in responding and exiting a situation safely:

- **Trust your gut** - Don't feel obligated to do anything you don't want to do. It doesn't matter why you don't want to do something.
- **It's okay to lie** - If you want to exit a situation immediately, it's okay to lie. You're never obligated to remain in a situation that makes you feel uncomfortable, pressured or threatened. You can also lie to help a friend leave a situation that may be dangerous.
- **Have a code word** - Develop a code with friends or family that means "I'm uncomfortable" or "I need help." That way you can communicate your concern and get help without alerting the person who is pressuring you.
- **Think of an escape route** - If you had to leave quickly, how would you do it? Locate the windows, doors, and any other means of exiting the situation. Are there people around who might be able to help? How can you get their attention?

Here are ways you can be an effective, active bystander without posing risk to yourself:

- **Create a distraction** - Distracting is a subtle and innovative way of intervening. The purpose of distraction is to interrupt the incident, safely, by communicating with the individual at risk and giving them an opportunity to safely exit the potentially dangerous situation. Try creating a distraction as early as possible.
- **Ask directly** - Asking directly to the individual at risk can help you determine if an action needs to be taken immediately to ensure a safe environment. You can address the individual at risk directly. You can ask the following, "Do you need help?" or "Would you like me to stay with you?"
- **Rally others** - It can be intimidating to approach a situation alone. If you need to, enlist another person to support you.

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

- **Know your resources** - Know who to contact and where you should go if you or a friend needs help. Notice where emergency phones are located on campus and program the ECC Police Department phone number into your cell phone for easy access.
- **Stay alert** - When you're moving around campus, always be aware of your surroundings.
- **Make a plan** - If you're going out, go with people you trust and agree to watch out for each other by planning to leave together. Don't leave someone stranded in an unsafe situation.
- **Think about Plan B** - Spend some time to think about back-up plans for potentially sticky situations. For example, have some emergency cash in case you can't use your credit card or memorize a few phone numbers in case you don't have your cell phone.

# THE CLERY ACT

In accordance with the Jeanne Clery Campus Safety Act, El Camino College has published an Annual Security Report and all required statistical data, which can be found at the following URL: [www.elcamino.edu/annualsecurityreport](http://www.elcamino.edu/annualsecurityreport). This publication includes Clery crime statistics for the previous three years relevant to El Camino College classes and activities, in addition to institutional policies concerning campus safety and security. The information is also available in printed form in the lobby of the Police Department and in select locations on campus. Upon request, the ECC Police Department can provide paper copies of this publication. Contact them at **310-660-3100**.





# El Camino College

16007 Crenshaw Boulevard • Torrance, CA 90506

310-532-3670 • [www.elcamino.edu](http://www.elcamino.edu)