

Sexual Assault

A. Definition

1. Rape and other types of sexual assault, whether by a stranger or by an acquaintance, whether against women or men, are violations of the law and the policy of the Glendale Community College District. Sexual assault includes, but is not limited to rape, sexual battery, or the threat of sexual assault.
2. The Glendale Community College District is committed to providing students with the resources necessary to deal/cope with a sexual assault. While the District strongly advises a survivor to press criminal charges when assaulted, it recognizes that the survivor of a sexual assault may or may not want to take such action. The District will address the needs of the sexual assault survivor by providing a consistent, caring, and timely response when sexual assault occurs within the campus community¹. Referrals for treatment will be made and ongoing support will be offered to survivors in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Campus Sexual Assault Bill of Rights. (Higher Education Amendment of 1998, 34 CFR Part 668; Public Law 105-244.)
3. When a sexual assault is reported to any staff member, faculty, or administrator; that person is responsible for providing the survivor with information, potential courses of action and available resources. The confidentiality of the survivor is paramount, and his/her name will only be released with his/her consent. There are legal exceptions to the confidentiality issue (e.g., parents of a minor must be informed, legal subpoena requires that documents be sent to the court).

B. Steps to be followed by a District employee with the survivor of a sexual assault.

1. Inform the survivor that the District is committed to the survivor's safety and health, therefore, it is recommended that s/he talk to someone in Campus Police/Health Center.
 - a. If the survivor agrees to talk to someone in the Campus Police Office or Health Center, escort them to the appropriate office.
 - b. If the survivor does not wish to talk to anyone in the Campus Police Office or Health Center, the District employee must inform the survivor that:

¹ Campus Community is defined as any building: a.) or property owned or operated by the institution, b.) operated by another for purpose of student use/support (e.g., Zebra Coffee), c.) owned by another and used frequently by students (e.g., parking lots).

- i. the employee must report the incidents (not the names of those involved) to Campus Police in order to protect the campus community.
 - ii. it is recommended that the survivor seek medical care for injuries, trauma, evaluation and treatment of STDs. Instruct the survivor to AVOID showering, changing clothes, urinating, cleaning teeth, or drinking until medical care can be provided. Huntington Memorial is the only facility in the area available to conduct forensic sexual assault evaluations. Inform the survivor that hospital personnel will be required to contact local law enforcement agencies regarding the assault. If the survivor is willing to go to the hospital, the staff member who was informed of the assault, Campus Police, or a college administrator will assist with transportation arrangements.
 - iii. there are resources available and assist the survivor in accessing those resources.
 - iv. written information regarding community resources, including medical facilities, are posted in the Health Center, in campus lavatories, and on the bulletin board outside Campus Center. Individual copies of the resource list are available in the Health Center and can be taken without talking to anyone.
2. If the survivor chooses to talk to Campus Police/Health Center, s/he will be asked if they choose to press criminal charges. The District strongly encourages the survivor to press charges or file a formal complaint against the alleged perpetrator, but understands that the survivor is under no obligation to do so.
 - a. If the survivor chooses to press charges or file a complaint, Campus Police Officers (not the cadets) will:
 - i. assess the potential for continuing threat.
 - ii. ensure that the survivor is given appropriate protection while on campus, including protection from retaliation for the complaint, if necessary. Such protection may include placing appropriate restrictions on the accused.
 - iii. ask the survivor to provide a detailed written statement of the assault and the surrounding events.
 - iv. discuss the confidentiality of the reporting process.
 - v. escort the survivor to Huntington Memorial Hospital Emergency Department for medical evaluation, treatment and possible collection of evidence.
 - vi. provide the survivor with resources and referrals available both within the District and the community.
 - b. If the survivor chooses to NOT press charges or file a complaint, Campus Police Officers (not the cadets) will:
 - i. assess the potential for continuing threat.

- ii. ensure that the survivor is given appropriate protection while on campus, including protection from retaliation for the complaint, if necessary. Such protection may include placing appropriate restrictions on the accused.
 - iii. ask the survivor to provide a detailed written statement of the assault and the surrounding events.
 - iv. discuss the confidentiality of the reporting process. Ask the survivor if his/her identity is to be kept confidential.
 - v. encourage the survivor to go to Huntington Memorial Hospital Emergency Department for medical evaluation and treatment.
 - vi. provide the survivor with resources and referrals available both within the District and the community.
- C. Steps to be followed by District administration following the report of a sexual assault. Campus Police will:
1. Ensure that the name/identity of the survivor is kept confidential upon request of the survivor or per Section 293 of the Penal Code and Section 6254 (f) of the Government Code. To protect the privacy of the individuals involved, the District will not release names without the consent of those involved unless the release is essential to the health and safety of the survivor, or the campus community, or to otherwise fulfill the legal obligations of the college.
 2. Notify the Dean of Student Affairs of the incident. The Dean will participate in the investigation of the assault to:
 - a. determine if the alleged perpetrator is a student and whether disciplinary action is to be taken.
 - b. provide assistance to the survivor in relation to college related activities including, but not limited to assisting the student with changing classes, working with instructors for "make up" assignments or tests, working with other college services on behalf of the student.
 - c. develop language for a bulletin regarding the assault for distribution to the campus community.
 - d. will provide directly to the survivor information about the existence of criminal prosecution, civil prosecution, and the District's disciplinary process (if the alleged perpetrator is a Glendale Community College student), and the availability of counseling.
 3. Notify the Superintendent/President. The Superintendent/President will:
 - a. take appropriate action if anyone associated with the matter poses a continuing threat.
 - b. direct the Public Relations Officer to work with the Dean of Student Affairs and Campus Police to develop and distribute bulletins about the incident.

- c. notify appropriate members of the Executive Committee (or College Administration) of the sexual assault.
- d. initiate the notification of the campus community of the sexual assault.

D. When the Alleged Perpetrator is a student, the Dean of Student Affairs will:

1. Assist Campus Police/Law Enforcement with the investigation, where appropriate.
2. Conduct a campus investigation that will proceed independently from any legal proceedings that may take place in accordance with Board Policy and Administrative Regulations 5420 (Standards of Student Conduct, Procedural Guidelines, and Disciplinary Action).
3. Consult with District legal counsel and make decisions in a timely manner regarding the charges and the appropriate consequences, including discipline or expulsion for the accused as outlined in Board Policy and Administrative Regulation 5420.
4. Inform the survivor and alleged perpetrator of the outcome of the investigation.